

AGENDA

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

Tuesday 22 February 2022

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



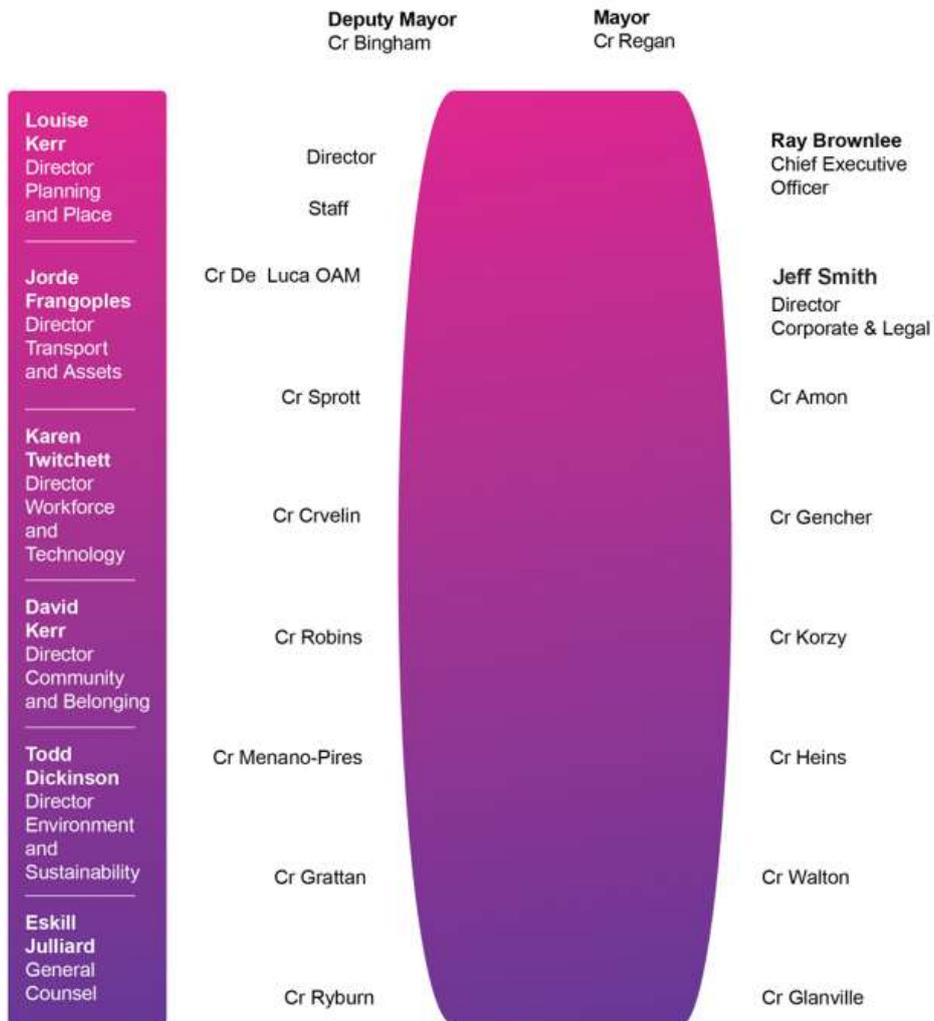
Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 22 February 2022
at the Civic Centre, Dee Why
Commencing at 6:00pm**

1.0	ACKNOWLEDGEMENT OF COUNTRY	
2.0	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE	
3.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	
3.1	Minutes of Ordinary Council meeting held 23 November 2021	
3.2	Minutes of Ordinary Council Meeting held 29 December 2021	
4.0	DISCLOSURES OF INTEREST	
5.0	PUBLIC FORUM AND PUBLIC ADDRESS	
6.0	ITEMS RESOLVED BY EXCEPTION	
7.0	MAYORAL MINUTES	8
7.1	Mayoral Minute No 1/2022 - Congratulations to Emeritus Mayor Julie Sutton OAM.....	8
7.2	Mayoral Minute No 2/2022 - Australia Day Honours Awards	10
8.0	CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS	13
8.1	Councillors Welcome and Inaugural Speeches	13
9.0	CORPORATE AND LEGAL DIVISION REPORTS	15
9.1	Use of Delegated Authority Over 2021-2022 Recess	15
9.2	Councillor Fees 2021/22, Determination of Remuneration Tribunal and Superannuation Payments from July 2022	16
9.3	Councillor Appointments to Committees and Committee Framework	20
9.4	Draft Councillor Expenses and Facilities Policy for Public Exhibition	37
9.5	Reporting of Minutes - Committees of Previous Council Term.....	39
9.6	Code of Conduct Complaint Statistics	43
9.7	Quarterly Review - December 2021	47

9.8	Monthly Investment Report - November 2021	67
9.9	Monthly Investment Report - December 2021	77
9.10	Monthly Investment Report - January 2022	87
10.0	COMMUNITY AND BELONGING DIVISION REPORTS	
	Nil	
11.0	ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS	
11.1	Update on Environmental Assessment for Proposed Trail of Palm Beach (North) and Mona Vale Beach (South) Off Leash Areas <i>(Report not available at the time of publishing and will be circulated prior to the meeting)</i>	
12.0	PLANNING AND PLACE DIVISION REPORTS	97
12.1	Variations to Development Standards Under Clause 4.6 of Local Environmental Plans	97
12.2	Fire & Rescue NSW Inspection Report - 105 Frenchs Forest Road (West) Frenchs Forest	103
12.3	Submission on Infrastructure Contributions Reforms.....	112
12.4	Statutory Exhibition Findings for a Planning Proposal for 1294-1300 Pittwater Road Narrabeen and 2-4 Albert Street, Narrabeen.....	124
13.0	TRANSPORT AND ASSETS DIVISION REPORTS.....	139
13.1	Public Exhibition of the Draft Northern Beaches Property Strategy.....	139
13.2	Outcome of Public Exhibition to rename Walworth Court, Newport	144
13.3	Suspension of the Alcohol Prohibited Area on Manly Beach for Volleyball Australia Volleyfest Sunday 6 March 2022	147
13.4	Council Representation on the Board of the Northern Beaches Indoor Sports Centre	151
14.0	WORKFORCE AND TECHNOLOGY DIVISION REPORTS	153
14.1	Appointment of Performance Review Panel - Chief Executive Officer	153
15.0	NOTICES OF MOTION	157
15.1	Notice of Motion No 1/2022 - Warringah Aquatic Centre Precinct Plan.....	157
15.2	Notice of Motion No 2/2022 - Acknowledgement of Community Service to the People of the Northern Beaches.....	158
15.3	Notice of Motion No 3/2022 - Waive Outdoor Dining Fees for Businesses	159
15.4	Notice of Motion No 4/2022 - Simplifying Small Business Applications.....	160
15.5	Notice of Motion No 5/2022 - Manly Vale Streetscape and Town Centre.....	161

16.0 QUESTIONS WITH NOTICE

Nil

17.0 RESPONSES TO QUESTIONS WITH NOTICE

Nil

18.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION 164

18.1 RFT 2021/106 - Slope Stabilisation and Retaining Structure Panel

18.2 RFT 2021/159 - Outcome of RFT - Lease and Fitout of Hospitality Venue -
Glen Street Theatre

18.3 RFT 2021/157 - Provision and Installation of Mobile Library Shelving

18.4 Coast Walk Public Art Commission - Robert Dunn Reserve

19.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

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

In accordance with Council resolution 286/21 requests by councillors to attend meetings remotely via audio-visual link will be considered by Council.

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 23 NOVEMBER 2021

RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 23 November 2021 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

3.2 MINUTES OF ORDINARY COUNCIL MEETING HELD 29 DECEMBER 2021

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held 29 December 2021, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

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

6.0 ITEMS RESOLVED BY EXCEPTION

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

7.0 MAYORAL MINUTES

ITEM 7.1	MAYORAL MINUTE NO 1/2022 - CONGRATULATIONS TO EMERITUS MAYOR JULIE SUTTON OAM
TRIM FILE REF	2022/063391
ATTACHMENTS	NIL

BACKGROUND

I want to pay tribute and formally congratulate Emeritus Mayor Julie Sutton, OAM on her recent award in the Australia Day Order of Australia Honours.

Her extraordinary service to our community over more than 40 years as both an elected representative and her ongoing service and dedication to community groups has been exceptional and now finally recognised by this Award.

Ms Sutton was Warringah Council's first elected female Mayor in 1995 and then again in 2002 and served many terms as Deputy Mayor and Councillor during the period 1980 to 2012. It is incredible to conceive this, but Julie only ever missed one council meeting in this whole time. It is a remarkable testament to her work ethic and commitment to her role as an elected representative serving the community.

I know that following her retirement from local government she continued to serve on many committees and local community boards providing administrative support and guidance. An incredibly entertaining and knowledgeable speaker, she is still to this day asked to speak at community events and provides support to locals in our community who need it. I have no doubt she has prepared hundreds of meals at her own expense, helped many by taking them to their medical appointments and never once asked to be thanked or acknowledged.

Many in our community have had the great pleasure of being taught by Julie during her time as a teacher of English and Modern Languages at The Forest High School, Davidson High School and Killarney Heights High School. Then as a Marriage Celebrant, she has married many of them, performed their children's christenings and sadly spoken at many of our community members funerals and always with class, dignity and kindness. We are so fortunate that she has remained working with Council to perform the role of Master of Ceremony at our Citizenship Ceremonies making them very memorable and entertaining for our new citizens.

She was an integral part of many Council Committees during her service, supporting the Forest Community Association, whose work resulted in the establishment in 1985 of the Forest Community Centre and Glen Street Theatre. For this, she was appointed the first Patron of the Theatre and if you were fortunate to attend an opening night, her speeches were always a highlight for not just the patrons but the actors as well. She played a major role in returning private land to public space through the creation of the Garigal National Park which resulted from many arduous and long negotiations. Her efforts on behalf of the community are too numerous to list. In 2012, Julie was recognised in the NSW Parliament by the current Member for Davidson, the Hon. Jonathan O'Dea, MP and the current Member for Wakehurst, the Hon. Brad Hazzard, MP who nominated her for the Woman of the Year Award. She continues to this day to have the respect of our local State Members. At her last Council meeting, I was privileged to present another award on behalf of the Local Government Association of NSW being the title of Emeritus Mayor in recognition of her service to local government.

From a more personal perspective, I remain eternally grateful for the support and advice she has given to me since I was first elected Mayor of Warringah Council in 2008. Still to this day, she is someone that I seek advice and take inspiration from as she remains very passionate and understanding of our community and always puts the community first. I said at the time of her retirement that she had an impact on so many, this cannot be understated and I'm sure our Local Members, former councillors and staff will testify to this. At the time, I acknowledged that we would miss her as we had been fortunate to be entertained by her intelligent wit but mostly because she stood to remind us of what really mattered within this community.

On behalf of our community, I ask Councillors to join me in congratulating and acknowledging Emeritus Mayor Julie Sutton on her recent Order of Australia Medal and thank her for her tireless commitment and passion to serving our community.

MOTION

That Council acknowledge Emeritus Mayor Julie Sutton OAM on her recent Order of Australia Medal.



Michael Regan
MAYOR

ITEM 7.2	MAYORAL MINUTE NO 2/2022 - AUSTRALIA DAY HONOURS AWARDS
TRIM FILE REF	2022/066678
ATTACHMENTS	NIL

BACKGROUND

It was wonderful to see so many of our local residents listed on the Honour Roll in this year's Australia Day Honours Awards.

The Australian Honours and Awards system recognises the outstanding service and contributions of Australians across the country who do not seek recognition but should be acknowledged for their passionate commitment to improving the lives of others in our local communities.

As with Council's own Australia Day Community Awards, it is a time to publicly recognise and celebrate those in our community who give passionately of their time to inspire others, who excel in their chosen fields and who make a worthy contribution to our local community.

This year's Australia Day Honours recipients included:

David Allen (late) of Balgowlah, awarded the Medal of the Order of Australia (OAM) for service to veterans, and to the community. He served in both the Royal Australian Navy (RAN) and Australian Army and was formerly a President of the RAN Corvettes Association.

Stephanie Barker of Allambie Heights, awarded the Public Service Medal (PSM) for outstanding public service to urban planning in NSW. She is considered one of NSW's leading strategic planners and an influential urban planner, having made significant contributions to the urban planning landscape of Greater Sydney.

Elizabeth Barraclough of Terry Hills, awarded the Medal of the Order of Australia (OAM) for service to the community of Terrey Hills. A former teacher, she has volunteered at the Terrey Hills Community Library for over 40 years as well as giving her time to Meals on Wheels and WIRES.

Kathryn Boyd of Forestville, awarded the Public Service Medal (PSM) for her outstanding public service in the provision of legal advice as General Counsel in NSW, particularly during the 2019-2020 bushfire season and COVID-19 pandemic.

Douglas Denby of Mona Vale, awarded the Medal of the Order of Australia (OAM) for service to people with disability through sport, serving on the executive of the Australian Paralympic Committee from 1996 to 2013. He was awarded life membership of Riding for the Disabled Australia in 2006 having previously served as President and Treasurer and accompanied paralympic equestrian teams to three Olympics.

John Donnelly of Forestville, awarded the Medal of the Order of Australia (OAM) for service to the community through social welfare organisations. A former teacher, he served as a board member of the St Vincent de Paul Society (NSW) and is a former President of Forestville Probuc Club.

Commissioner Shane Fitzsimmons of Berowra Heights, awarded Officer of the Order of Australia (AO) for distinguished service to the community through leadership roles within fire and emergency response organisations. A life member of Duffys Forest Rural Fire Brigade, he is a decorated firefighter and former Commissioner of NSW Rural Fire Service.

Alister Forsyth (late) of Manly, awarded the Medal of the Order of Australia (OAM) for service to the community of Wollombi Valley, having supported education, sports and arts organisations. He was also a former President and Treasurer of the Wollombi Rural Fire Brigade.

Rachel Grimes of Freshwater, awarded Member of the Order of Australia (AM) for significant service to business in the field of accountancy, and to professional associations. She has held senior executive roles in finance, including as Chief Financial Officer of Westpac, and as President

of industry associations Chartered Accountants Australia and New Zealand, and the International Federation of Accountants.

Martin Hill of Seaforth, awarded Member of the Order of Australia (AM) for significant service to business, to sailing, and to the community. As a property industry expert he has held academic positions and provided advice to government. An awarded competitive sailor, he is a former Commodore of the Middle Harbour Yacht Club.

Prof Leslie Irwig of Frenchs Forest, awarded Member of the Order of Australia (AM) for significant service to tertiary education, and to medicine as an epidemiologist. Currently Emeritus Professor of Epidemiology, School of Public Health at the University of Sydney, he is a contributing author on over 400 research publications.

Adrienne Lowe of Narrabeen, awarded the Medal of the Order of Australia (OAM) for service to surf lifesaving. A former President of Dee Why Surf Life Saving Club, she continues in her role as a training officer. She has held volunteer positions with Surf Life Saving NSW, the Salvation Army Red Shield Appeal, and community advisory roles with Northern Beaches Council.

Wayne Lyne of Forestville, awarded the Medal of the Order of Australia (OAM) for service to the community through emergency response organisations. A member of the NSW SES since 1977, he is the Local Commander for the Northern Beaches. He has received multiple commendations and citations including the NSW Premier's Bushfire Emergency Citation (2020) and a 40 year Service Award for the NSW SES.

Lynette Millett of Bilgola Plateau, awarded the Medal of the Order of Australia (OAM) for service to animal welfare as a Vice Chair for the Wildlife Information, Rescue and Education Services (WIRES). Previously a volunteer for Meals on Wheels, the Cerebral Palsy Alliance, and Scouts, Cubs and Girl Guides, she dedicates her time to the rescue and care of injured and orphaned animals for WIRES.

Joan Reid of Collaroy, awarded the Medal of the Order of Australia (OAM) for service to conservation and the environment. She is a wildlife rescuer and carer for Sydney Wildlife Rescue, and Manager of the Waratah Park Rehabilitation Centre.

Joseph Rizk of Killarney Heights, awarded Member of the Order of Australia (AM) for significant service to the not-for-profit sector, and to banking and commerce. Chief Executive Officer and Managing Director of Arab Bank Australia Ltd since 2010, he contributes to arts, cultural and medical research programs.

Jann Robinson of Narrabeena, awarded the Medal of the Order of Australia (OAM) for service to education. A former Principal of St Luke's Grammar School, she held teaching positions for over four decades. She is co-author of a book on school leadership and was made a life member of the Association of Heads of Independent Schools of Australia in 2021.

Juliet Smith of Forestville, awarded the Medal of the Order of Australia (OAM) for service to the community through emergency response organisations. A member of the NSW SES for over 20 years, she is a Team Leader and Trainer of the Warringah / Pittwater Unit and recipient of multiple citations including the NSW Premier's Bushfire Emergency Citation (2020).

Julie Sutton of Frenchs Forest, awarded the Medal of the Order of Australia (OAM) for service to the community of the Northern Beaches. A former teacher, she served as Mayor and Deputy Mayor of Warringah Council. She is a patron of the Glen Street Theatre, local sporting clubs, South Narrabeen Surf Life Saving Club and a member of the Belrose Rural Fire Brigade.

Mervyn Stuart Whiting of Marsfield, awarded the Medal of the Order of Australia (OAM) for service to veterans and their families, and to the community through the Forestville Sub-Branch, Returned and Services League of Australia.

I ask Councillors to join me in acknowledging and congratulating these residents on their achievements and thank them for their service and dedication to our community. I have taken the

opportunity to write on behalf of the Northern Beaches community to congratulate them but feel it is important to have their achievements formally acknowledged.

MOTION

That Council acknowledge and congratulate residents who have received awards in this year's Australia Day Honours Awards for their achievements and thank them for their service and dedication to our community.



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	COUNCILLORS WELCOME AND INAUGURAL SPEECHES
REPORTING MANAGER	DIRECTOR CORPORATE AND LEGAL
TRIM FILE REF	2021/894163
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

(This report was deferred from the 29 December 2021 Council meeting).

To provide councillors with an opportunity to make a three-minute inaugural speech.

REPORT

All councillors are officially welcomed to the new term of Council with an opportunity to make a three-minute inaugural speech.

A civic function on 16 February 2021 provides an opportunity for councillors to give their inaugural speeches. Any councillor who did not give a speech at that function will have an opportunity to do so at the 22 February 2022 Council meeting.

Councillors will be invited to speak by the Mayor in alphabetical order.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

There are no financial considerations relating to this matter.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations relating to this matter.

SOCIAL CONSIDERATIONS

Providing an optional opportunity for councillors to make an inaugural speech for the new term of Council enables the community to get to know their local elected representatives.

GOVERNANCE AND RISK CONSIDERATIONS

Inaugural speeches are a ceremonial convention used in parliaments (not typically in local government) to provide a positive platform for elected representatives to make official acknowledgments or share personal experiences, stories or outline their policy intentions.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That councillors who are yet to make an inaugural speech are invited to do so at the 22 February 2022 meeting.

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	USE OF DELEGATED AUTHORITY OVER 2021-2022 RECESS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2021/743801
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To inform Council how the delegated authority granted to the Mayor by the Council over the 2021-22 recess was exercised.

REPORT

In December 2021 Council granted authority to the Mayor to make decisions on the governing body's behalf over the recess period 30 December 2021 to 31 January 2022 inclusive. The resolution (353/21) required a report to be provided to the 22 February 2022 Council meeting outlining how the delegated authority was exercised.

This report is to advise Council there were no matters for which the delegated authority was exercised during the 2021-22 recess.

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

There are no financial considerations in relation to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations in relation to this report.

SOCIAL CONSIDERATIONS

There are no social considerations in relation to this report.

GOVERNANCE AND RISK CONSIDERATIONS

This report meets the requirements of Council resolution 353/21 Council Delegated Authority - Christmas / New Year Recess 2021-22.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note that there were no decisions made under the delegated authority granted by the Council to the Mayor for the period 30 December 2021 to 31 January 2022 inclusive.

ITEM 9.2	COUNCILLOR FEES 2021/22, DETERMINATION OF REMUNERATION TRIBUNAL AND SUPERANNUATION PAYMENTS FROM JULY 2022
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2021/380758
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To seek Council's approval of Councillor fees and superannuation payments.

REPORT

In May 2021 the Local Government Remuneration Tribunal determined the fees payable to councillors for 2021/22, providing a 2% increase. The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every three years under section 239 of the *Local Government Act 1993* (the LG Act). The Tribunal last undertook a significant review of the categories as part of its 2020 review and will next review these categories in 2023.

In determining the maximum and minimum fees payable to each of the categories, the Tribunal is required, pursuant to section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making the varying awards or orders relating to the conditions of employment of public sector employees. The effect of the regime is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors.

Council is required to set by resolution the annual fees to be paid to Councillors and the Mayor within the range determined by the Tribunal.

The level of fees paid depends on the category of the council. Northern Beaches Council is a Metropolitan Large council.

The full Local Government Remuneration Tribunal report can be viewed at:

<http://www.remtribunals.nsw.gov.au/local-government/current-lgrt-determinations>

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2021		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2021	
		Minimum	Maximum	Minimum	Maximum
		General Purpose Councils - Metropolitan	Principal CBD	28,190	41,340
Major CBD	18,800		34,820	39,940	112,520
Metropolitan Large	18,800		31,020	39,940	90,370
Metropolitan Medium	14,100		26,310	29,950	69,900
Metropolitan Small	9,370		20,690	19,970	45,110
General Purpose Councils - Non-Metropolitan	Major Regional City	18,800	32,680	39,940	101,800
	Major Strategic Area	18,800	32,680	39,940	101,800
	Regional Strategic Area	18,800	31,020	39,940	90,370
	Regional Centre	14,100	24,810	29,330	61,280
	Regional Rural	9,370	20,690	19,970	45,140
	Rural	9,370	12,400	9,980	27,060
County Councils	Water	1,860	10,340	4,000	16,990
	Other	1,860	6,180	4,000	11,280

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

Extract from Local Government Remuneration Tribunal Annual Report and Determination, 23 April 2021, p 10

Also in May 2021, amendments to the *Local Government Act 1993* commenced which, among other things, provide the option for councils to make superannuation contribution payments to councillors from 1 July 2022 on top of their annual fees, equivalent in amount to superannuation guarantee payments under Commonwealth superannuation legislation. The decision on whether to make superannuation contribution payments is up to the individual council and must be made by resolution at an open meeting of the council.

Section 254B of the *Local Government Act 1993* provides:

254B Payment for superannuation contributions for councillors

- (1) A council may make a payment (a superannuation contribution payment) as a contribution to a superannuation account nominated by a councillor, starting from the financial year commencing 1 July 2022.
- (2) The amount of a superannuation contribution payment is the amount the council would have been required to contribute under the Commonwealth superannuation legislation as superannuation if the councillor were an employee of the council.
- (3) A superannuation contribution payment is payable with, and at the same intervals as, the annual fee is payable to the councillor.
- (4) A council is not permitted to make a superannuation contribution payment—
 - (a) unless the council has previously passed a resolution at an open meeting to make superannuation contribution payments to its councillors, or
 - (b) if the councillor does not nominate a superannuation account for the payment before the end of the month to which the payment relates, or

- (c) to the extent the councillor has agreed in writing to forgo or reduce the payment.
- (5) The Remuneration Tribunal may not take superannuation contribution payments into account in determining annual fees or other remuneration payable to a mayor or other councillor.
- (6) A person is not, for the purposes of any Act, taken to be an employee of a council and is not disqualified from holding civic office merely because the person is paid a superannuation contribution payment.
- (7) A superannuation contribution payment does not constitute salary for the purposes of any Act.
- (8) Sections 248A and 254A apply in relation to a superannuation contribution payment in the same way as they apply in relation to an annual fee.
- (9) In this section—

Commonwealth superannuation legislation means the Superannuation Guarantee (Administration) Act 1992 of the Commonwealth.

superannuation account means an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth superannuation legislation applies.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Councillor fees are provided for as part of the normal budget process.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations to this report.

SOCIAL CONSIDERATIONS

According to the NSW Government's Your Council website, the 15 Northern Beaches councillors represent an average population of 18,233 per councillor, which is higher than the group average of 14,141 population per councillor.

GOVERNANCE AND RISK CONSIDERATIONS

The recommendation is within the fee range parameters set by the Tribunal and is consistent with the provisions under sections 239 and 241 of the Local Government Act, 1993.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Pursuant to Division 5 of Part 2 of Chapter 9 of the *Local Government Act 1993*, fix the annual fee for financial year 1 July 2021 to 30 June 2022 as follows:
 - A. Councillors at \$31,020
 - B. Mayoral additional fee at \$90,370.
 2. Pursuant to Division 5 of Part 2 of Chapter 9 of the *Local Government Act 1993*, fix the annual fees payable to the Mayor and Councillors for the remainder of the term of the current council for the period after 30 June 2022 at the relevant maximum amounts determined by the Local Government Remuneration Tribunal.
 3. Note that pursuant to section 250 of the *Local Government Act 1993*, the fees payable to the Mayor and Councillors are payable monthly in arrears for each month (or part of a month) for which the Councillor holds office.
 4. Pursuant and subject to section 254B of the *Local Government Act 1993*, make superannuation contribution payments to Councillors, commencing from 1 July 2022.
-

ITEM 9.3	COUNCILLOR APPOINTMENTS TO COMMITTEES AND COMMITTEE FRAMEWORK
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2021/715248
ATTACHMENTS	1 Community Safety Advisory Committee - Draft Terms of Reference

BRIEF REPORT

PURPOSE

To resolve councillor representation on a range of statutory committees and other committees and confirm a high-level framework for future committees and working groups.

REPORT

The Northern Beaches Council is committed to maintaining a high level of community engagement to ensure that residents and key stakeholders have many opportunities to be involved in the decision-making process.

Northern Beaches Council has placed on public exhibition a new Community Engagement Policy and Strategy which provides the foundations and principles for this engagement. Formal committees, briefings and informal meetings involving councillors are all channels of engagement.

Councillor memberships to all former committees expired with the general election and are set by Council resolution. This means all councillor positions on committees are vacant.

Some committees have ongoing requirements and require councillor representation to be established as soon as possible to enable them to continue to operate in line with statutory requirements or operational needs. These committee appointments are detailed in the report below.

The commencement of the new term of Council provides an opportunity for the Council to review and re-set its Committee Framework to align its approach with the Council's future direction and priorities that may emerge through the Community Strategic Planning (CSP) review process.

The former framework included six formal Strategic Reference Groups that met quarterly involving councillor members, community and stakeholder representatives each linked to a CSP pillar: Partnership & Participation, Travel & Transport, Environment, Community & Belonging, Places for People and Economic & Smart Communities.

These groups were effective in supporting Council through the early implementation of the CSP priority areas. In the four years since their establishment, Council has progressed a large quantum of strategic work (ie Community Safety Plan, Children's Services Strategy, Destination Management Plan, Local Strategic Planning Statement etc). Given this, it is timely the Council consider a new formal committee structure it requires based on its priorities.

It is proposed a workshop with Councillors will occur in the next few months to inform this. In the interim, it is recommended three of the former SRGs are continued and an extension to the appointment of the existing community and stakeholder representatives, Economic & Smart Communities, Travel & Transport and Environment SRGs.

Early feedback from councillors received through the induction process indicates a need to establish a more flexible mechanism for councillor involvement in working groups or issues based forums as required. The former Council's Committee Framework does not provide for this. To

enable this, the Council will need to resolve a new Committee Framework. A proposed framework is provided below for Council's consideration.

Category	Summary Definition and Principles	Council resolution required?
Reference Groups	<ul style="list-style-type: none"> • Formal committees (advisory only, not decision making) organised and run by Council • Members involve community and stakeholder representatives and councillors • Members to be appointed in line with the Appointment of Community and Stakeholder Representatives Policy • Terms of reference to identify membership requirements • Supported by staff 	Yes
Statutory Committees	<ul style="list-style-type: none"> • Organised and run by Council in accordance with statutory requirements • Terms of reference to identify membership requirements • Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required • Supported by staff 	Yes
Joint Stakeholder Committees (External)	<ul style="list-style-type: none"> • Organised and run by external agency • Terms of reference determined by agency or in consultation with Council • Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required • Supported by staff 	Yes
Joint Stakeholder Committees (Council)	<ul style="list-style-type: none"> • Organised and run by Council • Terms of reference determined by Council • Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required 	Yes
Memberships	<ul style="list-style-type: none"> • External associations that offer membership to Council • Terms of membership determined by agency • Members may include Mayor, councillors or staff 	Yes

Project Working / Project Advisory Groups	<ul style="list-style-type: none"> • Project based advisory groups aligned to approved projects for the term of the engagement process. • Implemented as required by staff as part of the engagement approach for projects. • Supported by staff. • Community and stakeholder members only. Mayor and up to three councillors may be invited to participate as established by the Terms of Reference and approved by CEO. 	No
Community Groups	<ul style="list-style-type: none"> • Self-appointed and managed. • Includes resident groups, sports groups, environment groups (200+) etc. • Invited to be included in all project engagement activities. 	No

The following committees and memberships require councillor appointments as soon as practicable. Past practice of the Council (and some individual committees' charters specify) that councillor appointments to committees are set for a two year term. Due to the shorter Council term as a result of the delays to the Local Government election, it is proposed to appoint councillors to the committees, on this occasion only, for the remainder of the Council term being from February 2022 to the commencement of the caretaker period for the next ordinary election (September 2024). This will make the appointments for 2 years and 7 months. This is on the basis that it is not practicable to refresh councillor membership on committees for a 7 month period (which may be for one or two meetings only).

Committee	Description	Meeting frequency	Councillor rep
Interim continuation of three Strategic Reference Groups			
Environment SRG	Non decision-making advisory regarding goals and strategies contained within the Protection of the Environment (1-3) and Environment Sustainability (4-6) pillar – stakeholders and community members as per Terms of Reference.	Quarterly	Mayor & 3 councillors Chair: Mayor or delegate
Economic and Smart Communities SRG	Non decision-making advisory regarding goals and strategies contained within the Economic Pillar; Vibrant Local Economy (13- 15) – stakeholders and community members as per Terms of Reference.	Quarterly	Mayor & 3 councillors Chair: Mayor or delegate
Travel and Transport SRG	Non decision-making advisory regarding goals and strategies contained within the Economic Pillar; Transport, Infrastructure & Connectivity (16-18) – stakeholders and community members as per Terms of Reference.	Quarterly	Mayor & 3 councillors Chair: Mayor or delegate
Statutory Committees			

Audit Risk and Improvement Committee (ARIC)	Independent oversight of the Council. 4 external independent ARIC members and 3 councillors.	Quarterly	3 councillors
Traffic Committee	Enables Council to exercise decision making under delegation of the Transport for NSW. It provides a technical review of traffic proposals.	Monthly	1 councillor who serves as Chair
Joint Stakeholder Committees (External)			
RFS Bush Fire Management Committee	Coordinated by the Rural Fire Services involves agencies and landowners responsible for bush fire management in the Northern Beaches. Members include Council, NSW Fire and Rescue, National Parks and Wildlife and the State Emergency Service.	As per Rural Fires Regulation 2013	2 councillors (including one as Chair)
Currawong State Park Advisory Committee	Advisory support to the Currawong State Park. Members include state agencies, Council and community representatives.	Bi-annually	1 councillor
Manly Warringah War Memorial State Park Advisory Committee	Advisory support role to the Manly Warringah War Memorial State Park Trust – Council is Trust Manager. Members include NSW agencies and Council.	Bi-annually	1 councillor
Narrabeen Lagoon State Advisory Park Committee	Advisory support to the Narrabeen Lagoon State Park Trust – Council is Trust Manager. Members include NSW agencies and Metropolitan Local Aboriginal Land Council	Bi-annually	1 councillor who may serve as Chair on behalf of Trust Manager
PCYC Advisory Committee	To ensure the PCYC Club is achieving the PCYC and Northern Beaches Council joint objectives to support youth development, the promotion of individual and community participation in PCYC activities and the promotion and development of programs to reduce crime by and against young people.	Bi-monthly	1 councillor
Joint Stakeholder Committees (Council)			
Community Safety Advisory Committee	To provide specialist advice to Council on strategic community safety issues impacting the Northern Beaches. Members include local area command, staff, councillors, stakeholders involved in implementation of Community Safety Plan.	Bi-annually	Mayor (Chair or their nominated representative) and 4 councillors (1 per ward)
Memberships			
NSW Metro Public Library Association	Peak body for public libraries in NSW	-	1 councillor
Sydney Coastal Council Group	Promotes collaboration between Member Councils on issues relating to the sustainable management of the urban	-	2 councillors (1 voting and 1 attendee)

	coastal and estuarine environment. 9 council members		
--	--	--	--

Community Safety Advisory Committee

The Community Safety Committee was established in 2018 with a view to addressing strategic, operational and partnership needs across the Northern Beaches. The Committee met bi-monthly and by 2021 had grown with a membership of up to 29 Councillors and stakeholders plus additional Council staff.

An End of Term Review of the Community Safety Committee conducted in December 2021 found there have been changes in Council's broader strategic environment which impact the future operation of the Committee, including the:

- Establishment of regular bi-monthly Police/Council Operational Meetings
- Development of the *Better Together* Social Sustainability Strategy and *Leadership and Advisory Group*
- Development and adoption of Council's *Community Safety Plan*

As a result, key amendments to the Committee Terms of Reference (Attachment 1) have been made to accurately highlight its strategic advisory purpose. Membership is also reduced and refined to increase relevance to the group's purpose, and restrict this to representatives of peak bodies or networks that are key stakeholders in the implementation of Council's Community Safety Plan. Due to the strategic nature of the amended Committee, it will be held twice a year in line with the strategic purpose of the Committee and to decrease duplication and expectations of stakeholder attendance.

It is noted that the majority of key stakeholders/Committee members will also be meeting with the *Better Together Leadership and Advisory Group* quarterly, and Police and relevant Council staff will be collaborating in the Police/Council Operational Meeting every 2 months.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.
- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The costs associated with supporting committees is provided for within operational budgets.

ENVIRONMENTAL CONSIDERATIONS

Some committees or working groups positively contribute advice regarding Council's management of the environment and natural hazards.

SOCIAL CONSIDERATIONS

As affirmed through the Community Engagement Policy, Northern Beaches Council recognises that community engagement and participation processes are a vital part of local democracy.

Effective engagement is key to the Northern Beaches Council commitment to our community, and underpins good business practice and sound governance.

GOVERNANCE AND RISK CONSIDERATIONS

Committees established within the proposed framework will support Council's engagement practices with stakeholders, agencies, key stakeholders, community groups and the broader community. The Committee Framework provides the overarching delegation for how committees and other forums are to be established. Committees and groups are to operate in line with their relevant Terms of Reference or approved operating arrangements.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Adopt the Committee Framework as follows:

Category	Summary Definition and Principles	Council resolution required?
Reference Groups	<ul style="list-style-type: none"> • Formal committees (advisory only, not decision making) organised and run by Council • Members involve community and stakeholder representatives and councillors • Members to be appointed in line with the Appointment of Community and Stakeholder Representatives Policy • Terms of reference to identify membership requirements • Supported by staff 	Yes
Statutory Committees	<ul style="list-style-type: none"> • Organised and run by Council in accordance with statutory requirements • Terms of reference to identify membership requirements • Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required • Supported by staff 	Yes
Joint Stakeholder Committees (External)	<ul style="list-style-type: none"> • Organised and run by external agency • Terms of reference determined by agency or in consultation with Council • Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required • Supported by staff 	Yes

Joint Stakeholder Committees (Council)	<ul style="list-style-type: none"> Organised and run by Council Terms of reference determined by Council Members may involve Mayor, councillors, stakeholders, staff, independent members or community members as required 	Yes
Memberships	<ul style="list-style-type: none"> External associations that offer membership to Council Terms of membership determined by agency Members may include Mayor, councillors or staff 	Yes
Project Working / Project Advisory Groups	<ul style="list-style-type: none"> Project based advisory groups aligned to approved projects for the term of the engagement process. Implemented as required by staff as part of the engagement approach for projects. Supported by staff. Community and stakeholder members only. Mayor and ward councillors may be invited to participate as established by Terms of Reference and approved by CEO. 	No
Community Groups	<ul style="list-style-type: none"> Self-appointed and managed. Includes resident groups, sports groups, environment groups (200+) etc. Invited to be included in all project engagement activities. 	No

- Extend the former Environment, Travel & Transport and Economic & Smart Communities Strategic Reference Groups, including current community and stakeholder members, until a new committee structure is established by Council.
- Determine councillor representation for the following committees and memberships effective from 23 February 2022 to the commencement of the caretaker period for the next ordinary election (scheduled for September 2024) as follows:

Committee or membership	Representation
Environment SRG	Mayor Cr Cr Cr Chair:

Economic and Smart Communities SRG	Mayor Cr Cr Cr Chair:
Travel and Transport SRG	Mayor Cr Cr Cr Chair:
Audit, Risk and Improvement Committee	Cr Cr Cr
Traffic Committee	Cr (as Chair)
RFS Bush Fire Management Committee	Cr (as Chair) Cr
Currawong State Park Advisory Committee	Cr
Manly Warringah War Memorial State Park Advisory Committee	Cr
Narrabeen Lagoon State Advisory Park Committee	Cr
PCYC Advisory Committee	Cr
Community Safety Advisory Committee	Mayor (chair) or their nominated representative Cr Cr Cr Cr
NSW Metro Public Library Association	Cr
Sydney Coastal Council Group	Cr Cr

4. Establish the Community Safety Advisory Committee and adopt the Community Safety Advisory Committee Terms of Reference.
5. Note that following adoption of this framework all previous formal committees of Council will conclude and Council acknowledges and thanks all previous members for their contribution.

6. Note that the effect of this resolution will temporarily amend the relevant terms of reference/charters for the Audit, Risk and Improvement Committee, Community Safety Advisory Committee and continuing Strategic Reference Groups, to enable the appointment of councillors to these committees for a period longer than two years as specified in their relevant charters.
 7. Note that it will have an opportunity to establish new committees and project working groups, in line with the Committee Framework, as required.
-



Community Safety Advisory Committee

Draft Terms of Reference

1 NAME

Community Safety Advisory Committee

2 PURPOSE AND OBJECTIVES

The purpose of the Community Safety Advisory Committee (the Committee) is to provide specialist advice to Council on strategic community safety issues impacting the Northern Beaches.

The Committee has the following objectives:

- Monitor crime trends.
- Advise Council on emerging crime prevention and community safety issues impacting the Northern Beaches.
- Monitor implementation of the Community Safety Plan.
- Inform the future development of the Community Safety Plan.
- Provide guidance to Council, as required, on issues relating to the development of Council strategies and services aimed at enhancing and improving community safety.

The role of this Committee is purely advisory and may not commit Council resources. The Committee is to work within the framework of the Community Strategic Plan and does not deal with operational matters. It should be noted that employees of the Council are not subject to the direction of the Committee or any of its members.

3 COMMITTEE CHARTER

The Community Safety Advisory Committee operates according to these Terms of Reference and their relevant Charter. Terms of Reference and Charters are adopted by resolution of Council and may also be amended by Council from time to time. The scope of the Committee is detailed in the respective Charter (refer Attachment 1).

4 MEMBERSHIP

- a) Membership of the Committee comprises a total of 18, with representatives from Council, the Local Area Command and a range of stakeholder groups relevant to the Community Safety Plan.
- b) The Mayor and 4 Councillors (1 per Ward) will be appointed.
- c) In addition to Councillors, membership of the Committee is comprised of up to 13 representatives of a range of stakeholder groups relevant to community safety. The membership composition is detailed in the Charter (refer Attachment 1).
- d) All members of this Committee have an obligation to:
 - Attend all meetings scheduled for the Committee.
 - Objectively consider and actively participate in group deliberations.
 - Review relevant documents and provide feedback to the Committee where necessary, including occasional out-of-session consideration of time-bound matters that may fall outside the meeting schedule.
 - If representing a network or peak agency, seek and represent the views of that broader agency.

- Maintain and respect the confidential nature of the meeting and other members.

5 ELIGIBILITY

- a) All Councillors are eligible to nominate for membership on the Committee. Appointments will be determined and endorsed by Council.
- b) Council will invite representation from the stakeholder groups outlined in the Charter.
- c) Representatives of networks /peak agencies must possess such skills, expertise, experience or special affiliation to be able to contribute to the Committee purpose and objectives.
- d) The selection of members will be undertaken in accordance with Council's Policy for Community Committee Framework and Appointment of Community and Stakeholder Representatives.
- e) A person appointed to the Committee shall continue as a member of the Committee for the period outlined in Term of Office.
- f) Should a representative vacancy occur during the terms of appointment, a new representative will be sought from the stakeholder group.
- g) Membership will be reviewed annually and if necessary, adjusted in accordance with the recommendation from the Committee.

6 TERM OF OFFICE

To assist with maintaining effectiveness and the continuity of knowledge within the Committee the terms of Councillors and other Committee members have been staggered. The aim is for established members to provide assistance to incoming Councillors after the council election and 12 months later, reciprocally from Councillors to incoming community members.

- a) The term for Councillors on the Committee is two (2) years or 12 months following the election of new Council.
- b) The term for other members on the Committee is four (4) years commencing within 12 months after the election of Council.
- c) All Councillor memberships will cease during the election caretaker period. New Councillors should be appointed to Committees at the earliest opportunity following the election.
- d) The terms above are subject to the conclusion of the Committee, when all memberships cease.

7 SUPPORT PROVIDED

- a) Council will provide necessary resources to the Committee. This will include the venue and administrative support such as facilitating and running the meeting, preparation and distribution of the notice of meeting, agenda and the recording of the minutes.
- b) The Community, Arts & Culture Business Unit is responsible for managing the committee and will be the main point of contact for members on committee related matters.

- c) Specialist staff in the areas of Community Services and Environmental Compliance will be available to provide expertise. The role of these representatives is to provide advice on:
- Status of current issues
 - Broad policy objectives
 - Local Government regulations and relevant legislation.

8 TIMETABLE FOR MEETINGS

- a) The Committee is to meet bi-annually (two (2) times) throughout the year.
- b) A meeting will be limited to a maximum of two (2) hours duration unless the Group resolves to extend the meeting to a particular time or until the completion of business.
- c) The schedule of meeting dates and venues will be provided to the members in advance and an agenda will be provided at least 7 days prior to meeting.

9 ATTENDANCE AT MEETINGS

- a) All members are expected to attend the meetings, or otherwise tender their apologies to either the Chair or Lead Council Officer.
- b) If unable to attend, members may delegate their position to another member of their organisation, in consultation with the Chair or Lead Council Officer.
- c) No member should be absent for more than two (2) consecutive meetings without first seeking, and being granted, leave by the Chair. Without being granted such leave in these circumstances, the person's membership will be re-evaluated.
- d) While other Councillors may attend Group meetings as observers, the meetings will not be open to other members of the public.
- e) On the invitation of the Chair or Lead Council Officer, individuals or organisational representatives may be invited to attend a meeting in a one-off guest capacity for the purposes of giving presentations or providing specific advice or expertise.

10 MEETING PRACTICES AND PROCEDURES

- a) The Council will ensure that each meeting is properly recorded with the use of minutes, which will be reported to Council.
- b) The quorum for each meeting will be one half plus the Mayor or another Councillor. If a quorum is not present within 30 minutes within the commencement time of the meeting, it will become an informal meeting with no recommendations or decisions made.
- c) The Mayor, or their nominated representative, is the Chair of the Committee.
- d) The Chair directs the progress of the Committee meeting. Subject to any determination by the Chair, each item is to be dealt with in the order in which it appears on the agenda.
- e) The Chair role is to facilitate the conduct of the meetings and ensure the Committee focuses on its primary purpose and objectives.

- f) This committee is advisory in purpose and should have the intention of reaching consensus when endorsing items and recommendations. It has no authority to make decisions on behalf of Council.
- g) It will be at the discretion of the Chair when a matter is to be put to the vote. In such circumstances voting is to be by way of a show of hands. For a vote to be carried the matter must be supported by a majority of members present, with the Chair having a casting vote in the event the vote is tied (or Deputy in the absence of the Chair).

11 MODEL CODE OF CONDUCT FOR COMMITTEES

- a) All members of the Committee are required to observe the adopted Model Code of Conduct and any other policy or requirement applicable to the proper functioning of the committee.
- b) Members shall act in a professional and responsible manner with the information they obtain.
- c) Members must respect each other (often despite differences) and work together to create an open and trusting atmosphere. The group requires openness and honesty in order to function well and members should feel free to express their opinions and views without fear of recrimination.
- d) A breach of the Terms of Reference may lead to the member being removed from the Committee by the Chair.
- e) Members of Committee do not have the authority to make representations to the media on Council or the Committee's behalf. In accordance with Council's Media Policy, the Mayor is the only person permitted to speak to the media on behalf of the Council and the Committee.
- f) Conflicts of Interest: Council recognises that community representatives join such Groups and Committees because of special interests they may have, and Council welcomes their expertise. Nevertheless, it is important that Council understands the basis of advice it receives from the Groups, so members will be requested to declare any organisation they may represent. Disclosures of Conflicts of Interest, particularly pecuniary interests need to be made by members of the Group and recorded in the minutes in accordance with section 442 and 443 Local Government Act 1993.
- g) Confidentiality and Privacy: Members may have contact with confidential or personal information retained by Council or other agencies. If so, members are required to maintain the security of any confidential or personal information and not access, unless the member is authorised to do so.

12 COUNCIL VALUES

All members of the Committee and all meeting attendees are expected to observe Northern Beaches Council Values outlined below:

- **Trust:** because being open brings out our best
- **Teamwork:** because working together delivers
- **Respect:** because valuing everyone is how we make a difference
- **Integrity:** because we are proud of doing what we say
- **Service:** because we care as custodians for the community
- **Leadership:** because everyone has a leading role

13 NEXT REVIEW DATE:

- a) This Terms of Reference will be reviewed prior to the establishment of a new Committee.
- b) Amendments to this Terms of Reference may only be determined by Council.

DRAFT

ATTACHMENT 1	
CHARTER: Community Safety Advisory Committee	
<p>Established: February 2022</p>	<p>Function: To provide specialist advice to Council on strategic community safety issues impacting the Northern Beaches.</p>
<p>Stakeholder Representative Term:</p> <ul style="list-style-type: none"> • Councillors: Appointment for 2 Years or until election caretaker period. • Stakeholder Representatives: Appointment for 4 years including one year following council election. 	
<p>Quorum and Voting</p> <ul style="list-style-type: none"> • The quorum for each meeting will be one half plus 1 Councillor. • If a quorum is not present within 30 minutes within the commencement time of the meeting, the meeting shall become an informal meeting with no recommendations made. • The Committee should have the intention of reaching consensus when endorsing items and recommendations. 	<p>Composition/Membership</p> <p>Membership of the Committee comprises of up to 18 representing Council and a range of stakeholder groups relevant to the Community Safety Plan.</p> <p>The Chair is the Mayor or his nominated delegate on this group and Deputy Chair as elected by the Mayor.</p> <p>The following Council members will be appointed:</p> <ul style="list-style-type: none"> • Mayor (Chair) and 4 appointed Councillors (1 per Ward) <p>In addition to Councillors, the group is to consist of up to 13 members of the following Northern Beaches organisations or interagencies:</p> <ul style="list-style-type: none"> • Northern Beaches Police Local Area Commander and/or a delegate • Domestic Violence Interagency chair • Mental Health Interagency chair • Youth Interagency chair • Child and Family Interagency chair • Northern Beaches Liquor Accord chair • Housing and Homelessness Interagency Chair • Disability Network Chair • Seniors Network Chair • Multicultural Network Chair • Primary Health Network • Local Health District Network • Community Drug Action Team (CDAT) Chair
<p>Reporting Procedures:</p> <p>Minutes of meetings to be reported to Council.</p>	
<p>Meetings:</p> <ul style="list-style-type: none"> • The Committee are to meet bi-annually (two (2) times) throughout the year. • The schedule of meeting dates will be distributed at the formation of the Committee. • Agenda items, time and venue will be provided to the members in an agenda at least 7 days prior to the meeting. 	
<p>Ex Officio Advisors:</p> <ul style="list-style-type: none"> • Lead Council Officer: Community Safety Coordinator, Executive Manager Community, Arts and Culture, Manager Community Development • Business Unit: Community, Arts and Culture • Additional Council Officers: Executive Manager Environmental Compliance, Manager Rangers • Business Unit: Environmental Compliance 	

Revision History

Revision	Date	Status	TRIM Ref
1	8/5/2018	Terms of Reference (TOR) and Charter	2018/281599
2	23/3/2021	076/21 RESOLVED Notice of Motion 20/2021 – Community Safety Committee Membership	2021/196893
3	22/2/2022	Revision of Terms of Reference and Charter following election of Council	2022/089392

DRAFT

ITEM 9.4	DRAFT COUNCILLOR EXPENSES AND FACILITIES POLICY FOR PUBLIC EXHIBITION
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2022/056345
ATTACHMENTS	1 ⇒ Draft Councillor Expenses and Facilities Policy (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To seek Council approval to place the draft Councillor Expenses and Facilities policy on public exhibition.

REPORT

Under [section 252 of the Local Government Act 1993](#), Council is required to adopt a policy concerning the payment of expenses and the provision of facilities to the mayor, deputy mayor and councillors in relation to discharging the functions of civic office within the first 12 months of each term of council. Expenses and facilities provided by the policy are in addition to fees paid to councillors.

A policy under section 252 must comply with the provisions of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the guidelines issued by the Office of Local Government under section 23A of the *Local Government Act 1993*.

A draft policy which has been prepared in accordance with these requirements (Attachment 1) is provided for Council's consideration. It seeks to provide for reasonable and appropriate support to councillors and the mayor to assist in fulfilling civic duties.

A template provided by the Office of Local Government was referenced in its development as was a review of the [current policy](#) that was adopted by the former Council in 2018.

Key considerations with regards to the draft policy include:

- Having a practical, clear and transparent framework for the reimbursement of expenses
- Ensuring adequate financial thresholds for information technology assets to support the increased ongoing requirement for remote meetings and digital ways of working
- Setting suitable limits to enable councillors and the mayor to participate in a range of community events and functions, having regard for the size and scale of Northern Beaches Council
- Ensuring councillors have access to support to meet the requirements of the role of a councillor in the Local Government Act "to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor."
- Aligning the policy to budget processes.

Pursuant to section 253 of the *Local Government Act 1993*, a council must give public notice of its intention to adopt or amend such a policy and allow 28 days for the making of public submissions. The council must consider any submissions made during the time allowed for submissions.

In accordance with council resolution 205/20, councillor expenses are to be published on councillor biographies on Council's website. It is proposed that the website is updated following an annual report provided to Council disclosing councillor expenses for a financial year.

The community will be consulted on the draft policy through Council's Your Say webpage and engagement channels for a minimum exhibition period of at least 28 days. Following a review of feedback and any amendments required, a draft policy will be returned to Council for its further consideration and adoption.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Funding to provide for the reimbursement of councillor expenses and facilities as outlined in the draft policy will be incorporated into the existing budget.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations associated with the draft policy.

SOCIAL CONSIDERATIONS

The proposed draft policy provides a framework for councillors to claim expenses incurred and facilities required which enables councillors to undertake their civic duties across the local government area.

GOVERNANCE AND RISK CONSIDERATIONS

The policy seeks to facilitate the discharge of civic functions by councillors. The exhibition and adoption of a policy is a legislative requirement under sections 252 and 253 of the *Local Government Act 1993*.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That:

1. Council place the draft Northern Beaches Council Councillor Expenses and Facilities Policy on exhibition for a minimum of 28 days.
 2. The outcomes of the public exhibition of the draft Northern Beaches Council Councillor Expenses and Facilities Policy be reported to Council.
-

ITEM 9.5**REPORTING OF MINUTES - COMMITTEES OF PREVIOUS
COUNCIL TERM****REPORTING MANAGER****EXECUTIVE MANAGER GOVERNANCE AND RISK****TRIM FILE REF**

2022/052942

ATTACHMENTS

- 1 [⇒](#) ARIC - 8 June 2021 (Included In Attachments Booklet)
- 2 [⇒](#) ARIC - 14 September 2021 (Ordinary Meeting) (Included In Attachments Booklet)
- 3 [⇒](#) ARIC - 14 September 2021 (Extraordinary Meeting) (Included In Attachments Booklet)
- 4 [⇒](#) Partnership and Participation SRG - 4 August 2021 (Included In Attachments Booklet)
- 5 [⇒](#) Partnership & Participation SRG - 3 November 2021 (Included In Attachments Booklet)
- 6 [⇒](#) Places for People SRG - 5 August 2021 (Included In Attachments Booklet)
- 7 [⇒](#) Places for People SRG - 4 November 2021 (Included In Attachments Booklet)
- 8 [⇒](#) Community and Belonging SRG - 11 August 2021 (Included In Attachments Booklet)
- 9 [⇒](#) Community & Belonging SRG - 10 November 2021 (Included In Attachments Booklet)
- 10 [⇒](#) Transport & Travel SRG - 12 August 2021 (Included In Attachments Booklet)
- 11 [⇒](#) Transport & Travel SRG - 11 November 2021 (Included In Attachments Booklet)
- 12 [⇒](#) Economic and Smart Communities SRG - 18 August 2021 (Included In Attachments Booklet)
- 13 [⇒](#) Economic and Smart Communities SRG - 17 November 2021 (Included In Attachments Booklet)
- 14 [⇒](#) Environment SRG - 19 August 2021 (Included In Attachments Booklet)
- 15 [⇒](#) Environment SRG - 18 November 2021 (Included In Attachments Booklet)
- 16 [⇒](#) Community Safety Committee - 7 October 2021 (Included In Attachments Booklet)
- 17 [⇒](#) Community Safety Committee - 18 November 2021 (Included In Attachments Booklet)
- 18 [⇒](#) Public Art Working Group - Minutes - 4 November 2021 (Included In Attachments Booklet)
- 19 [⇒](#) Bushfire Management Committee - 7 September 2021 (Included In Attachments Booklet)
- 20 [⇒](#) Bush Fire Management Committee - 2 March 2021 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To provide the minutes and meeting notes of various committees of the previous term of elected Council in accordance with their terms of reference or charters.

REPORT

Audit, Risk, and Improvement Committee

The Audit, Risk, and Improvement Committee (ARIC) plays a pivotal role providing Council with independent assurance and advice in the areas of internal audit, financial management, risk management, compliance and control, and organisational performance and improvement, along with external accountability responsibilities.

In accordance with the ARIC Charter, the confirmed minutes of ARIC meetings are to be reported to Council. The confirmed minutes of 9 June 2021, 14 September 2021 (ordinary) and 14 September 2021 (extraordinary) are provided attached.

Strategic Reference Groups

Strategic Reference Groups ('SRGs') were aligned to the Community Strategic Plan (CSP) outcome areas. They met quarterly to consider projects aligned to their respective CSP goals and strategies. The groups contributed advice, feedback, and other support to Council in relation to issues, initiatives and requirements outlined within their individual charters.

In accordance with the SRG Terms of Reference, the minutes and meeting notes* of the SRG meetings in the table below are provided attached:

SRG	Meeting Dates
Places for People	5 August 2021 & 4 November 2021
Partnership & Participation	4 August 2021 & 3 November 2021
Community & Belonging	11 August 2021 & 10 November 2021
Transport & Travel	12 August 2021 & 11 November 2021
Economic & Smart Communities	18 August 2021 & 17 November 2021
Environment	19 August 2021 & 18 November 2021

* Notes of a meeting replace minutes where a meeting quorum was not achieved.

Community Safety Committee

The Community Safety Committee is an advisory committee of Council to collaborate, consider and advise on ways to maintain, improve, resolve, and progress issues that affect community safety and crime prevention across the Northern Beaches.

In accordance with the Committee's Terms of Reference, the minutes of 7 October 2021 and 18 November 2021 are provided attached.

Public Art Working Group

The Public Art Working Group met quarterly to assist Council achieve the public art aims and objectives outlined in the Northern Beaches Arts and Creativity Strategy, *Connected Through*

Creativity 2029, the Public Art Policy and Guidelines, the delivery of the Coast Walk Public Art Strategic Plan, and other public art projects initiated by Council.

In accordance with the Committee's Terms of Reference, the minutes of 4 November 2021 are provided attached.

Bushfire Management Committee

The Northern Beaches Bush Fire Management Committee (BFMC) area comprises of 23,525 hectares of which Council has care, control and management of approximately 13% of the land. The remainder of the area is managed by NSW National Park and Wildlife Service (46%), private tenure (36%), or by other government agencies (5%). Under the *Rural Fires Act 1997* land owners are responsible for managing bush fire risk on their land. The BFMC consists of a range of agencies and stakeholders such as the fire authorities, land management agencies and community organisations. The BFMC is responsible for coordinating bush fire management across the Local Government Area and Council actively participates in the committee and sub-committees. BFMC meetings are held quarterly.

An Ordinary Meeting of the BFMC was held on 2 March 2021 and 7 September 2021, the Minutes of which were adopted at the BFMC meeting on 7 December 2021. A copy of these Minutes are attached to this report and some matters within are relevant to Council. Whilst an Ordinary Meeting of the BFMC was planned to be held on 1 June 2021, Minutes were not captured as a sufficient quorum of committee members were not present.

December 2021 Minutes will be provided to Council at a future meeting. The next BFMC will be on 1 March 2022.

LINK TO COUNCIL STRATEGY

The Committees are aligned to community outcomes of the Community Strategic Plan (CSP) in order to address the goals and strategies identified through this plan.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

Committees support Council's community engagement processes and the Council to meet its objectives identified in the CSP. The ARIC promotes good corporate governance, transparency, and external accountability.

The Committees provide valuable advice relating to social and community-based outcomes. They include involvement and engagement with a broad range of stakeholders.

GOVERNANCE AND RISK CONSIDERATIONS

The Committees are conducted according to Council's governance framework and adopted terms of reference.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the following minutes and meeting notes:

1. Places for People Strategic Reference Group meetings of 5 August 2021 and 4 November 2021.
 2. Partnership and Participation Strategic Reference Group meetings of 4 August 2021 and 3 November 2021.
 3. Community and Belonging Strategic Reference Group meetings of 11 August 2021 and 20 November 2021.
 4. Transport and Travel Strategic Reference Group meetings of 12 August 2021 and 11 November 2021.
 5. Economic and Smart Communities Strategic Reference Group meetings of 18 August 2021 and 17 November 2021.
 6. Environment Strategic Reference Group meetings of 18 August 2021 and 15 November 2021.
 7. Audit, Risk and Improvement Committee meetings of 9 June 2021, 14 September 2021 (ordinary), and 14 September 2021 (extraordinary).
 8. Community Safety Committee meetings of 7 October and 18 November 2021.
 9. Public Art Working Group meeting of 4 November 2021.
 10. Bushfire Management Committee meetings of 2 March 2021 and 7 September 2021.
-

ITEM 9.6	CODE OF CONDUCT COMPLAINT STATISTICS
REPORTING MANAGER	EXECUTIVE MANAGER INTERNAL AUDIT AND COMPLAINTS RESOLUTION
TRIM FILE REF	2021/817135
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To report on the Code of Conduct complaint statistics for the period 1 September 2020 to 31 August 2021 in accordance with part 11 of the Procedures for the Administration of the Northern Beaches Council Code of Conduct (the Procedures).

REPORT

Part 11 (Reporting statistics on Code of Conduct complaints about Councillors and the CEO) of the Procedures for the Administration of the Code of Conduct (the Procedures) sets out the following requirements:

- 11.1 *The complaints coordinator must arrange for the following statistics to be reported to Council within 3 months of the end of September of each year:*
- a) *the total number of code of conduct complaints made about councillors and the CEO under the code of conduct in the year to September (the reporting period)*
 - b) *the number of code of conduct complaints referred to a conduct reviewer during the reporting period*
 - c) *the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints*
 - d) *the number of code of conduct complaints investigated by a conduct reviewer during the reporting period*
 - e) *without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period*
 - f) *the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and*
 - g) *the total cost of dealing with code of conduct complaints made about councillors and the CEO during the reporting period, including staff costs.*
- 11.2 *Council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September each year.*

The following summary outlines the Code of Conduct complaint statistics for the period 1 September 2020 to 31 August 2021:

Number of Complaints	
1a. The total number of complaints received in the period about Councillors and the General Manager (GM) under the code of conduct	15
1b. The total number of complaints finalised in the period about Councillors and the GM under the code of conduct	11
Overview of Complaints and Cost	
2a. The number of complaints finalised at the outset by alternative means by the GM or Mayor	3
2b. The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	0
2c. The number of code of conduct complaints referred to a conduct reviewer	12
2d. The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	5
2e. The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	1
2f. The number of finalised code of conduct complaints investigated by a conduct reviewer	3
2g. The number of finalised complaints investigated where there was found to be no breach	2
2h. The number of finalised complaints investigated where there was found to be a breach	1
2i. The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	0
2j. The number of complaints being investigated that are not yet finalised	9
2k. The total cost of dealing with code of conduct complaints within the period made about Councillors and the GM including staff costs	\$133,606.61
Preliminary Assessment Statistics	
3. The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
3a. To take no action (clause 6.13(a) of the Procedures)	3
3b. To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the Procedures)	2
3c. To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the Procedures)	0
3d. To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the Procedures)	0
3e. To investigate the matter (clause 6.13(e) of the Procedures)	3

Investigation Statistics	
4. The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made:	
4a. That the council revise its policies or procedures	0
4b. That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures)	0
5. The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made:	
5a. That the council revise any of its policies or procedures (clause 7.39 of the Procedures)	1
5b. In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the Procedures)	0
5c. In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the Procedures)	0
5d. In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the Procedures)	0
6. Matter referred or resolved after commencement of an investigation (clause 7.20 of the Procedures)	0
Categories of misconduct	
7. The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
7a. General conduct (Part 3)	1
7b. Non-pecuniary conflict of interest (Part 5)	0
7c. Personal benefit (Part 6)	0
7d. Relationship between council officials (Part 7)	0
7e. Access to information and resources (Part 8)	0
Outcome of determinations	
8. The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewer's recommendation	0
9. The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG	0

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Funding for the investigation of Code of Conduct complaints is included in existing budgets.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

There are no social impacts in relation to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The Code of Conduct sets the minimum standards of conduct for all council officials as prescribed by regulation. Reporting statistics on Code of Conduct complaints is a requirement under part 11 of the Procedures for the Administration of the Northern Beaches Council Code of Conduct.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council notes the Code of Conduct complaint statistics for the period 1 September 2020 to 31 August 2021 as reported to the Office of Local Government in accordance with part 11.2 of the Procedures for the Administration of the Northern Beaches Council Code of Conduct.

ITEM 9.7	QUARTERLY REVIEW - DECEMBER 2021
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2022/012157
ATTACHMENTS	1 ⇒ Quarterly Report on Service Performance – December 2021 (Included In Attachments Booklet)
	2 ⇒ Quarterly Budget Review Statement - December 2021 (Included In Attachments Booklet)
	3 ⇒ Quarterly Report on Stronger Communities Fund (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present financial and service performance results for the period ended 31 December 2021, and a progress report on the expenditure from the \$36.1 million Stronger Communities Fund (SCF) provided by the NSW Government.

EXECUTIVE SUMMARY

This report details Council's service performance results and the consolidated financial position for the six months ended 31 December 2021. The Quarterly Review is a progress report on the implementation of the Operational Plan 2021/22.

The operating result (which includes capital grants and contributions) for the financial year is forecast to decrease by \$5.2 million to a surplus of \$44.1 million. Excluding capital grants and contributions the result is forecast to decrease by \$0.7 million, from a deficit of \$6 million to a deficit of \$6.7 million, primarily due to additional investment in IT projects including security and infrastructure improvements. Capital expenditure is forecast to decrease by \$10.8 million to \$114.1 million, primarily due to the re-phasing of projects into the 2022/23 financial year to align with expected construction programs. A \$1 million dividend was also paid to Council by Kimbriki.

The COVID-19 pandemic continues to challenge income streams. Businesses like the aquatic centres are recovering faster than other businesses such as community centres and holiday accommodation. The revised forecast impact of the pandemic in the 2021/22 financial year is \$16.5 million (\$0.6 million lower than initially expected). The estimated cost of the COVID-19 pandemic to Council since March 2020 is now \$45.6 million.

Council's 2020/21 Operational Plan contains 206 actions relating to both operational and capital projects. Of the 206 actions the majority (85%) are progressing on schedule, including 17 completed. The Plan also contains performance measures. Of the 36 reportable measures, 78% have met or are approaching their targets.

The Report also details expenditure associated with the implementation of Council's SCF projects supported by NSW Government funds.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the December 2021 Quarterly Budget Review Statement.
 2. Approve the following changes to the Current Forecast in the December 2021 Quarterly Budget Review Statement:
 - A. A decrease in the forecast surplus from Continuing Operations, which includes Capital Grants and Contributions, of \$5.234 million to \$44.058 million.
 - B. A decrease in capital expenditure by \$10.847 million to \$114.093 million.
 3. Note the Quarterly Report on Service Performance for the period ended 31 December 2021.
 4. Note the Quarterly Report on expenditure of funds from the Stronger Communities Fund for the period ended 31 December 2021.
-

REPORT

BACKGROUND

Northern Beaches Council's Operational Plan 2021/22 was adopted on 15 June 2021. The Operational Plan is for the period 1 July 2021 to 30 June 2022.

The Quarterly Budget Review Statement is a regular progress report against the Operational Plan 2021/22. It has been prepared in accordance with the requirements of the Local Government (General) Regulation 2021 (Cl203) and essential element 4.9 of the Integrated Planning and Reporting Guidelines (September 2021), namely that the Responsible Accounting Officer report quarterly on a budget review statement and the Chief Executive Officer report at least every six months on the principal activities.

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

The Quarterly Report on Services Performance discloses the progress of key services in the delivery of projects and against performance measures.

The report includes updates for the period ending 31 December 2021:

- Service performance
- Financial performance and position, contracts listing and recommended changes to the budget
- The outcomes delivered from the \$36.1 million Stronger Communities Fund (Attachment 3).

Overview of service performance

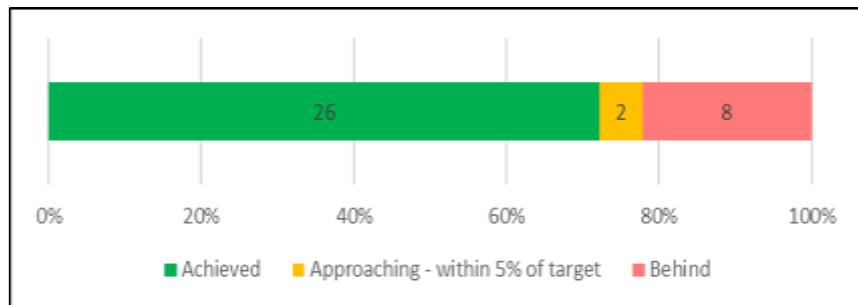
A report on Council's service performance is provided at Attachment 1 – 'Quarterly Report on Service Performance'. This is a comprehensive report on Council's 206 operational and capital projects, 36 reportable service performance measures, seven workload measures and service highlights across our 16 key services.

Council is making steady progress towards achieving its performance targets and delivering operational and capital projects. In addition, Council was recognised in 11 awards and commendations for achievements across events, sustainability, community services, arts, customer service, library service and the Currawong Cottages works.

A summary of our performance is outlined below.

Performance measures

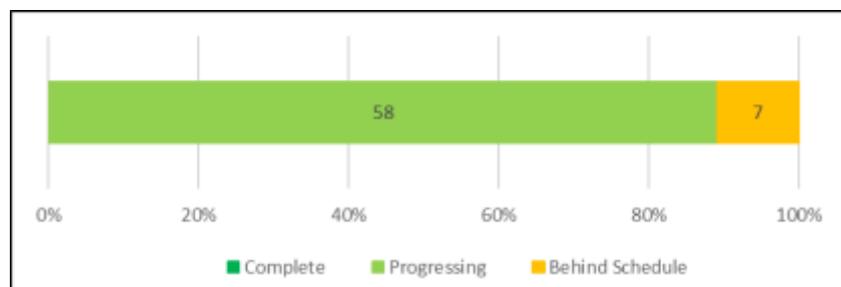
Overall 78% of Council's 36 performance measures met or are approaching the target. Of the 10 measures that did not achieve their target, for seven this was due to the continuing impact of COVID-19. In addition, the measure for satisfaction with business events could not be reported as no events were held.



Operational project progress

Of the 65 operational projects, 89% are progressing on schedule.

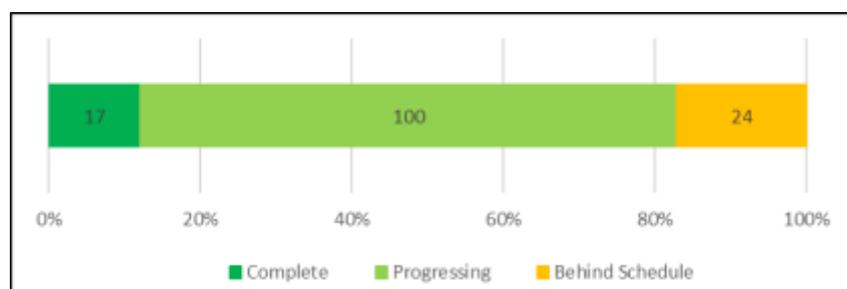
Target: 80% complete/on schedule as at 30 June 2022



Capital project progress

Of the 141 capital projects, 83% are complete or progressing on schedule.

Target: 80% complete/on schedule as at 30 June 2022



13 capital projects were completed this quarter:

- Balgowlah Oval Amenities
- Beach Buildings Works Program
- Brookvale Oval Upgrade
- Bus stop renewal program
- Childcare playground renewal program
- Connecting All Through Play - Inclusive Play
- Dee Why Town Centre – Design
- Headland fencing and other measures
- Library buildings works program
- Manly Art Gallery
- Streets as Shared Spaces: Manly & The Strand Dee Why
- Surf Life Saving Club major renewals fund

- Warringah Aquatic Centre renewal works

Attachment 3 outlines the progress of projects funded by NSW Government's SCF. While many projects are ongoing, a range have been completed such as accessible playgrounds, cycleways, netball courts and performance spaces.

Overview of Financial Performance

Responsible Accounting Officer Budget Review Statement

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2021:

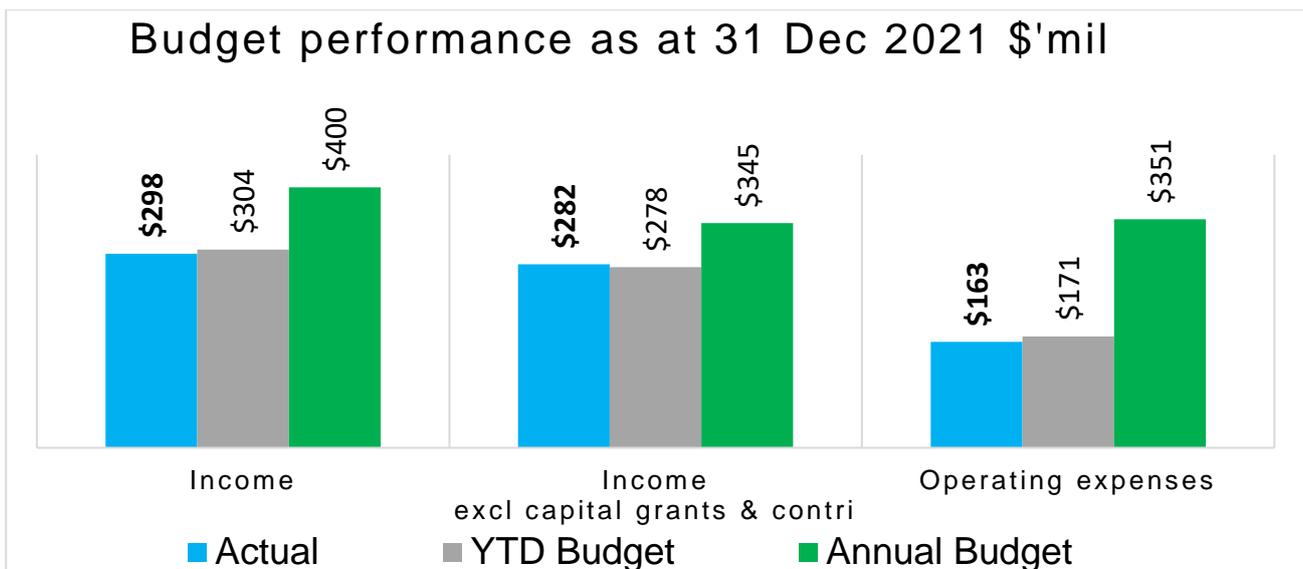
“It is my opinion that the Budget Review Statement for Northern Beaches Council for the period ending 31 December 2021 indicates that Council’s projected financial position at 30 June 2022 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.”

David Walsh Chief Financial Officer, Northern Beaches Council.

Income Statement – progress and forecast changes

The attached Quarterly Budget Review Statement (QBRs) provides an overview of Council’s progress against the annual budget at the end of the December 2021 quarter and provides explanations for major variations that result in recommendations for budget changes.

Operating budget summary – as at 31 December 2021



For the six months to 31 December 2021 the operating result (incl capital grants and contributions) is \$2 million favorably ahead of budget, primarily due to phasing of expenditure and income items partially offset by the timing of the release of capital grant funding against project expenditure milestones.

The operating surplus which includes capital grants and contributions for the financial year is forecast to decrease by \$5.2 million to \$44.1 million. This decrease is due to higher than anticipated income of \$0.3 million and a net increase in operating expenses of \$5.5 million (primarily due to re-phasing grant funded projects into the 2022/23 financial year).

The operating result excluding capital grants and contributions is forecast to decrease by \$0.7 million to a \$6.7 million deficit. These overall movements are summarised in the table below, under the ‘Recommended Changes’ column.

Operating budget as at 31 December 2021 – summary of recommended changes

\$'000	Annual				Year to date			
	ORIGINAL Budget	REVISED Budget	Recommended changes	CURRENT Forecast	Actual	Approved Budget	Variance	
Income	403,747	400,195	325	400,520	297,861	304,196	(6,334)	(2%)
Operating expenses	(347,304)	(350,903)	(5,559)	(356,462)	(162,606)	(170,937)	8,331	(5%)
Surplus / (Deficit)	56,443	49,292	(5,234)	44,058	135,256	133,259	1,997	1%
Surplus / (Deficit) before Capital Grants & Contributions	11,007	(5,986)	(736)	(6,722)	119,240	106,629	12,611	12%

COVID-19 Pandemic – Financial Impact

The third COVID-19 pandemic lockdown commenced in late June 2021, resulting in reduced income for many Council services along with community support costs. The total cost of the pandemic since March 2020 is now an estimated \$45.6 million, including \$16.5 million within the current financial year.

Unfavourable variations in this review include response expenditure such as logistics and cleaning (\$0.4m) and Council tenant/licensee support including outdoor dining and merchandise fee waivers (\$0.3m). This was offset by favourable variations in from Aquatic Centres \$1m and the Golf Driving Range \$0.2m.

COVID-19 Pandemic Financial Impact Forecast – March 2020 to December 2021

\$'000	RESULT 2019/20	RESULT 2020/21	CURRENT Forecast 2021/22	TOTAL March 2020 to June 2022
Total COVID-19 Financial Impact	11,174	17,906	16,548	45,629

Attachment 2 provides further information on the proposed variations to the budget.

Income Year to Date (YTD) Analysis

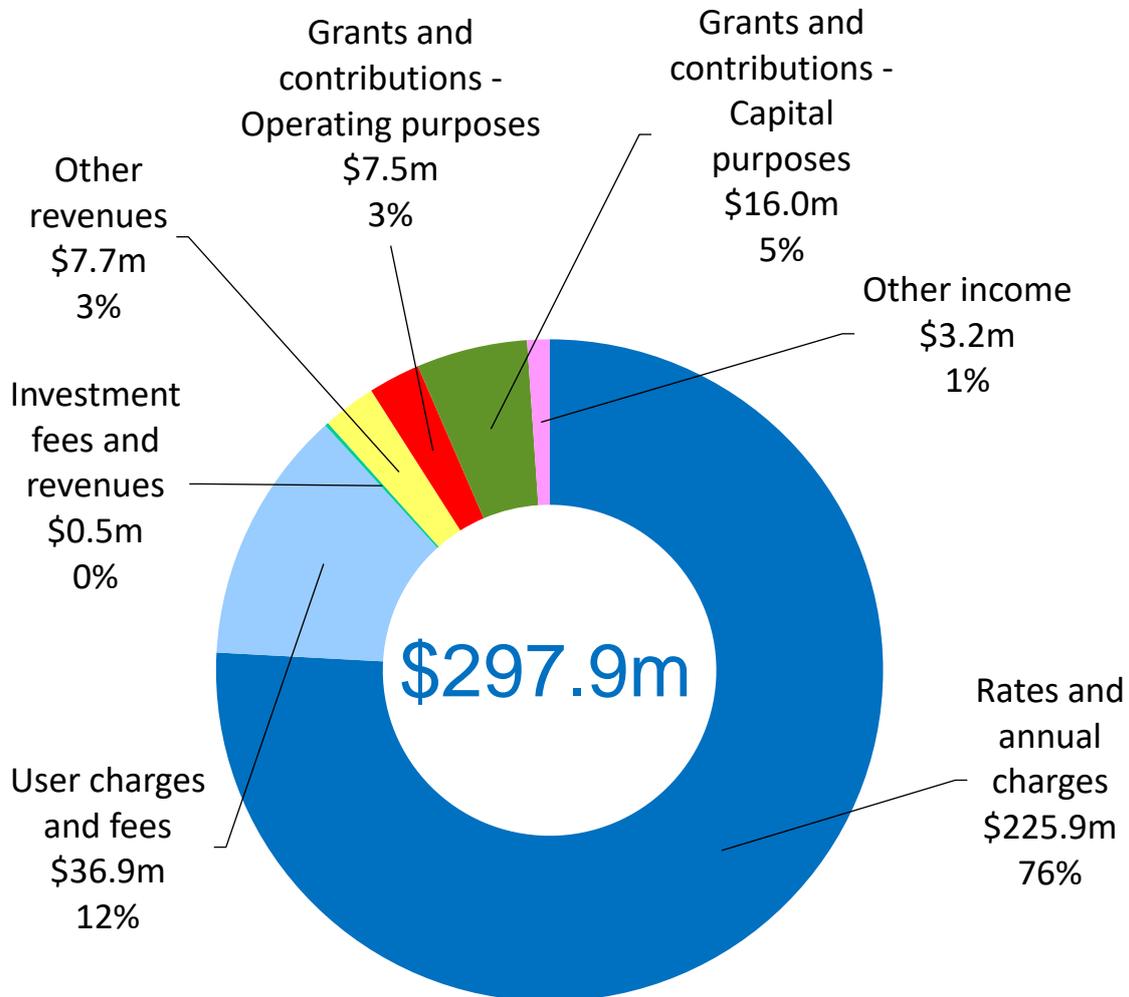
Total income at the end of December 2021 is \$297.9 million which is \$6.3 million below the forecast. The principal reasons for this variance are as follows:

Income as at 31 December 2021 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
47	Rates and Annual Charges
2,175	User Charges & Fees <ul style="list-style-type: none"> • Stronger than anticipated income: <ul style="list-style-type: none"> ○ Golf driving range \$0.4m ○ Road restorations \$0.6m ○ Development assessments \$0.5m ○ Development engineering \$0.1m • COVID impacted income sources including: <ul style="list-style-type: none"> ○ Community centres (\$0.5m) ○ Environment education and health (\$0.2m)
4	Investment Fees and Revenues
2,534	Other Revenues and Other Income <ul style="list-style-type: none"> • Advertising on Council structures \$0.4m • Parking fines income \$0.7m • Recycling and other income \$0.9m • Property leases \$0.9m
(481)	Grants and Contributions – Operating Purposes <ul style="list-style-type: none"> • B-Line offset tree planting grant income (recognised as spent) (\$0.5m)
(10,613)	Grants and Contributions – Capital Purposes <ul style="list-style-type: none"> • Timing of revenue recognition of grants to match expenditure of funds including: <ul style="list-style-type: none"> ○ Connecting Communities Cycleways Program (\$3.9m) ○ Narrabeen Lagoon pedestrian and cycle bridge (\$2.6m) ○ Footpath renewals works (\$1.5m)
(6,334)	TOTAL INCOME VARIANCE – YTD ACTUALS WITH YTD BUDGET

Actual Results – Consolidated

Income from Continuing Operations



Income Items	For the period 1 July 2021 to 31 Dec 2021			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Rates and annual charges	225,946	225,900	47	0.0%
User charges and fees	36,934	34,758	2,176	6.3%
Investment fees and revenues	515	511	4	0.7%
Other revenues	7,722	4,122	3,600	87.3%
Grants and contributions - Operating purposes	7,516	7,997	(481)	(6.0)%
Grants and contributions - Capital purposes	16,016	26,629	(10,613)	(39.9)%
Other income	3,213	4,279	(1,066)	(24.9)%
Total Income from Continuing Operations	297,861	304,196	(6,334)	(2.1)%

User Charges and Fees

Item	For the period 1 July 2021 to 31 December 2021				Proposed Budget Incr / (Decr)
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	
Aquatic Centres	1,721	1,724	(3)	(0)%	1,485
Caravan Park	1,645	1,482	162	11%	0
Cemeteries	436	488	(52)	(11)%	0
Child Care	5,910	5,926	(16)	(0)%	(173)
Community Centres	459	912	(452)	(50)%	(76)
Currawong State Park	135	54	81	148%	50
Glen Street Theatre	29	(52)	80	(155)%	0
Golf Courses	1,429	1,051	378	36%	301
Kimbriki Waste and Recycling Centre	11,973	12,345	(372)	(3)%	(398)
Libraries	22	18	4	23%	0
Parking Areas	4,678	3,395	1,283	38%	0
Sportsfields and Reserves	628	531	97	18%	10
Planning and Building Regulation	4,696	4,073	624	15%	410
Regulatory/Statutory Fees	239	338	(99)	(29)%	(87)
Restoration Charges	1,071	509	562	110%	510
Section 10.7 Certificates (EPA Act)	438	362	77	21%	87
Section 603 Certificates (LG Act)	280	198	82	42%	53
Other Fees	1,144	1,405	(261)	(19)%	(422)
Total User Charges and Fees	36,934	34,758	2,176	6%	1,749

Other Revenues and Other Income

Item	For the period 1 July 2021 to 31 December 2021				Proposed Budget Incr / (Decr)
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	
Advertising Income	389	10	379	3790%	290
Ex Gratia Rates	25	26	(1)	(4)%	0
Legal Fees Recovery - Other	129	144	(15)	(11)%	0
Other Revenues - Kimbriki	2,048	1,139	908	80%	1,260
Other Fines	213	333	(120)	(36)%	(89)
Parking Fines	2,029	1,359	670	49%	292
Recycling Income (Domestic)	277	354	(77)	(22)%	0
Rental Income - Investment Properties	115	114	1	1%	0
Rental Income - Leased Council Properties	3,098	4,164	(1,067)	(26)%	(3,038)
Sale of Stock	304	116	188	162%	419
Other Revenues	540	641	(101)	(16)%	(233)
Licences, Consents & Deeds	1,769	0	1,769	0%	3,132
Total Other Revenues and Other Income	10,935	8,401	2,534	30%	2,033

Operating Expenses Year to Date (YTD) Analysis

Total operating expenses at the end of December 2021 is \$162.6 million, which is \$8.3 million under the forecast. The principal reasons for this variance are as follows:

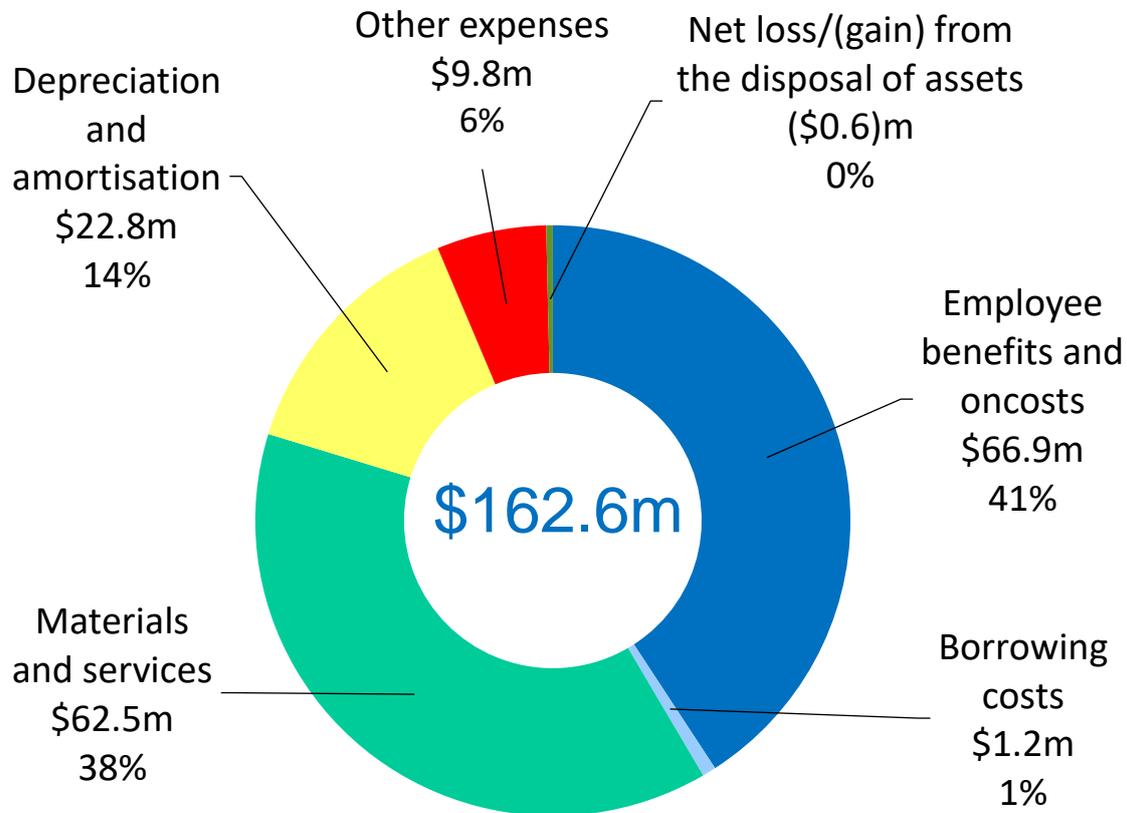
Operating expenses as at 31 December 2021 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
(1,523)	<p>Employee Benefits & Oncosts</p> <ul style="list-style-type: none"> • Higher than anticipated due utilisation of casual staff rather than agency staff in Children's Services and additional casual staff in the Aquatic Centres (offset by income).
(0)	<p>Borrowing Costs</p>
8,817	<p>Materials and Services</p> <ul style="list-style-type: none"> • Timing of works: <ul style="list-style-type: none"> ○ Bush regeneration \$0.7m ○ Environment and floodplain management \$0.7m ○ External roadwork \$0.5m ○ IT and communications expenses due to the timing of software licence renewals and contracts expenditure \$1.0m ○ Land use planning \$0.6m • Lower than anticipated expenditure: <ul style="list-style-type: none"> ○ Legal services \$0.7m ○ Stationery, printing and postage \$0.2m ○ Waste disposal/processing \$2.1m due to an abatement discount in December, partially offset by additional waste disposal volumes. • Higher than anticipated expenditure: <ul style="list-style-type: none"> ○ Waste collection (\$0.6m) due to additional services (offset by income) and contract indexation ○ Kimbriki (\$0.7m) as a result of higher volumes of waste processed (offset by additional income).
(121)	<p>Depreciation and Amortisation</p> <ul style="list-style-type: none"> • Due to the timing of the completion and capitalisation of new assets
874	<p>Other Expenses</p> <ul style="list-style-type: none"> • Due to the timing of subsidies including Collaroy-Narrabeen seawall works and Surf Life Saving Clubs along with lower than anticipated COVID-19 rental relief payments required for Council tenants.

284	Gain / (Loss) on the Disposal of Assets <ul style="list-style-type: none">• Higher net gain from vehicles sold at auction
------------	--

8,331	TOTAL OPERATING EXPENSES VARIANCE - YTD ACTUALS WITH YTD BUDGET
--------------	--

Expenses from Continuing Operations



Expense Items	For the period 1 July 2021 to 31 Dec 2021			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Employee benefits and oncosts	66,862	65,339	(1,523)	(2.3)%
Borrowing costs	1,222	1,222	0	0.0%
Materials and services	62,506	71,323	8,817	12.4%
Depreciation and amortisation	22,849	22,728	(121)	(0.5)%
Other expenses	9,755	10,629	874	8.2%
Net loss/(gain) from the disposal of assets	(587)	(304)	284	(93.3)%
Total Expenses from Continuing Operations	162,606	170,937	8,331	4.9%

Materials and Services

Item	For the period 1 July 2021 to 31 December 2021				Proposed Budget Incr / (Decr)
	YTD	YTD	YTD		
	Actual \$'000	Budget \$'000	Variance \$'000	Variance %	
Agency Personnel	1,396	1,034	(362)	(35)%	730
Bush Regeneration	1,310	2,002	691	35%	222
Cleaning	2,910	2,929	19	1%	207
Consultancy	196	231	35	15%	0
Electricity, Heating and Water	1,958	1,854	(105)	(6)%	179
Environment and Floodplain Management	1,888	2,553	665	26%	486
External Roadwork	1,872	2,323	451	19%	450
Golf Course and Driving Range	637	605	(32)	(5)%	100
Insurance	1,649	1,738	89	5%	(60)
IT and Communications	4,500	5,495	995	18%	1,664
Kimbriki Waste and Recycling Centre	7,662	6,977	(685)	(10)%	690
Land Use Planning	279	842	564	67%	0
Legal Fees - Other	366	832	466	56%	0
Legal Fees - Planning and Development	565	750	185	25%	0
Lifeguard Services	755	716	(39)	(5)%	10
Maintenance and Servicing	2,795	2,496	(299)	(12)%	133
Management Fees	770	678	(91)	(13)%	0
NSW Revenue Fine Processing Fees	341	281	(60)	(21)%	35
Performance and Events	300	517	217	42%	(50)
Plant and Vehicle	1,215	1,240	25	2%	50
Printing, Postage & Stationery	425	667	242	36%	(1)
Raw Materials and Consumables	1,699	1,929	229	12%	255
Recreation and Sportsfields	3,623	3,592	(31)	(1)%	0
Remuneration of Auditors - Audit Services	5	0	(5)	0%	0
Stormwater	246	356	109	31%	18
Street Lighting	1,199	1,227	28	2%	(20)
Training Costs	236	551	316	57%	0
Tree Works	1,637	2,178	541	25%	0
Waste Collection	8,507	7,888	(620)	(8)%	1,333
Waste Disposal and Processing	5,583	7,696	2,113	27%	(2,065)
Other Contracts	2,604	4,276	1,673	39%	267
Other	3,377	4,870	1,493	31%	(211)
Total Materials and Services	62,506	71,323	8,817	12%	4,419

Other Expenses

Item	For the period 1 July 2021 to 31 December 2021				Proposed Budget Incr / (Decr)
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	
Bad and Doubtful Debts	3	13	9	73%	0
Planning Levy	518	338	(180)	(53)%	0
Waste Levy	3,945	4,030	85	2%	(87)
Emergency Services Levy	3,208	3,208	0	0%	0
Other Levies	42	56	14	25%	0
Donations, Contributions and Assistance	1,842	2,828	986	35%	71
Land Tax	196	155	(40)	(26)%	40
Total Other Expenses	9,755	10,629	874	8%	24

Capital Budget Statement

Capital expenditure is forecast to decrease by \$10.8 million to \$114.1 million, primarily due to the re-phasing of projects into the 2022/23 financial year in line with revised project timelines.

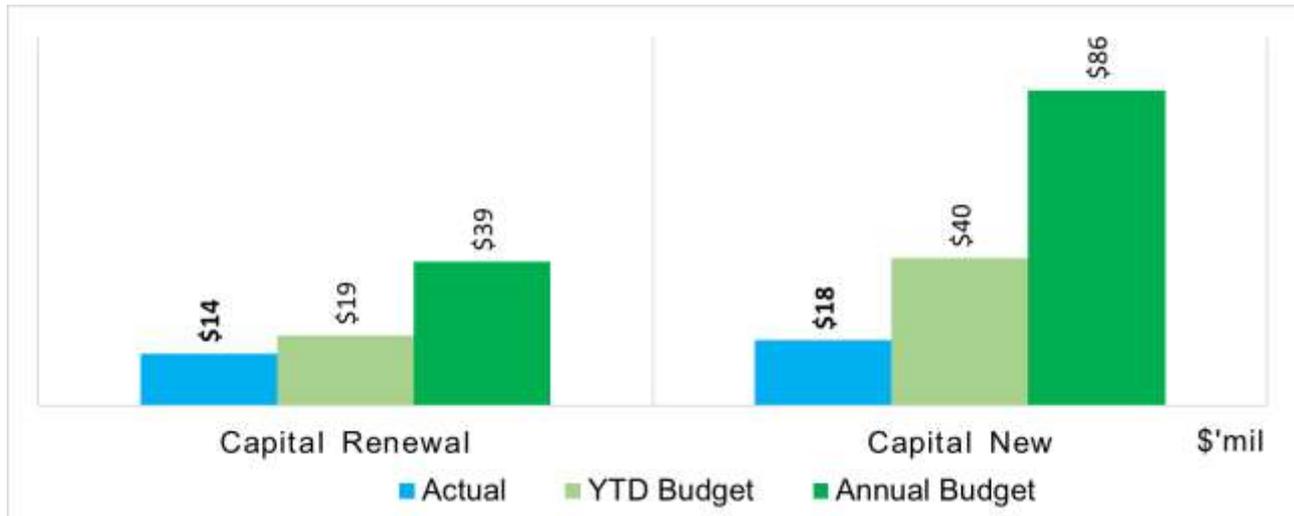
Proposed variations to the capital expenditure budget are outlined in Attachment 2 and include:

- Budget increases \$4.4 million including works funded through new grants including:
 - \$1.4m traffic facility works through the Black Spot and Safer Roads Programs
 - \$0.9m Clontarf Reserve tidal pool for design and construction of Clontarf Reserve Tidal pool (NSW Public Spaces Legacy Grant)
 - \$0.7m Queenscliff Headland access ramp to provide improved access between Manly and Queenscliff (NSW Public Spaces Legacy Grant)
 - \$0.3m Manly Dam Boardwalk grant for delivery of a boardwalk and connecting trails at Manly Dam (NSW Public Spaces Legacy Grant)
- Budget rollovers to the 2022/23 financial year of \$11.5 million including:
 - \$5.2m Connecting Communities – Cycleways Program – awaiting decision on Newport to Avalon cycleways in Feb 2022
 - \$1.1m Connecting Communities – Footpaths Program – awaiting decision on Newport to Avalon cycleways in Feb 2022
 - \$1.1m Currawong Cottages – construction will proceed in the offseason across two financial years
 - \$1.0m Narrabeen Lagoon pedestrian and cycle bridge – project rephased due to COVID impacts on contractor availability and supply chain delays.
 - \$1.0m Duffys Forest Rural Fire station – awaiting outcome of grant application
- Budget net reduction for Kimbriki primarily due to rephasing of projects of \$3.2m including:
 - \$3.1m Clean water diversion system – due to project delays pending approval of the Consent Modification

Capital Expenditure Year to Date (YTD) Analysis

Expenditure on Capital Works for the six months ended 31 December 2021 is \$32.1 million against a year to date budget of \$59.3 million.

Capital budget summary – as at 31 December 2021



The principal reasons for the variance in expenditure versus the year to date budget are as follows:

Capital expenditure as at 31 December 2021 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable) YTD Variance
4,842	Capital Expenditure – Renewal Projects <ul style="list-style-type: none"> ○ Primarily due to the timing of works including the road resheeting (\$1.7m), footpath renewal programs (\$1.6m) and Bells and Carol's Wharves (\$1.4m)
22,384	Capital Expenditure – New Projects <ul style="list-style-type: none"> ● Projects include: <ul style="list-style-type: none"> ○ Kimbriki Clean Water Diversion System \$4.3m – behind schedule ○ Connecting Communities – Cycleways \$2.6m – pending decision on Newport to Avalon cycleways ○ Narrabeen Lagoon bridge \$2.3m – tender awarded to commence Feb 2022 ○ Safer Schools Infrastructure \$2.2m – timing of payments ○ Church Point Masterplan boardwalk \$2.2m – due to commence March 2022 ○ Long Reef and Mona Vale SLSCs \$1.9m – delays due to inclement weather and technical issues (now resolved)
27,225	TOTAL CAPITAL EXPENDITURE VARIANCE – YTD ACTUALS WITH YTD BUDGET

Further information on the progress of capital projects is available within Attachment 1 'Quarterly Report on Service Performance'.

Cash and Investments

The balance of cash and investments as at 31 December 2021 was \$168 million. The revised projected balance on 30 June 2022 is \$102 million, \$17 million higher than the Original Budget forecast of \$85 million, primarily due to rephasing of capital expenditure to the 2022-2023 financial year and new grants.

Cash and investments – as at 31 December 2021



Further information is available on cash and investments within Attachment 2 to this report.

Financial Performance Measures

The following financial performance measures indicate that Council's financial results remain temporarily impacted by the COVID-19 pandemic. With an \$6.7 million operating deficit (excluding capital grants and contributions) forecast, Council is unlikely to meet the Operating Performance ratio benchmark of 0% at this time. Council has adjusted funding for expenditure programs to provide capacity to respond to the pandemic and to retain our long term strong and sustainable position.

	Forecast result 30/6/2022	Forecast indicator 30/6/2022		Benchmark
\$ '000				
1. Operating Performance				
Total continuing operating revenue ¹ excluding capital grants and contributions less operating expenses	(6,471)			
<hr/>				
Total continuing operating revenue ¹ excluding capital grants and contributions	349,739	(1.85%)	X	>0%
This ratio measures Council's achievement of containing operating expenditure within operating revenue. It is important to distinguish that this ratio is focusing on operating performance and hence capital grants and contributions, fair value adjustments, net gain on sale of assets and reversal of revaluation decrements are excluded.				
For the 2021-22 financial year, the forecast result will not meet the benchmark due to the impact of the COVID-19 pandemic.				
2. Own Source Operating Revenue				
Total continuing operating revenue ¹ excluding all grants and contributions	326,311	81.47%	✓	>60%
<hr/>				
Total continuing operating revenue ¹ inclusive of capital grants and contributions	400,520			

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. Council's financial flexibility improves the higher the level of its own source revenue.

3. Unrestricted Current Ratio

Current assets less all external restrictions	<u>96,818</u>	1.70x	✓	>1.5x
Current liabilities less specific purpose liabilities	<u>57,091</u>			

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

For the 2021-22 financial year, the forecast result will continue to meet the benchmark, as the impact of the COVID-19 pandemic is primarily proposed to be offset by reductions in capital expenditure within the financial year.

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

CONSULTATION

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

TIMING

The Quarterly Budget Review Statement meets the requirements of the Local Government Act 1993 (s404(5)) and Local Government (General) Regulation 2021 (Cl203), namely that Council report quarterly on a budget review statement, and at least every six months on the principal activities of its Operational Plan.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The operating surplus (which includes capital grants and contributions) for the financial year is forecast to decrease by \$5.2 million to a surplus of \$44.1 million. Excluding capital grants and contributions the result is forecast to decrease by \$0.7 million, from a deficit of \$6.0 million to a deficit of \$6.7 million. Capital Expenditure is forecast to decrease by \$10.8 million to \$114.1 million.

Council's financial results will be temporarily impacted by the COVID-19 pandemic, with a deficit position forecast. Council is unlikely to meet the Operating Performance ratio benchmark of 0% at this time. The Council has adjusted funding for its expenditure programs to provide capacity to respond to the pandemic and retain our long term strong and sustainable position.

SOCIAL CONSIDERATIONS

The report discloses progress on implementing the Operational Plan 2021/22. This includes the continued delivery of services and capital works that support our community and economy. These

initiatives will have a positive social and economic impact on the community, including additional services and support available during the current COVID-19 pandemic.

ENVIRONMENTAL CONSIDERATIONS

The report provides progress on implementing the Operational Plan 2021/22 which includes a range of projects to protect and enhance our natural environment - by managing our coast, bush and biodiversity; implementing catchment management initiatives; and a variety of on-ground works and education in our urban and natural settings.

GOVERNANCE AND RISK CONSIDERATIONS

The Quarterly Budget Review Statement meets the statutory reporting requirements for progress at the end of the quarter – i.e., implementation of the Operational Plan 2021/22 and Council's overall financial position. It is provided to enable informed decision making while also ensuring transparency on Council's governance, business assurance and financial sustainability.

ITEM 9.8	MONTHLY INVESTMENT REPORT - NOVEMBER 2021
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2021/849341
ATTACHMENTS	NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, a report setting out the details of money invested must be presented to Council on a monthly basis.

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

The Investment Report shows that Council has total cash and investments of \$178,085,861 comprising:

- Trading Accounts \$8,569,234
- Investments \$169,516,627

Performance over the period from 1 July 2021 to date exceeded the benchmark: 0.40%pa vs. 0.02%pa.

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached reports have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2021* and existing Investment Policies.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the Investment Report as at 30 November 2021, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, a report setting out the details of money invested must be presented to Council on a monthly basis.

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

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2021 to date was \$268,141 compared to budgeted income of \$231,500, a positive variance of \$36,641.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The Investment Policy was reviewed by Council's Investment Advisors, Laminar Capital Pty Ltd in November 2021. That review noted that there have been no changes to the Ministerial Investment Orders over the last 12 months and that the Policy and its frameworks continue to be appropriate for Council. Minor amendments are proposed to the Policy following consultation with Council's Investment Advisors and these were presented to the Audit, Risk, and Improvement Committee at its meeting in December 2021.

The Investment Policy and proposed amendments were reviewed by the Audit, Risk, and Improvement Committee at its meeting in December 2021. The minor amendments recommended to the Policy were approved by the Committee endorsing a report to Council detailing the proposed changes to the revised policy and placing it on public exhibition to enable community consultation.

Council's Investment Strategy was reviewed in November 2021 by Council's Investment Advisors, who noted that strategy remains at the conservative end relative to its peers and that where future cash flow allows, consideration should be given to lengthen the maturity term of the portfolio via the use of ADI issued bonds and floating rate notes.

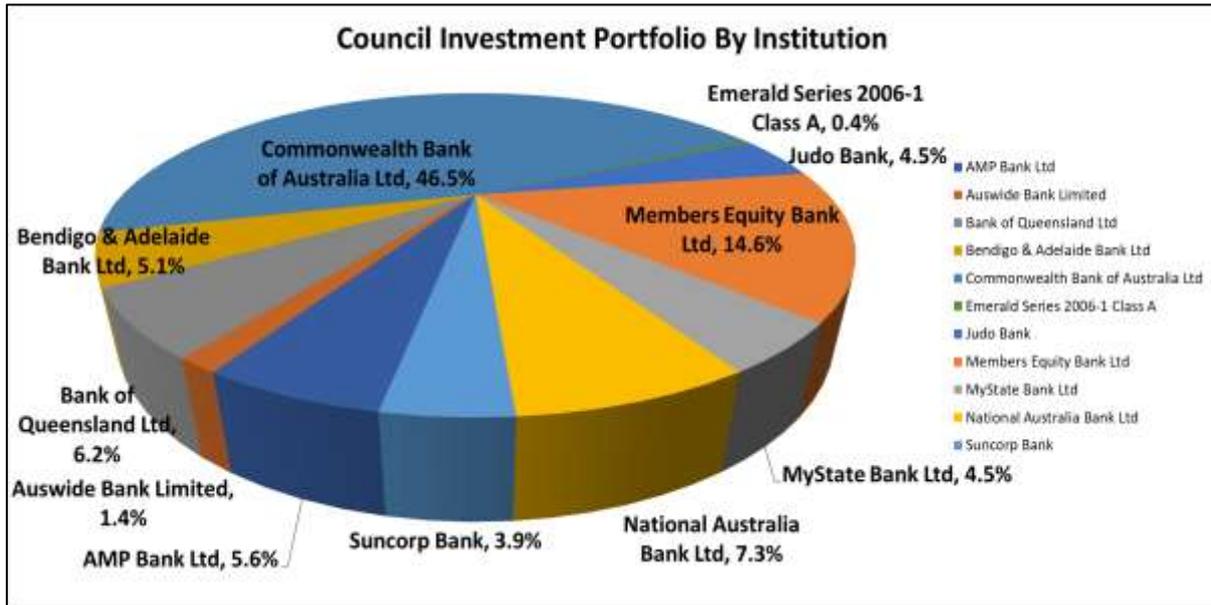
Investment Balances

INVESTMENT BALANCES				
As at 30-Nov-2021				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	6,945,856		0.15%
National Australia Bank Ltd	A1+	10,001		0.00%
		6,955,858		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	4,664,014	At Call	0.20%
		4,664,014		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	A*	776,724	21-Aug-51	0.4972%
		776,724		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	02-Dec-21	0.31%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	07-Dec-21	0.34%
Suncorp Bank	A1	3,000,000	09-Dec-21	0.30%
National Australia Bank Ltd	A1+	2,000,000	14-Dec-21	0.28%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Dec-21	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Dec-21	0.33%
National Australia Bank Ltd	A1+	2,000,000	16-Dec-21	0.28%
National Australia Bank Ltd	A1+	2,000,000	21-Dec-21	0.27%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	21-Dec-21	0.35%
Auswide Bank Limited	A2	2,500,000	23-Dec-21	0.35%
AMP Bank Ltd	A2	1,500,000	04-Jan-22	0.75%
National Australia Bank Ltd	A1+	2,000,000	04-Jan-22	0.28%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	06-Jan-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Jan-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	13-Jan-22	0.33%
Members Equity Bank Ltd	A2	2,000,000	17-Jan-22	0.40%
AMP Bank Ltd	A2	2,000,000	18-Jan-22	0.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Jan-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	25-Jan-22	0.34%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	27-Jan-22	0.30%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jan-22	0.34%
Bank of Queensland Ltd	A2	3,000,000	01-Feb-22	0.40%
National Australia Bank Ltd	A1+	1,000,000	04-Feb-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	08-Feb-22	0.34%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	08-Feb-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Feb-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Feb-22	0.34%
AMP Bank Ltd	A2	2,500,000	16-Feb-22	0.55%
Members Equity Bank Ltd	A2	2,000,000	17-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	22-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	24-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	28-Feb-22	0.50%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Mar-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Mar-22	0.34%
Bank of Queensland Ltd	A2	2,000,000	08-Mar-22	0.38%
Members Equity Bank Ltd	A2	1,000,000	10-Mar-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	10-Mar-22	0.34%
Members Equity Bank Ltd	A2	2,000,000	15-Mar-22	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	17-Mar-22	0.36%
Bank of Queensland Ltd	A2	2,000,000	22-Mar-22	0.38%

INVESTMENT BALANCES				
As at 30-Nov-2021				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	24-Mar-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Mar-22	0.35%
Members Equity Bank Ltd	A2	2,000,000	29-Mar-22	0.50%
Members Equity Bank Ltd	A2	1,000,000	31-Mar-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Apr-22	0.35%
Bank of Queensland Ltd	A2	2,000,000	07-Apr-22	0.38%
Bank of Queensland Ltd	A2	2,000,000	12-Apr-22	0.42%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	12-Apr-22	0.37%
Members Equity Bank Ltd	A2	2,000,000	14-Apr-22	0.40%
National Australia Bank Ltd	A1+	2,000,000	19-Apr-22	0.36%
Judo Bank	A3	2,000,000	19-Apr-22	0.57%
Members Equity Bank Ltd	A2	2,000,000	21-Apr-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Apr-22	0.37%
Judo Bank	A3	2,000,000	26-Apr-22	0.70%
Suncorp Bank	A1	2,000,000	28-Apr-22	0.32%
Members Equity Bank Ltd	A2	2,000,000	03-May-22	0.40%
MyState Bank Ltd	A2	2,000,000	05-May-22	0.60%
Members Equity Bank Ltd	A2	2,000,000	10-May-22	0.40%
MyState Bank Ltd	A2	2,000,000	12-May-22	0.60%
National Australia Bank Ltd	A1+	2,000,000	17-May-22	0.38%
Judo Bank	A3	2,000,000	19-May-22	0.86%
Judo Bank	A3	2,000,000	24-May-22	0.88%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	26-May-22	0.40%
AMP Bank Ltd	A2	2,000,000	07-Jun-22	0.75%
MyState Bank Ltd	A2	2,000,000	09-Jun-22	0.65%
MyState Bank Ltd	A2	2,000,000	14-Jun-22	0.65%
Suncorp Bank	A1	2,000,000	16-Jun-22	0.40%
AMP Bank Ltd	A2	1,100,000	21-Jun-22	0.75%
AMP Bank Ltd	A2	900,000	21-Jun-22	0.75%
Members Equity Bank Ltd	A2	2,000,000	23-Jun-22	0.50%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	28-Jul-22	0.45%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	04-Aug-22	0.40%
		140,500,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,613,377		0.00%
		1,613,377		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,814,540	At Call	0.01%
		1,814,540		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Dec-21	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Dec-21	0.24%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Jan-22	0.20%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	09-Feb-22	0.29%
Commonwealth Bank of Australia Ltd	A1+	12,761,349	22-Feb-22	0.28%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Mar-22	0.33%
		21,761,349		
Total Cash and Investments		178,085,861		

*Rating is based on a private rating advised by the issuer to Council's Investment Advisors.

Portfolio Analysis

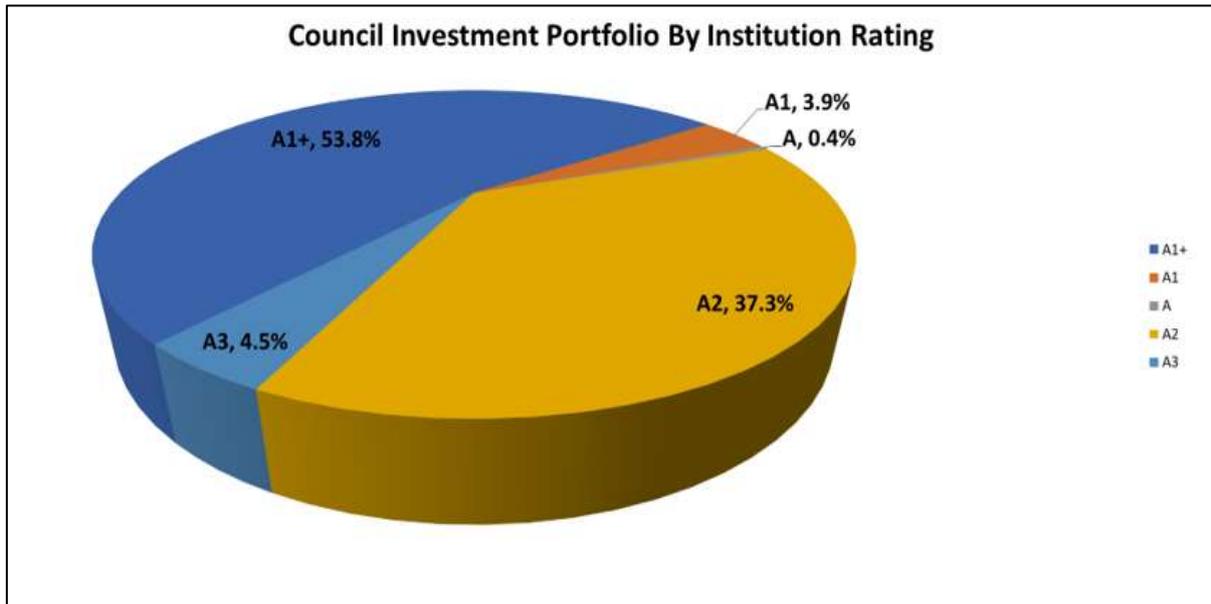


Institutional Credit Framework – Compliance with Investment Policy Requirements

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

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

As Members Equity Bank is a fully owned subsidiary of Bank of Queensland, the holdings are combined to determine the maximum percentage which can be held under clause 4.2.2 (Institutional Credit Framework Guidelines) of Council’s Investment Policy.



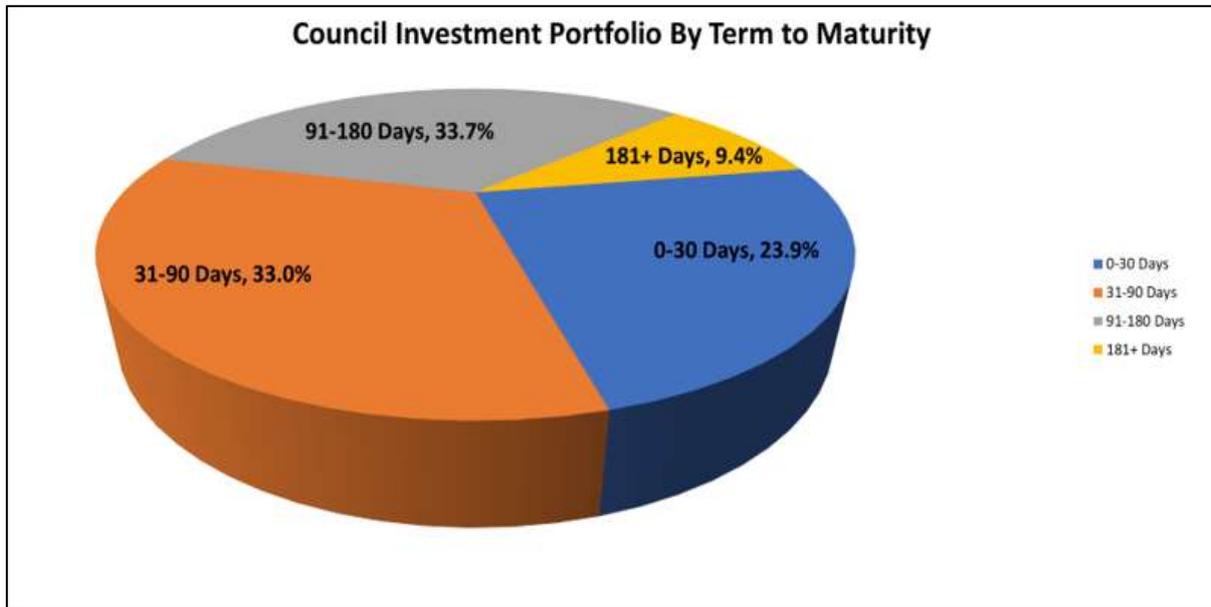
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

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

* Or Moody's / Fitch equivalents

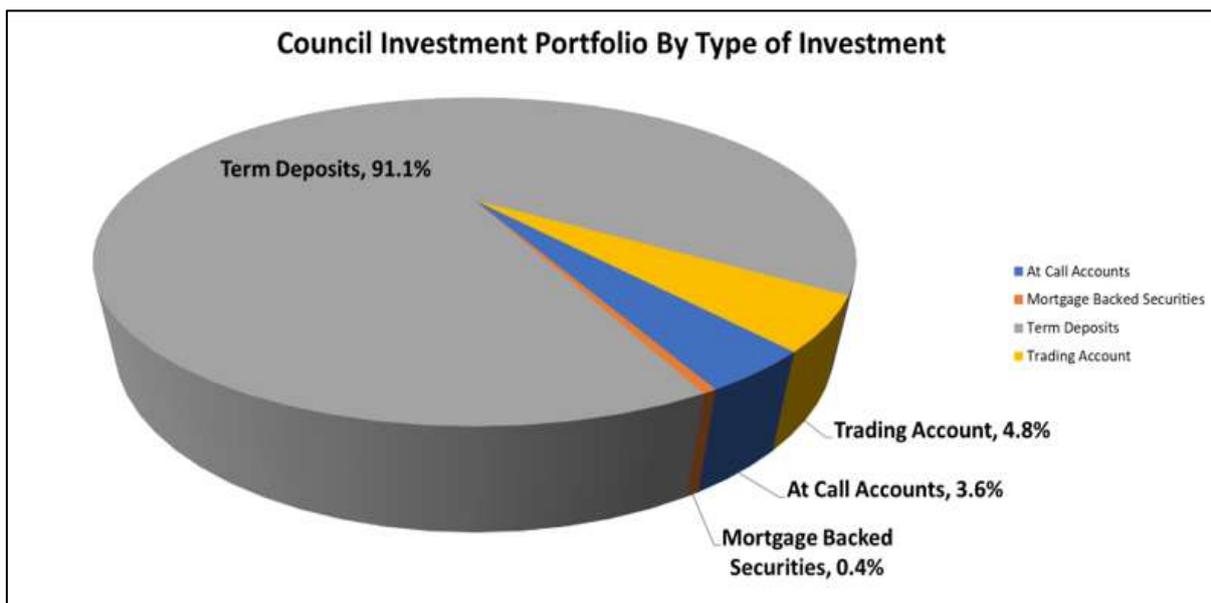
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



Term to Maturity Framework – Compliance with Investment Policy Requirements

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

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

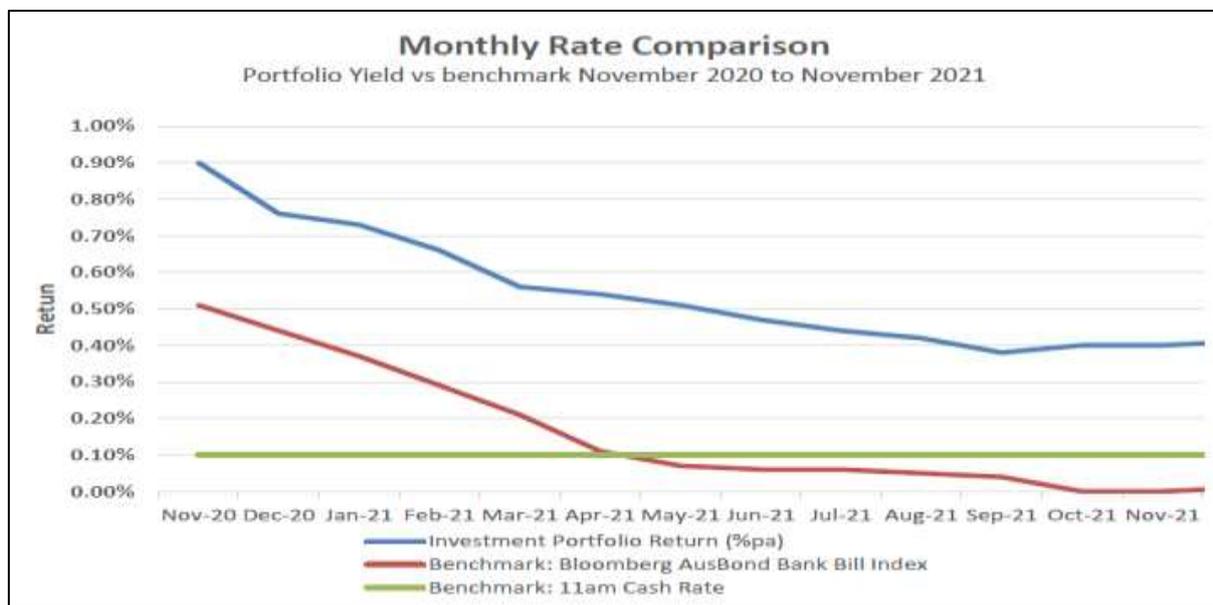


Investment Performance Vs. Benchmark

	Investment Portfolio Return (%pa) *	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	0.41%	0.01%	0.10%
3 Months	0.40%	0.00%	0.10%
6 Months	0.41%	0.03%	0.10%
FYTD	0.40%	0.02%	0.10%
12 Months	0.49%	0.11%	0.10%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

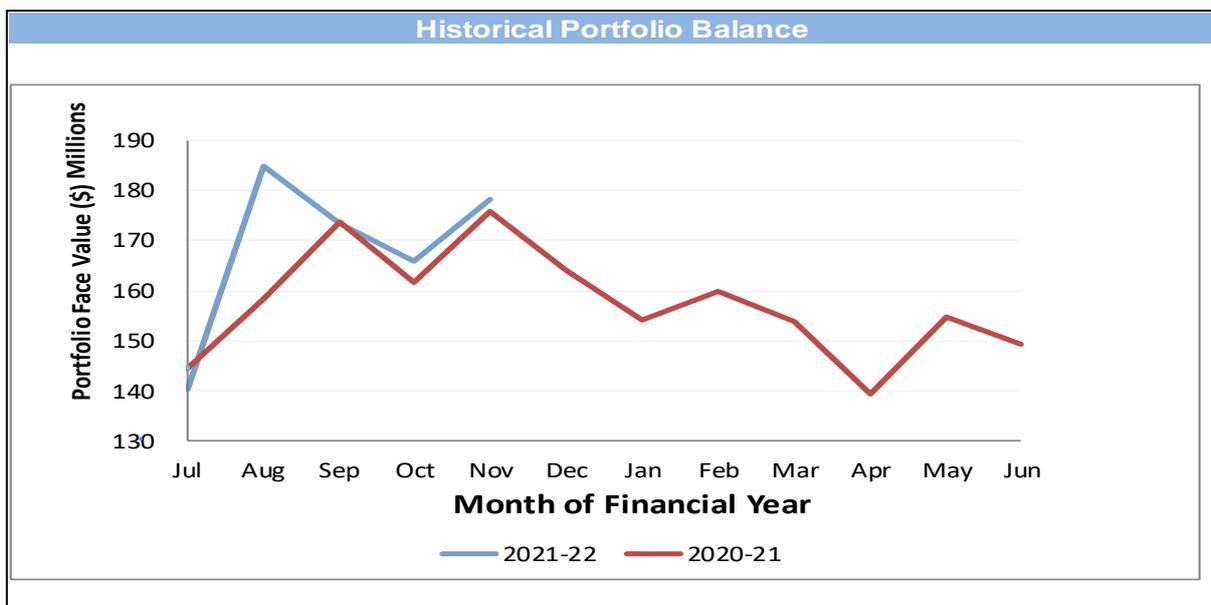


Monthly Investment Income* Vs. Budget

	Nov 2021 \$	Year to Date \$
Investment Income	51,950	255,711
Adjustment for Fair Value	6,208	12,430
Total Investment Income	58,158	268,141
Budgeted Income	45,500	231,500

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2021-22	2020-21
Jul	140,264,007	144,611,603
Aug	184,686,438	158,270,262
Sep	173,325,287	173,826,570
Oct	166,006,688	161,704,389
Nov	178,085,861	175,913,936
Dec		163,952,299
Jan		154,102,219
Feb		159,915,952
Mar		153,861,974
Apr		139,392,596
May		154,616,319
Jun		149,441,669
Average Portfolio Balance	168,473,656	157,467,482



Statement of Compliance

Portfolio Performance vs. Bank Bill Index over 12-month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.

Investment Policy Compliance

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

ECONOMIC NOTES

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

The global economic recovery undulated during November with evidence of mostly soft GDP growth in Q3 but with stronger monthly economic readings late in Q3 and in October. The promise of renewed strong economic growth, however, came amid signs that higher inflation was becoming entrenched with some central banks looking to lift the pace of withdrawing very growth accommodating monetary policy support. The risk of higher interest rates started to challenge the near consensus view among analysts in October and early November that global economic recovery would gather pace in 2022.

Strong US economic growth built on rising business and household income continued to stretch limited supply of goods. October producer prices remained high, up 0.6% m-o-m, 8.6% y-o-y and CPI inflation jumped 0.9% m-o-m, 6.2% y-o-y up from 0.6% m-o-m, 5.4% y-o-y in September. The Federal Reserve, while starting to express some concern about inflation, still plans only slow withdrawal of monetary accommodation. It has started reducing the size of monthly bond purchases but indicates that it will hold off starting to lift official interest rates until mid-2022.

China's economy continued to lose growth momentum in Q3. GDP rose 4.9% y-o-y down from 7.9% in Q2 and the policy initiatives over recent months add to the risk of even softer growth in Q4. China's environmental initiatives and attempts to contain excesses in the property development sector while potentially positive for China to grow sustainably longer term are at the expense of near-term economic growth. The continuing clamp-down on property continued to hurt in October with annual growth in fixed asset investment spending sliding to 6.1% y-o-y in October from 7.3% in September. Industrial production and retail sales were a touch better in October. Industrial production rose 3.5% y-o-y compared with 3.1% in September, while retail sales accelerated to 4.9% y-o-y from 4.4%. China's annual GDP growth looks set to continue to fade to around 4% y-o-y in Q4, far below 6% official target and a sign of the increasing difficulty the authorities face trying to sustain growth while reform and curtail excesses.

Europe's annual GDP growth rate stepped down to 3.7% y-o-y in Q3 although the q-o-q growth rate at 2.2% was strong. Growth in Q4 is being dampened by an energy supply crisis as well as a resurgence of covid cases forcing a return to some restrictions. The energy crisis and acute supply chain problems are driving up factory gate prices faster in Europe than elsewhere. Producer prices were up 16.0% y-o-y in September while the CPI lifted 4.1% y-o-y in October. October producer prices and the November CPI out later this week are expected to be even higher. The European Central Bank recognises that inflation is running higher than expected but continues to delay any policy response. The Bank of England, facing higher than expected British inflation, also chose to delay any policy change at its November policy meeting.

In Australia, Q3 GDP out on Wednesday is expected to show that GDP fell around 2.7% q-o-q reducing annual growth to around 3.0% y-o-y from 9.6% in Q2. The Q3 GDP report is ancient history reflecting the deeply negative impacts on household and business spending when New South Wales and Victoria were in lockdown. Release from lockdown has spurred a sharp recovery in spending in October and November. The preliminary October retail sales report, for example, showed an out-sized 4.9% m-o-m increase. The negative Q3 GDP report should be followed by a strong Q4 GDP lift. Even if the latest omicron variant becomes a lasting negative influence on growth (it could turn out to be the opposite if fears about its dangers are squashed over the next few weeks) the impact will show in Q1 next year rather than Q4. The RBA has declared that it will be patient waiting until tight labour market conditions develop that support annual inflation staying in the higher end of 2-3% target range. It is adamant that it will not react to what it perceives as temporary spikes in the inflation rate. Of course, if spikes persist the RBA might change its view. We thought it more likely that the RBA would be forced to a view change in mid-2022. The omicron variant with its potential to upset growth and inflation forecasts has made our call of a mid-2022 rate hike a little less likely.

ITEM 9.9	MONTHLY INVESTMENT REPORT - DECEMBER 2021
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2022/045403
ATTACHMENTS	NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, a report setting out the details of money invested must be presented to Council on a monthly basis.

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

The Investment Report shows that Council has total cash and investments of \$170,911,655 comprising:

- Trading Accounts \$6,376,287
- Investments \$164,535,368

Performance over the period from 1 July 2021 to date exceeded the benchmark: 0.41%pa vs. 0.02%pa.

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached reports have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2021* and existing Investment Policies.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the Investment Report as at 31 December 2021, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, a report setting out the details of money invested must be presented to Council on a monthly basis.

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

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2021 to date was \$329,930 compared to budgeted income of \$286,800, a positive variance of \$43,130.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The Investment Policy was reviewed by Council's Investment Advisors, Laminar Capital Pty Ltd in November 2021. That review noted that there have been no changes to the Ministerial Investment Orders over the last 12 months and that the Policy and its frameworks continue to be appropriate for Council. Minor amendments are proposed to the Policy following consultation with Council's Investment Advisors and these were presented to the Audit, Risk, and Improvement Committee at its meeting in December 2021.

The Investment Policy and proposed amendments were reviewed by the Audit, Risk, and Improvement Committee at its meeting in December 2021. The minor amendments recommended to the Policy were approved by the Committee endorsing a report to Council detailing the proposed changes to the revised policy and placing it on public exhibition to enable community consultation.

Council's Investment Strategy was reviewed in November 2021 by Council's Investment Advisors, who noted that strategy remains at the conservative end relative to its peers and that where future cash flow allows, consideration should be given to lengthen the maturity term of the portfolio via the use of ADI issued bonds and floating rate notes.

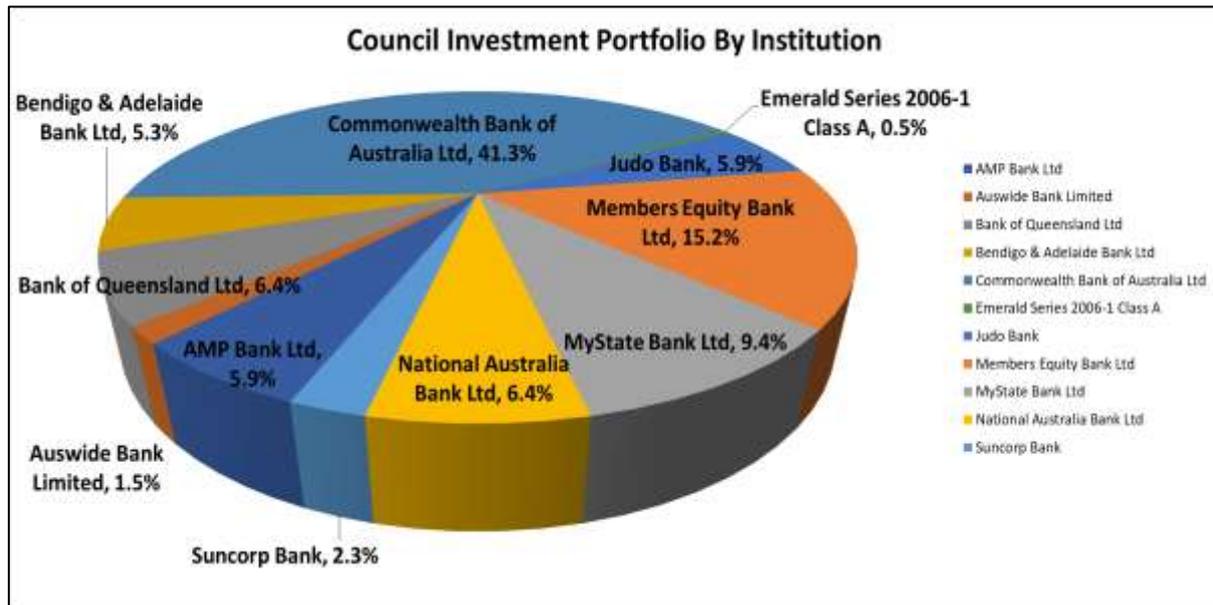
Investment Balances

INVESTMENT BALANCES				
As at 31-Dec-2021				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	4,732,534		0.15%
National Australia Bank Ltd	A1+	7,174		0.00%
		4,739,708		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	6,064,681	At Call	0.20%
		6,064,681		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	A*	776,721	21-Aug-51	0.4972%
		776,721		
Term Deposits				
National Australia Bank Ltd	A1+	2,000,000	04-Jan-22	0.28%
AMP Bank Ltd	A2	1,500,000	04-Jan-22	0.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	06-Jan-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Jan-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	13-Jan-22	0.33%
Members Equity Bank Ltd	A2	2,000,000	17-Jan-22	0.40%
AMP Bank Ltd	A2	2,000,000	18-Jan-22	0.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Jan-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	25-Jan-22	0.34%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	27-Jan-22	0.30%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jan-22	0.34%
Bank of Queensland Ltd	A2	3,000,000	01-Feb-22	0.40%
National Australia Bank Ltd	A1+	1,000,000	04-Feb-22	0.40%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	08-Feb-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	08-Feb-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Feb-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Feb-22	0.34%
AMP Bank Ltd	A2	2,500,000	16-Feb-22	0.55%
Members Equity Bank Ltd	A2	2,000,000	17-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	22-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	24-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	28-Feb-22	0.50%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Mar-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Mar-22	0.34%
Bank of Queensland Ltd	A2	2,000,000	08-Mar-22	0.38%
Members Equity Bank Ltd	A2	1,000,000	10-Mar-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	10-Mar-22	0.34%
Members Equity Bank Ltd	A2	2,000,000	15-Mar-22	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	17-Mar-22	0.36%
Bank of Queensland Ltd	A2	2,000,000	22-Mar-22	0.38%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	24-Mar-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Mar-22	0.35%
Members Equity Bank Ltd	A2	2,000,000	29-Mar-22	0.50%
Members Equity Bank Ltd	A2	1,000,000	31-Mar-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Apr-22	0.35%
Bank of Queensland Ltd	A2	2,000,000	07-Apr-22	0.38%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	12-Apr-22	0.37%
Bank of Queensland Ltd	A2	2,000,000	12-Apr-22	0.42%
Members Equity Bank Ltd	A2	2,000,000	14-Apr-22	0.40%
Judo Bank	A3	2,000,000	19-Apr-22	0.57%

INVESTMENT BALANCES				
As at 31-Dec-2021				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
National Australia Bank Ltd	A1+	2,000,000	19-Apr-22	0.36%
Members Equity Bank Ltd	A2	2,000,000	21-Apr-22	0.40%
Judo Bank	A3	2,000,000	26-Apr-22	0.70%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Apr-22	0.37%
Suncorp Bank	A1	2,000,000	28-Apr-22	0.32%
Members Equity Bank Ltd	A2	2,000,000	03-May-22	0.40%
MyState Bank Ltd	A2	2,000,000	05-May-22	0.60%
MyState Bank Ltd	A2	2,000,000	10-May-22	0.65%
Members Equity Bank Ltd	A2	2,000,000	10-May-22	0.40%
MyState Bank Ltd	A2	2,000,000	12-May-22	0.60%
National Australia Bank Ltd	A1+	2,000,000	17-May-22	0.38%
Judo Bank	A3	2,000,000	19-May-22	0.86%
Judo Bank	A3	2,000,000	24-May-22	0.88%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	26-May-22	0.40%
MyState Bank Ltd	A2	2,000,000	31-May-22	0.65%
Judo Bank	A3	2,000,000	07-Jun-22	0.92%
AMP Bank Ltd	A2	2,000,000	07-Jun-22	0.75%
MyState Bank Ltd	A2	2,000,000	09-Jun-22	0.65%
MyState Bank Ltd	A2	2,000,000	14-Jun-22	0.65%
Suncorp Bank	A1	2,000,000	16-Jun-22	0.40%
MyState Bank Ltd	A2	2,000,000	21-Jun-22	0.65%
AMP Bank Ltd	A2	1,100,000	21-Jun-22	0.75%
AMP Bank Ltd	A2	900,000	21-Jun-22	0.75%
Auswide Bank Limited	A2	2,500,000	23-Jun-22	0.65%
Members Equity Bank Ltd	A2	2,000,000	23-Jun-22	0.50%
MyState Bank Ltd	A2	2,000,000	28-Jun-22	0.65%
National Australia Bank Ltd	A1+	2,000,000	28-Jun-22	0.51%
National Australia Bank Ltd	A1+	2,000,000	05-Jul-22	0.51%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	28-Jul-22	0.45%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	04-Aug-22	0.40%
		133,500,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,636,579		0.00%
		1,636,579		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	118,062	At Call	0.01%
Commonwealth Bank of Australia Ltd	A1+	2,314,554	At Call	0.01%
		2,432,616		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Jan-22	0.20%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	09-Feb-22	0.29%
Commonwealth Bank of Australia Ltd	A1+	12,761,349	22-Feb-22	0.28%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Mar-22	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	19-Apr-22	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	28-Apr-22	0.33%
		21,761,349		
Total Cash and Investments		170,911,655		

*Rating is based on a private rating advised by the issuer to Council's Investment Advisors.

Portfolio Analysis

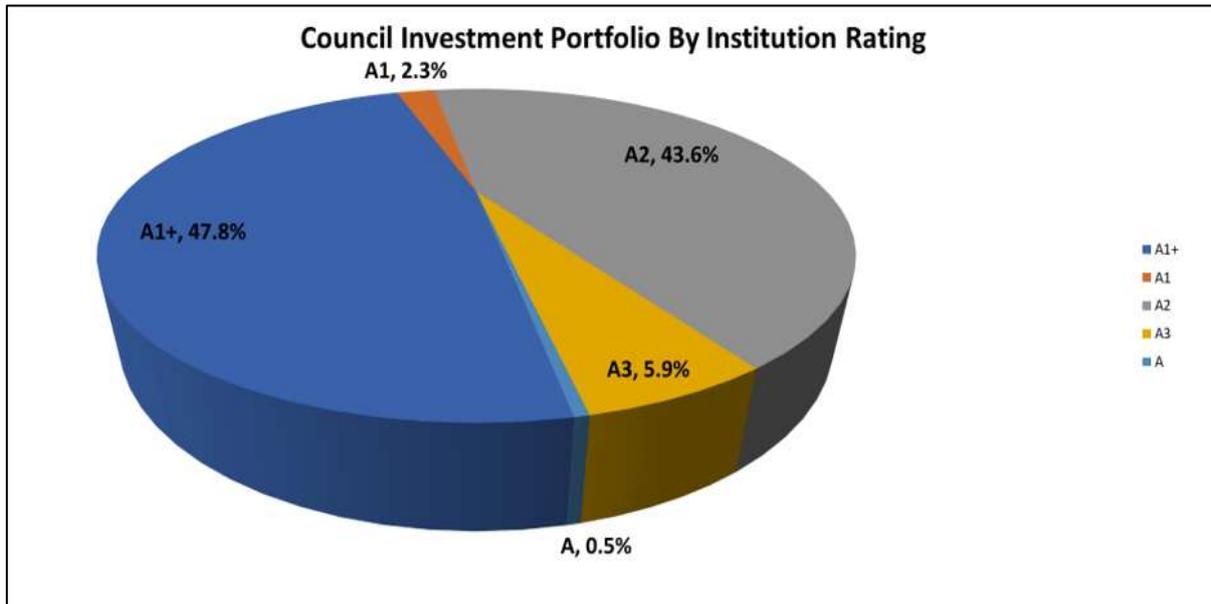


Institutional Credit Framework – Compliance with Investment Policy Requirements

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

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

As Members Equity Bank is a fully owned subsidiary of Bank of Queensland, the holdings are combined to determine the maximum percentage which can be held under clause 4.2.2 (Institutional Credit Framework Guidelines) of Council's Investment Policy.



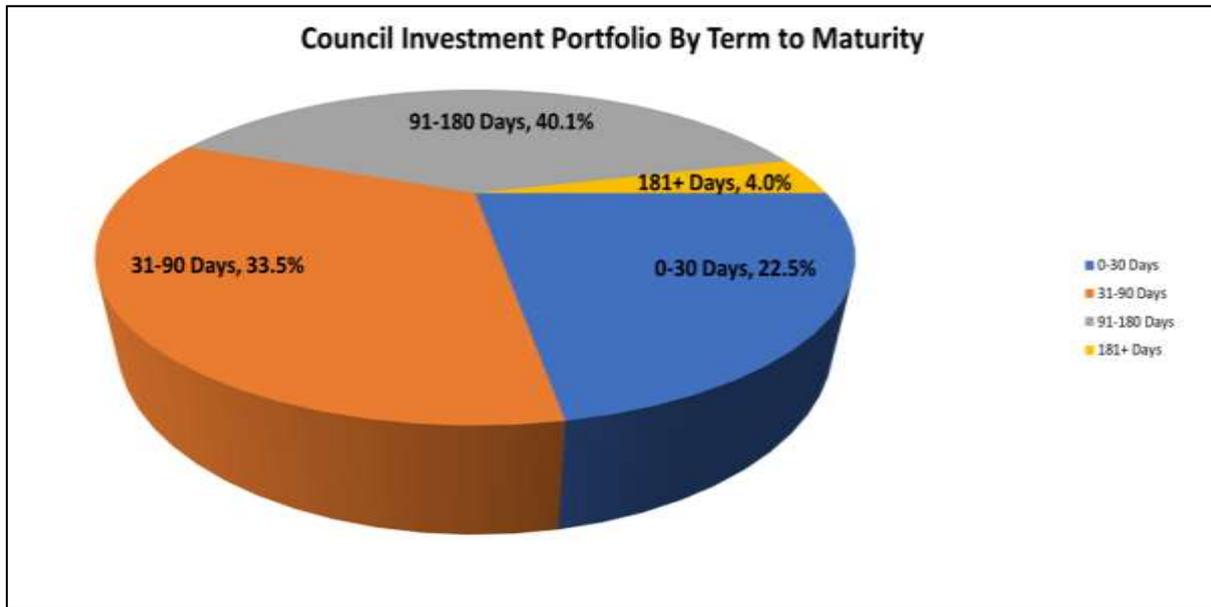
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

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

* Or Moody’s / Fitch equivalents

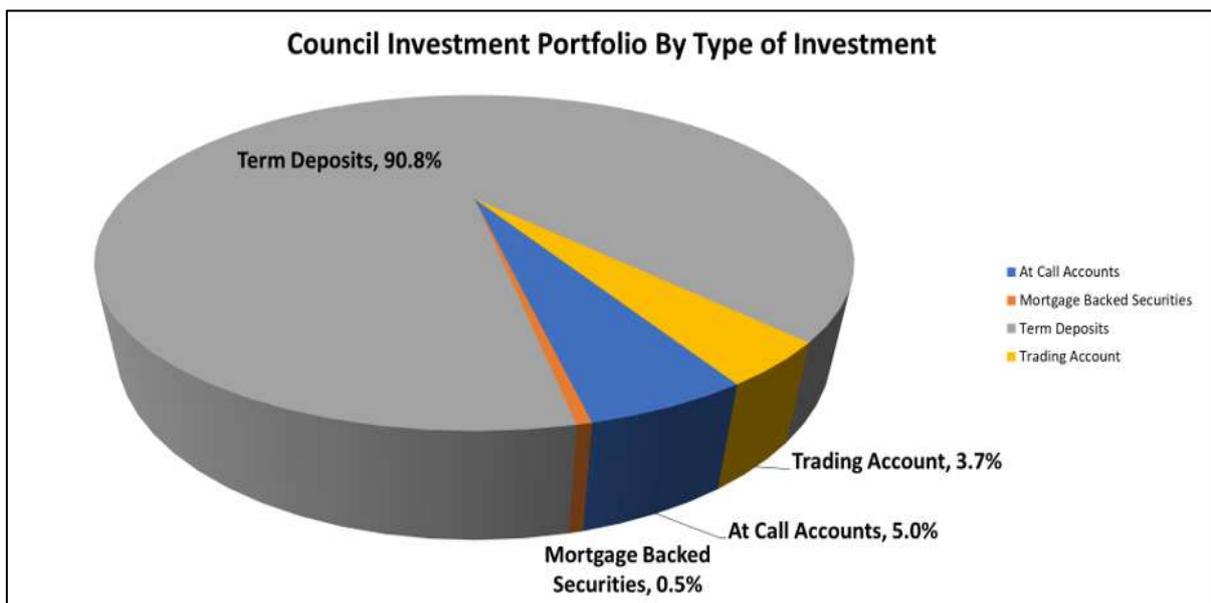
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



Term to Maturity Framework – Compliance with Investment Policy Requirements

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

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

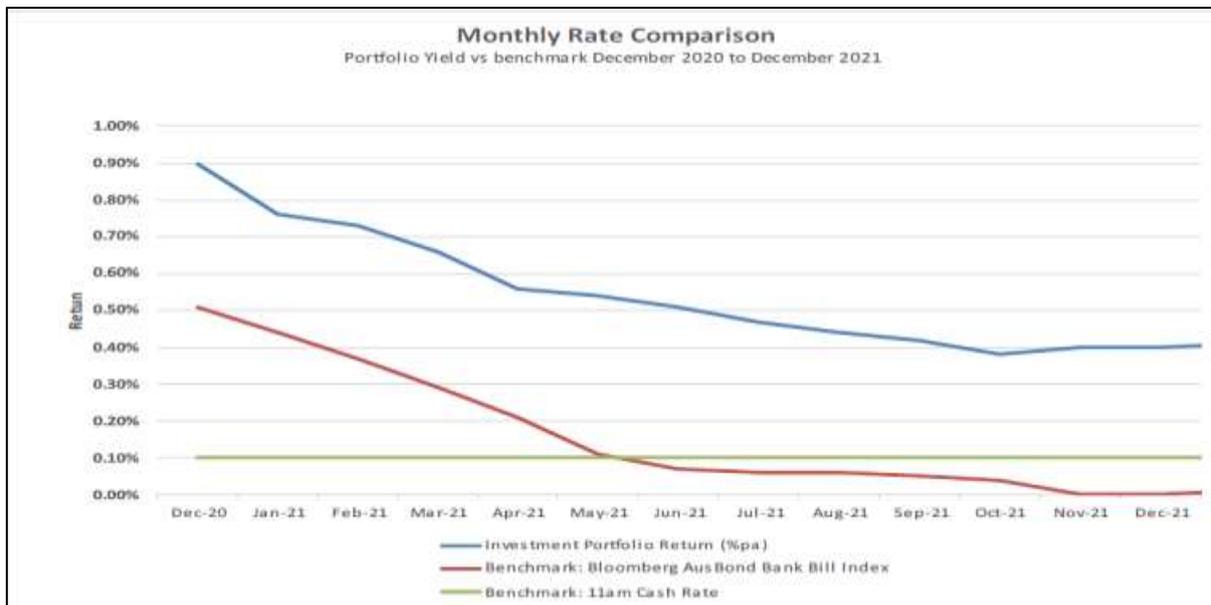


Investment Performance Vs. Benchmark

	Investment Portfolio Return (%pa) *	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	0.46%	0.00%	0.10%
3 Months	0.42%	0.00%	0.10%
6 Months	0.41%	0.02%	0.10%
FYTD	0.41%	0.02%	0.10%
12 Months	0.47%	0.08%	0.10%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

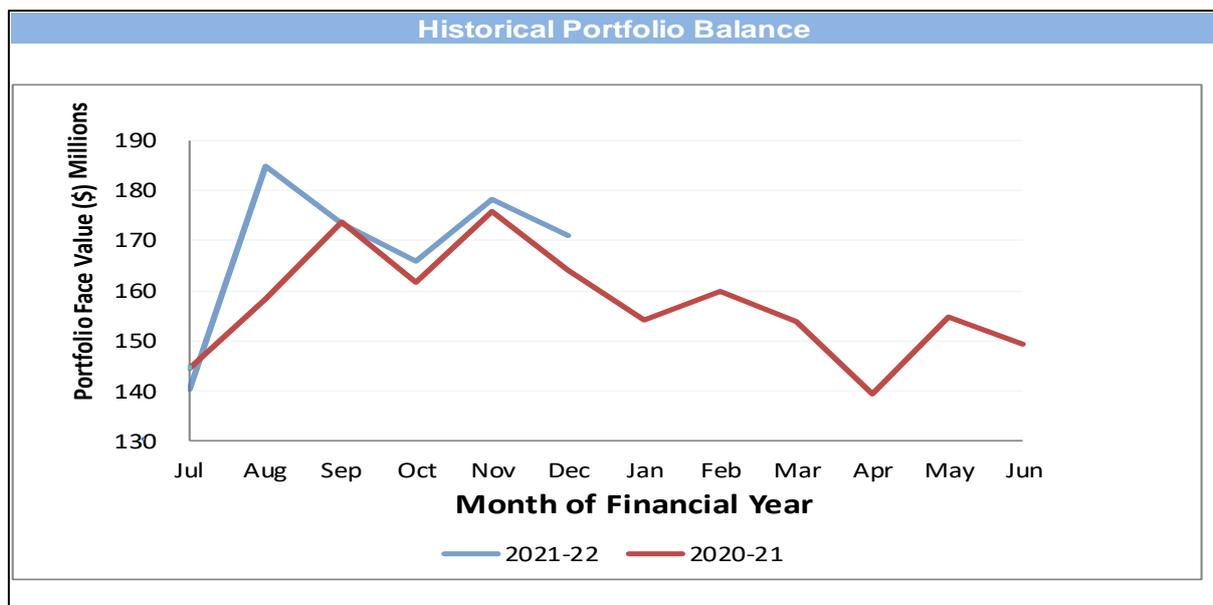


Monthly Investment Income* Vs. Budget

	Dec 2021 \$	Year to Date \$
Investment Income	61,791	317,502
Adjustment for Fair Value	(2)	12,428
Total Investment Income	61,789	329,930
Budgeted Income	55,300	286,800

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2021-22	2020-21
Jul	140,264,007	144,611,603
Aug	184,686,438	158,270,262
Sep	173,325,287	173,826,570
Oct	166,006,688	161,704,389
Nov	178,085,861	175,913,936
Dec	170,911,655	163,952,299
Jan		154,102,219
Feb		159,915,952
Mar		153,861,974
Apr		139,392,596
May		154,616,319
Jun		149,441,669
Average Portfolio Balance	168,879,989	157,467,482



Statement of Compliance

Portfolio Performance vs. Bank Bill Index over 12-month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.

Investment Policy Compliance

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

ECONOMIC NOTES

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

Risk assets ended 2021 on a strong note. December saw risk assets rise strongly despite the potentially growth crimping threats from rising Delta and Omicron infection rates. For the most part 2021 and December were influenced by stronger than expected economic activity and faster than expected rise in inflation with governments and central banks barely starting to stem very easy policy settings.

While government bond yields rose through 2021 and in December the increases were small relative to the increase in inflation. Slowly rising but still low interest rates provided key support for risk asset markets during 2021, but the threat of faster rising interest rates in 2022 will turn support for risk assets to headwind.

Inflation is proving to be higher and stickier than expected by all forecasters. Supply chain problems are taking longer to resolve and are being made worse currently by the rapid spread of the Omicron variant, increasing absenteeism in key industries already struggling to source labour. In Europe and the US supply chain problems are still worsening, rapidly increasing producer prices. Europe's producer prices rose 23.7% y-o-y in November, up from 21.9% in October. This week on Thursday the US is expected to report that December producer prices rose around 9.8% y-o-y, up from 9.6% in November. The day before the December producer prices report the US December CPI is expected to rise to 7.0% y-o-y, the highest annual inflation reading in 40 years.

Central banks are being jolted by persistently high inflation readings but are still reacting far from fast enough to reduce the policy accommodation feeding inflation. The RBA is moving slower than its peers, partly because inflation has risen less so far than overseas, but also because of institutional stickiness in wage setting in Australia causing wages to rise comparatively slowly – although when they do rise eventually multi-year enterprise agreements mean higher wage growth becomes entrenched for longer. The RBA will also view the current huge wave of covid infections in Australia as a threat to demand adding to reasons for policy caution.

While many overseas central banks including the US Fed, European Central Bank, and the Bank of England will hike official interest rates possibly several times through 2022, the RBA will continue to try and hold out although the risk is that it may have to do more later.

Returning to what happened in December and in 2021 and taking government bond markets first, the US 10-year bond yield rose in December by 7 basis points (bps) to 1.51% and marking a 60bps lift in 2021. The 30-year treasury yield rose by 11bps in December to 1.90%, up 26bps in 2021. The lift in longer-term US bond yields seems an extraordinary under-reaction to annual US inflation lifting from 1.4% y-o-y in December 2020 to probably 7.0% in December 2021 and the Fed forced to pivot from indicating no official interest rate hikes in 2022 and 2023 at the beginning of 2021 to now at least three hikes likely in 2022 and more to come beyond.

Confirmation of the Fed's pivot on rates in the minutes of its December policy meeting released last week caused the US bond market to suffer its worst New Year start on record. In the first week of 2022 the 10-year bond yield has risen 25bps and 30-year treasury 22bps. We see US bond yields erratically lifting higher during 2022 above 3.00% by year end.

In Australia, the 10-year bond yield fell by 2bps in December to 1.66% but was up by 70bps in 2021. It has risen 19bps to 1.85% in the first week of 2022. Australian annual CPI inflation looks set to run in 3% to 4% range through 2022 perhaps low enough to keep the RBA side-lined for much of the year but also high enough to keep the 10-year bond yield moving higher. We see the Australian 10-year bond yield pushing up towards 3% this year. We still doubt whether the RBA will be able to keep the cash rate unchanged and expect a rate hike in the second half of 2022.

ITEM 9.10	MONTHLY INVESTMENT REPORT - JANUARY 2022
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2022/045413
ATTACHMENTS	NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, a report setting out the details of money invested must be presented to Council on a monthly basis.

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

The Investment Report shows that Council has total cash and investments of \$161,545,259 comprising:

- Trading Accounts \$2,790,703
- Investments \$158,754,556

Performance over the period from 1 July 2021 to date exceeded the benchmark: 0.42%pa vs. 0.02%pa.

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the attached reports have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2021* and existing Investment Policies.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the Investment Report as at 31 January 2022, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, a report setting out the details of money invested must be presented to Council on a monthly basis.

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

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2021 to date was \$391,901 compared to budgeted income of \$334,800, a positive variance of \$57,101.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The Investment Policy was reviewed by Council's Investment Advisors, Laminar Capital Pty Ltd in November 2021. That review noted that there have been no changes to the Ministerial Investment Orders over the last 12 months and that the Policy and its frameworks continue to be appropriate for Council. Minor amendments are proposed to the Policy following consultation with Council's Investment Advisors and these were presented to the Audit, Risk and Improvement Committee at its meeting in December 2021.

The Investment Policy and proposed amendments were reviewed by the Audit, Risk and Improvement Committee at its meeting in December 2021. The minor amendments recommended to the Policy were approved by the Committee endorsing a report to Council detailing the proposed changes to the revised policy and placing it on public exhibition to enable community consultation.

Council's Investment Strategy was reviewed in November 2021 by Council's Investment Advisors, who noted that strategy remains at the conservative end relative to its peers and that where future cash flow allows, consideration should be given to lengthen the maturity term of the portfolio via the use of ADI issued bonds and floating rate notes.

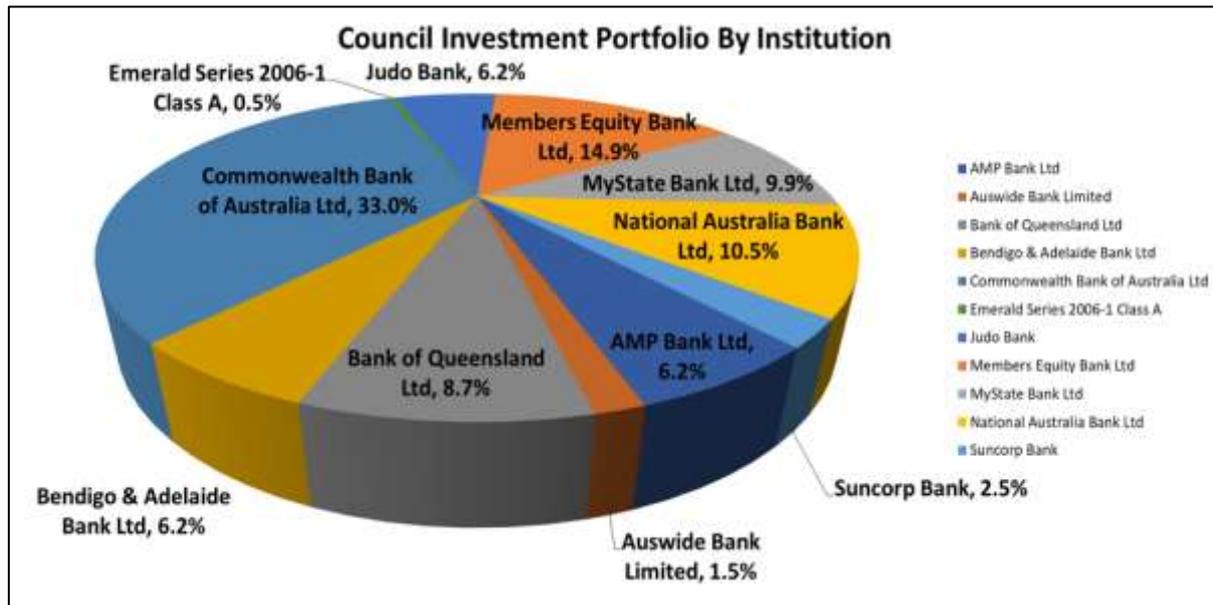
Investment Balances

INVESTMENT BALANCES				
As at 31-Jan-2022				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,591,608		0.15%
National Australia Bank Ltd	A1+	5,507		0.00%
		<u>1,597,115</u>		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	5,165,805	At Call	0.20%
		<u>5,165,805</u>		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	A*	776,719	21-Aug-51	0.4972%
		<u>776,719</u>		
Term Deposits				
Bank of Queensland Ltd	A2	3,000,000	01-Feb-22	0.40%
National Australia Bank Ltd	A1+	1,000,000	04-Feb-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	08-Feb-22	0.34%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	08-Feb-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Feb-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Feb-22	0.34%
AMP Bank Ltd	A2	2,500,000	16-Feb-22	0.55%
Members Equity Bank Ltd	A2	2,000,000	17-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	22-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	24-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	28-Feb-22	0.50%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Mar-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Mar-22	0.34%
Bank of Queensland Ltd	A2	2,000,000	08-Mar-22	0.38%
Members Equity Bank Ltd	A2	1,000,000	10-Mar-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	10-Mar-22	0.34%
Members Equity Bank Ltd	A2	2,000,000	15-Mar-22	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	17-Mar-22	0.36%
Bank of Queensland Ltd	A2	2,000,000	22-Mar-22	0.38%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	24-Mar-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Mar-22	0.35%
Members Equity Bank Ltd	A2	2,000,000	29-Mar-22	0.50%
Members Equity Bank Ltd	A2	1,000,000	31-Mar-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Apr-22	0.35%
Bank of Queensland Ltd	A2	2,000,000	07-Apr-22	0.38%
Bank of Queensland Ltd	A2	2,000,000	12-Apr-22	0.42%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	12-Apr-22	0.37%
Members Equity Bank Ltd	A2	2,000,000	14-Apr-22	0.40%
National Australia Bank Ltd	A1+	2,000,000	19-Apr-22	0.36%
Judo Bank	A3	2,000,000	19-Apr-22	0.57%
Members Equity Bank Ltd	A2	2,000,000	21-Apr-22	0.40%
Judo Bank	A3	2,000,000	26-Apr-22	0.70%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Apr-22	0.37%
Suncorp Bank	A1	2,000,000	28-Apr-22	0.32%
Members Equity Bank Ltd	A2	2,000,000	03-May-22	0.40%
MyState Bank Ltd	A2	2,000,000	05-May-22	0.60%
Members Equity Bank Ltd	A2	2,000,000	10-May-22	0.40%
MyState Bank Ltd	A2	2,000,000	10-May-22	0.65%
MyState Bank Ltd	A2	2,000,000	12-May-22	0.60%
National Australia Bank Ltd	A1+	2,000,000	17-May-22	0.38%

INVESTMENT BALANCES				
As at 31-Jan-2022				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Judo Bank	A3	2,000,000	19-May-22	0.86%
Judo Bank	A3	2,000,000	24-May-22	0.88%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	26-May-22	0.40%
MyState Bank Ltd	A2	2,000,000	31-May-22	0.65%
Judo Bank	A3	2,000,000	07-Jun-22	0.92%
AMP Bank Ltd	A2	2,000,000	07-Jun-22	0.75%
MyState Bank Ltd	A2	2,000,000	09-Jun-22	0.65%
MyState Bank Ltd	A2	2,000,000	14-Jun-22	0.65%
Suncorp Bank	A1	2,000,000	16-Jun-22	0.40%
MyState Bank Ltd	A2	2,000,000	21-Jun-22	0.65%
AMP Bank Ltd	A2	900,000	21-Jun-22	0.75%
AMP Bank Ltd	A2	1,100,000	21-Jun-22	0.75%
Auswide Bank Limited	A2	2,500,000	23-Jun-22	0.65%
Members Equity Bank Ltd	A2	2,000,000	23-Jun-22	0.50%
MyState Bank Ltd	A2	2,000,000	28-Jun-22	0.65%
National Australia Bank Ltd	A1+	2,000,000	28-Jun-22	0.51%
AMP Bank Ltd	A2	1,500,000	05-Jul-22	1.00%
National Australia Bank Ltd	A1+	2,000,000	05-Jul-22	0.51%
National Australia Bank Ltd	A1+	2,000,000	07-Jul-22	0.52%
National Australia Bank Ltd	A1+	2,000,000	12-Jul-22	0.52%
National Australia Bank Ltd	A1+	2,000,000	14-Jul-22	0.52%
National Australia Bank Ltd	A1+	2,000,000	19-Jul-22	0.53%
AMP Bank Ltd	A2	2,000,000	21-Jul-22	1.00%
Bank of Queensland Ltd	A2	3,000,000	26-Jul-22	0.60%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	28-Jul-22	0.45%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	02-Aug-22	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	04-Aug-22	0.40%
		129,500,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,193,588		0.00%
		1,193,588		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	236,112	At Call	0.01%
Commonwealth Bank of Australia Ltd	A1+	1,314,570	At Call	0.01%
		1,550,682		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	09-Feb-22	0.29%
Commonwealth Bank of Australia Ltd	A1+	12,761,349	22-Feb-22	0.28%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Mar-22	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	19-Apr-22	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	28-Apr-22	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-May-22	0.33%
		21,761,349		
Total Cash and Investments		161,545,259		

*Rating is based on a private rating advised by the issuer to Council's Investment Advisors.

Portfolio Analysis

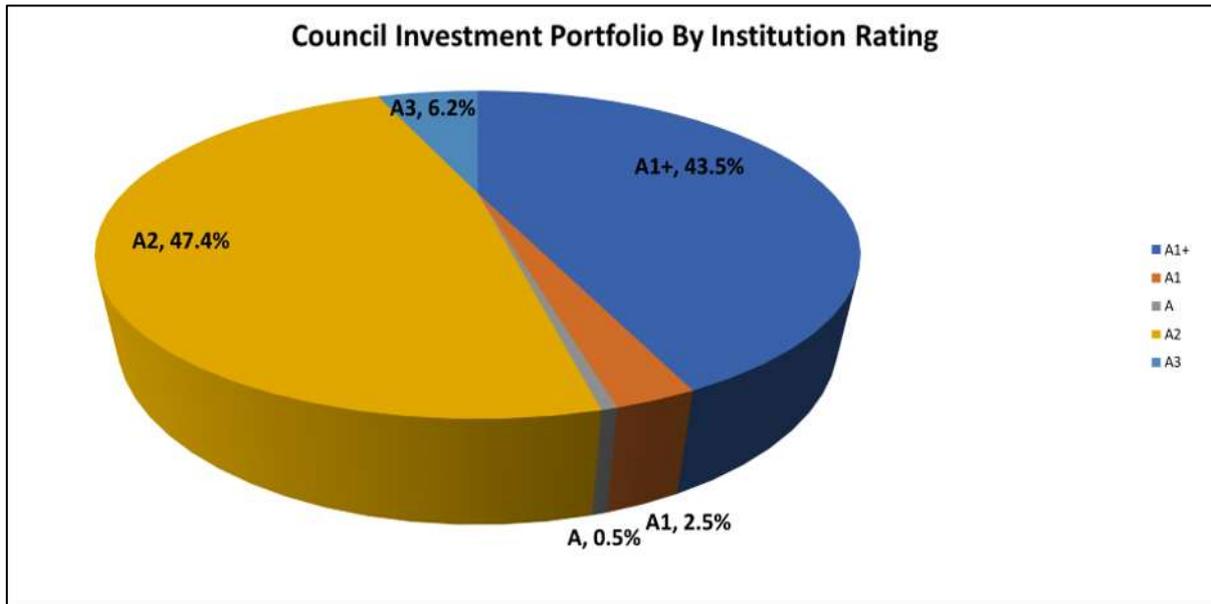


Institutional Credit Framework – Compliance with Investment Policy Requirements

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

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

As Members Equity Bank is a fully owned subsidiary of Bank of Queensland, the holdings are combined to determine the maximum percentage which can be held under clause 4.2.2 (Institutional Credit Framework Guidelines) of Council's Investment Policy.



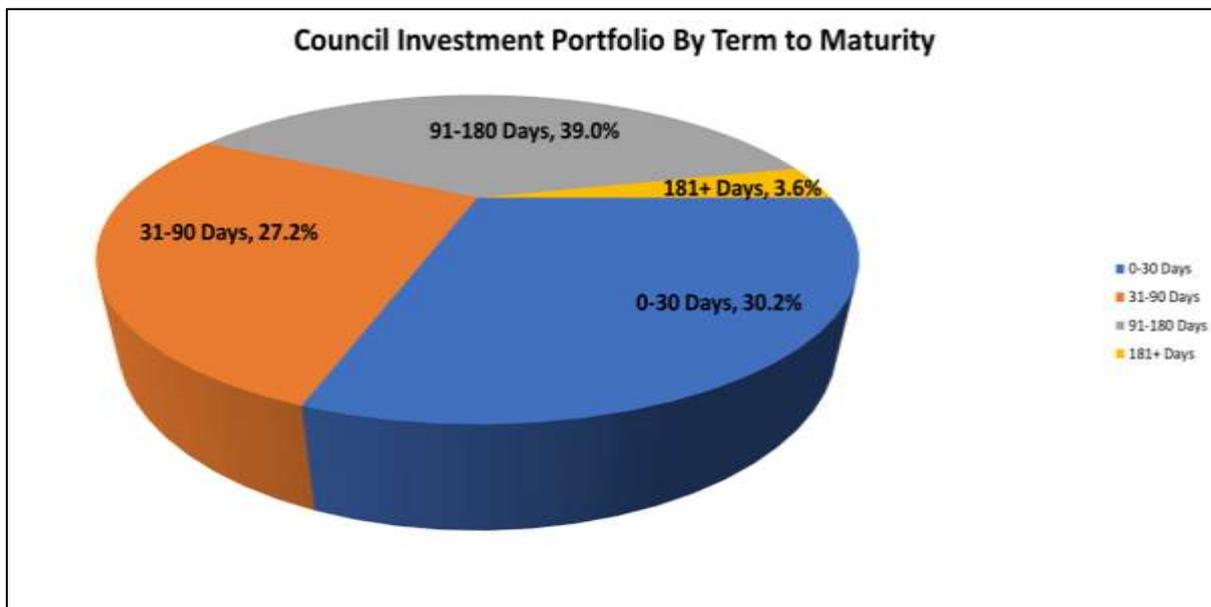
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

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

* Or Moody’s / Fitch equivalents

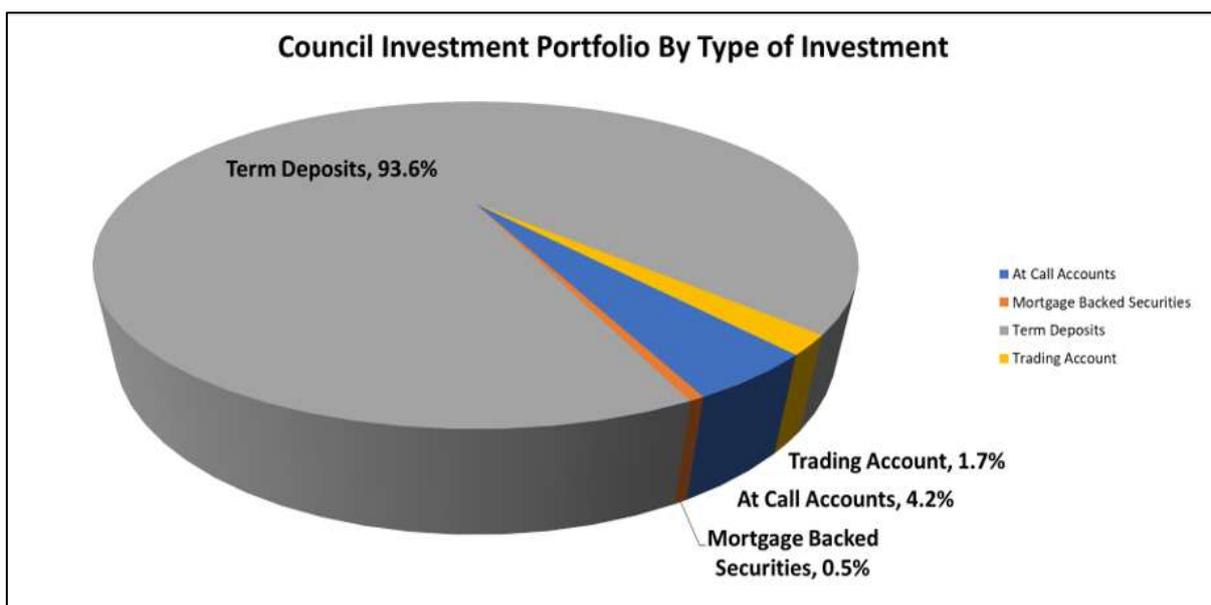
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



Term to Maturity Framework – Compliance with Investment Policy Requirements

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

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

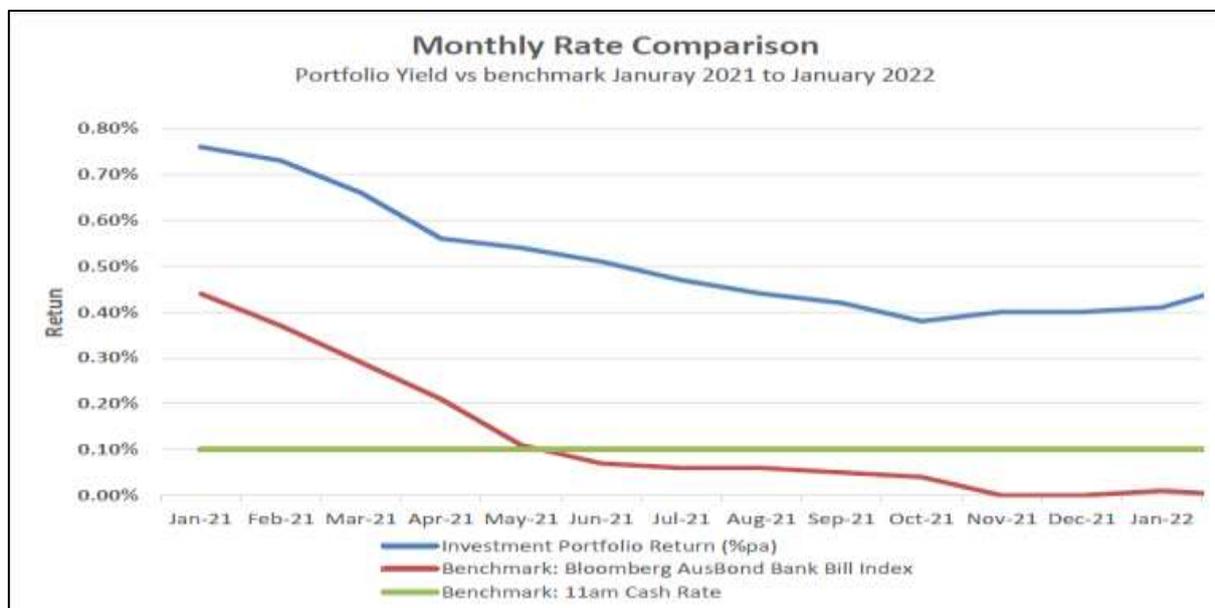


Investment Performance Vs. Benchmark

	Investment Portfolio Return (%pa) *	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	0.50%	0.01%	0.10%
3 Months	0.46%	0.01%	0.10%
6 Months	0.43%	0.01%	0.10%
FYTD	0.42%	0.02%	0.10%
12 Months	0.46%	0.05%	0.10%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

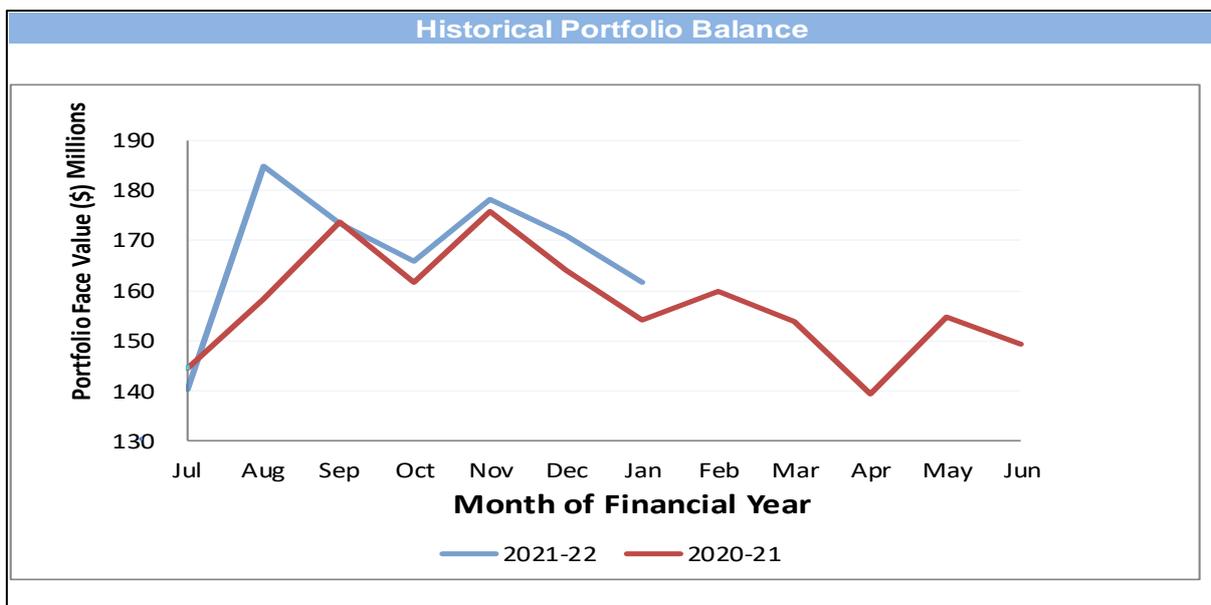


Monthly Investment Income* Vs. Budget

	Jan 2022 \$	Year to Date \$
Investment Income	61,973	379,475
Adjustment for Fair Value	(2)	12,426
Total Investment Income	61,971	391,901
Budgeted Income	48,000	334,800

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2021-22	2020-21
Jul	140,264,007	144,611,603
Aug	184,686,438	158,270,262
Sep	173,325,287	173,826,570
Oct	166,006,688	161,704,389
Nov	178,085,861	175,913,936
Dec	170,911,655	163,952,299
Jan	161,545,259	154,102,219
Feb		159,915,952
Mar		153,861,974
Apr		139,392,596
May		154,616,319
Jun		149,441,669
Average Portfolio Balance	167,832,171	157,467,482



Statement of Compliance

Portfolio Performance vs. Bank Bill Index over 12-month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.

Investment Policy Compliance

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

ECONOMIC NOTES

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

High inflation and mostly strong economic growth featured among the world's major economies during January although immediate economic growth prospects are softer because of the Omicron wave. Also, key central banks are promising to act tougher on inflation words not matched by actions so far that have been modest, or non-existent. The threat of higher official interest has unsettled financial markets but has not undermined still strong medium-term growth prospects for the real global economy. Those firm growth prospects may be enhanced as China's slowing growth rate through 2021 returns to stronger footing helped by more stimulatory policy settings.

Turning first to the US economy, although the Omicron wave dented household spending in December (personal spending down 0.6% m-o-m) Q4 GDP growth was very strong coming in at 6.9% annualised up from 2.3% in Q3. Consumer spending accelerated to 3.3% annualised in Q4, up from 2.0% in Q3. Q1 2022 GDP growth, when it is released in late April, will show marked growth deceleration because of the dampening impact of Omicron on consumer spending. Our assumption is that the damage to consumer spending will be at its worst in January and February readings before a sharp rebound occurs in March and beyond. The household sector is in very good shape. Although employment growth has slowed in recent months, the unemployment rate is back to very low pre-pandemic levels at 3.9% in December. The US household sector has accumulated a savings war chest assisted by generous government payments through the pandemic. Spending on housing at the leading edge of economic growth is very strong. New home sales rose by 11.9% m-o-m in December after lifting 11.7% in November. All told, the US household sector is fit to spend freely once short-term impediments to confidence ease.

China's economy continued to lose growth momentum in Q4. GDP rose 4.0% y-o-y down from 4.9% in Q3. The slowing in China's economic growth rate has been a function of a less aggressive policy support program than occurred in other major economies in the worst parts of the pandemic as well as active policies punishing parts of the economy not in step with President Xi's principles for Chinese society. China was an odd one out during 2021 with growth slowing under policy dictate while other economies speeded up helped by policy stimulus. The roles have started to reverse in 2022. China has started to ease monetary policy reducing Reserve Ratio Requirements and its official interest rate, down by 10bps to 3.70%. It has also started to spend more stimulating the economy at a time when stimulus spending is moderating elsewhere. China's GDP growth rate looks set to accelerate this year, albeit off a low base in late 2021.

Europe's annual GDP growth rate stepped down to 3.7% y-o-y in Q3 although the q-o-q growth rate at 2.2% was strong. Growth in Q4 has been dampened by Omicron and a fading energy supply crisis. Most monthly economic indicators have held up quite well and the latest January purchasing manager reports showed the manufacturing sector PMI increasing to 59.0 from 58.0 in December, while the services PMI slid in January to 51.2, still expansionary territory but down from 53.1 in December. Europe's inflation rate is very high with the CPI up 5.0% y-o-y in December and producer prices up 23.7% y-o-y. European bond yields and the ECB's official interest rates, most with a negative sign on the front are out of kilter with high inflation and will rise soon. The threat of war between Russia and the Ukraine could heighten energy supply and price issues again in Europe working against the tentative signs of improving supply chains that might ease inflation pressure.

In Australia, pre-Omicron economic readings have been very strong. November retail sales rose by 7.3% m-o-m; home building approvals were up 3.6%; and housing finance commitments were up 6.3%. In December, employment rose by 64,800 and the unemployment rate fell to 4.2%, the lowest reading since 2007, and down from 4.6% in November. The economy was pushing ahead very strongly before the Omicron wave and in our view will push ahead very strongly again in March and beyond assisted by a household sector with large, accumulated savings to spend. A Federal pre-election Budget in March will add impetus to household spending.

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS
REPORTING MANAGER	EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT
TRIM FILE REF	2022/021939
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To report to Council the variations to development standards granted under Clause 4.6 of the Manly Local Environmental Plan (MLEP 2013), Pittwater Local Environmental Plan (PLEP 2014) and Warringah Local Environmental Plan (WLEP 2011), as required by the NSW Department of Planning and Environment.

EXECUTIVE SUMMARY

During the period 1 October 2021 to 31 December 2021, the following variations to development standards were granted:

- 14 variations under Clause 4.6 of Manly Local Environmental Plan 2013
- 11 variations under Clause 4.6 of Pittwater Local Environmental Plan 2014
- 13 variations under Clause 4.6 of Warringah Local Environmental Plan 2011

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council note the Development Applications approved with variations to development standards during the period 1 October 2021 to 31 December 2021.

REPORT

BACKGROUND

The following tables show all variations to development standards approved during the period **1 October 2021 to 31 December 2021** for each of the LEPs in the Northern Beaches LGA, and whether the determination was made by Delegated Authority under delegated authority or by a determination panel.

A total of 38 Development Applications were approved with a clause 4.6 variation during the quarter. During the quarter a total of 401 Development Applications were approved – noting that the total number of applications (including Modification and Review Applications) approved in the quarter totaled 599.

Northern Beaches Council has two external panels, being the Northern Beaches Local Planning Panel (NBLPP) and the Sydney North Planning Panel (SNPP). The internal determination panel is known as the Development Determination Panel (DDP).

It is noted that Council is currently preparing a new Local Environmental Plan. The development standards for both height and floor space ratio will be reviewed, and the review will consider the extent and circumstances in which the existing development standards have been varied by the use of clause 4.6

The following applications had a Clause 4.6 variation request granted during the period of **1 October 2021 to 31 December 2021**.

Manly LEP 2013

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2021/0521	111 Bower Street MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings	Variation: 11.76% Control: 8.5m Proposal: 9.5m	NBLPP
DA2021/0668	95 Bower Street MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings	Variation: 11% Control: 8.5m Proposal: 9.44m	DDP
DA2021/0925	48 Osborne Road MANLY NSW 2095	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 8.2% Control: 8.5m Proposal: 9.2m	Delegated Authority
DA2021/0932	1 Bower Lane MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 7.5% Control: 0.6:1 (216.42m ²) Proposal: 0.645:1 (232.7m ²)	Delegated Authority
DA2021/1059	56 Peronne Avenue CLONTARF NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 22.47% Control: 8.5m Proposal: 10.41m (height of existing roof was 10.26m)	DDP
DA2021/1222	12 Bareena Drive BALGOWLAH HEIGHTS NSW 2093	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 12% Control: 0.40:1 (258.16m ²) Proposal: 0.45:1 (293.3m ²)	DDP

DA2021/1238	3 Abernethy Street SEAFORTH NSW 2092	Residential - Alterations and additions	4.3 Height of buildings	Variation: 31.7% Control: 8.5m Proposal: 11.2m (existing dwelling exceeded the height control)	DDP
DA2021/1245	60 - 62 The Corso MANLY NSW 2095	Commercial/Retail/Office	4.4 Floor space ratio	Variation: 0.29% Control: 3:1 (2850m ²) Proposal: 3.09:1 (2858.2m ²)	Delegated Authority
DA2021/1270	68 Woodland Street BALGOWLAH HEIGHTS NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 7% Control: 8.5m Proposal: 9.1m	Delegated Authority
DA2021/1289	6/96 Lauderdale Avenue FAIRLIGHT NSW 2094	Residential - Alterations and additions	4.3 Height of buildings	Variation: 7.5% Control: 8.5m Proposal: 9.14m	Delegated Authority
DA2021/1558	70 Bower Street MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 8% Control: 0.45:1 (320m ²) Proposal: 0.48:1 (347m ²)	Delegated Authority
DA2021/1679	96 Seaforth Crescent SEAFORTH NSW 2092	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 3.2% Control: 0.4:1 (237.8m ²) Proposal: 0.41:1 (245.5m ²)	Delegated Authority
DA2021/2022	15 Mulgowrie Crescent BALGOWLAH HEIGHTS NSW 2093	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 23.63% Control: 0.4:1 (245.16m ²) Proposal: 0.49:1 (302.6m ²) (existing dwelling had noncompliant FSR 0.48:1- 9m ² of additional floor area proposed in DA)	DDP
DA2021/2023	35 Beatty Street BALGOWLAH HEIGHTS NSW 2093	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 42.5% Control: 0.4:1 (240.28m ²) Proposal: 0.57:1 (340.6m ²) (existing dwelling had noncompliant FSR0.54:1- 15m ² of additional floor area proposed in DA).	DDP

Pittwater LEP2014

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
---------	---------	----------------------------	-----------------------------------	----------------------------------	------------------

REV2021/0020	316 Hudson Parade CLAREVILLE NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 9.88% Control: 8.5m Proposal: 9.34m	DDP
DA2021/1077	41 Kalang Road ELANORA HEIGHTS NSW 2101	Residential - New second occupancy	4.1B Minimum lot sizes for dual occupancies	Variation: 5.6% Control: 800m ² Proposal: 754.7m ²	Delegated Authority
DA2021/1231	1A Florida Road PALM BEACH NSW 2108	Residential - Alterations and additions – deck and extension to roof	4.3 Height of buildings	Variation: 33.8% Control: 8.5m Proposal: 11.37m (existing dwelling doesn't comply with height control)	DDP
DA2021/1369	17 Kuru Street NORTH NARRABEEN NSW 2101	Residential - Alterations and additions	4.3 Height of buildings	Variation: 9.3% Control: 8.5m Proposal: 9.4m	Delegated Authority
DA2021/1423	6 Bona Crescent LOVETT BAY NSW 2105	Residential - Alterations and additions	4.3 Height of buildings	Variation: 27% Control: 4m Proposal: 5.08m	DDP
DA2021/1448	106 Prince Alfred Parade NEWPORT NSW 2106	Residential - Alterations and additions -boat shed	4.3 Height of buildings	Variation: 19.53% Control: 8.5m Proposal: 10.16m (existing dwelling does not comply with the height control and the DA proposed to reduce the overall height of existing dwelling by 1.34m)	DDP
DA2021/1726	19 Powderworks Road NORTH NARRABEEN NSW 2101	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.6% Control: 8.5m Proposal: 8.98m	Delegated Authority
DA2021/1863	24 Capua Place AVALON BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 11.3% Control: 5.5m Proposal: 6.2m	DDP
DA2021/1886	33 Taiyul Road NORTH NARRABEEN NSW 2101	Residential - Alterations and additions	4.3 Height of buildings	Variation: 9.41% Control: 8.5m Proposal: 9.3m	Delegated Authority
DA2021/1995	28 The Strand WHALE BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 4.82% Control: 8.5m Proposal: 8.91m	Delegated Authority
DA2021/2087	156 Whale Beach Road WHALE BEACH NSW 2107	Residential - Alterations and additions (steel framed pergola over existing terrace)	4.3 Height of buildings	Variation: 13.6% Control: 8.5m Proposal: 9.6m	DDP

Warringah LEP 2011

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2021/0273	27 Greycliffe Street QUEENSCLIFF NSW 2096	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 3.8% Control: 8.5m Proposal: 8.83m	DDP
DA2021/0744	50 Lawrence Street FRESHWATER NSW 2096	Mixed	4.3 Height of buildings	Variation: 2.7% Control: 11m Proposal: 11.3m	NBLPP
DA2021/1166	142 Ocean Street NARRABEEN NSW 2101	Residential - New multi-unit	4.3 Height of buildings	Variation: 1.44% Control: 8.5m Proposal: 8.63m	NBLPP
DA2021/1169	12 Horning Parade MANLY VALE NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.7% Control: 8.5m Proposal: 8.99m	Delegated Authority
DA2021/1356	105 Arthur Street FORESTVILLE NSW 2087	Residential - Alterations and additions	4.3 Height of buildings	Variation: 14% Control: 8.5m Proposal: 9.69m	DDP
DA2021/1428	11 Cumberland Avenue COLLARROY NSW 2097	Residential - Alterations and additions	4.3 Height of buildings	Variation: 9.4% Control: 8.5m Proposal: 9.3m	Delegated Authority
DA2021/1439	57 Undercliff Road FRESHWATER NSW 2096	Residential - Alterations and additions	4.3 Height of buildings	Variation: 40% Control: 8.5m Proposal: 11.9m (significant slope of site)	DDP
DA2021/1461	46 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100	Residential - Alterations and additions	4.3 Height of buildings	Variation: 4.7% Control: 8.5m Proposal: 8.9m	Delegated Authority
DA2021/1540	56 Darley Street KILLARNEY HEIGHTS NSW 2087	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.5% Control: 8.5m Proposal: 8.8m	Delegated Authority
DA2021/1639	50A Carrington Parade CURL CURL NSW 2096	Residential - Alterations and additions	4.3 Height of buildings	Variation: 7.05% Control: 8.5m Proposal: 9.1m	Delegated Authority
DA2021/1667	22 Curl Curl Parade CURL CURL NSW 2096	Residential - New second occupancy	4.3 Height of buildings	Variation: 9.76% Control: 8.5m Proposal: 9.3m	Delegated Authority
DA2021/1747	15 Marshall Crescent BEACON HILL NSW 2100	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.5% Control: 8.5m Proposal: 8.8m	Delegated Authority
DA2021/2133	22 Daisy Street NORTH BALGOWLAH NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 2.3% Control: 8.5m Proposal: 8.7m	Delegated Authority

CONSULTATION

Variations to development standards lodged as part of a Development Application are made available to the community for comment on Council's Application Search, during the prescribed exhibition period and are available for viewing at all other times.

TIMING

Not applicable.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Environment Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles. Strategy (a): "ensure integrated land use planning balances the environmental, social and economic needs of present and future generations".

FINANCIAL CONSIDERATIONS

The costs associated with the assessment of variations are part of the Development Application assessment process.

SOCIAL CONSIDERATIONS

All Development Applications are required to consider social impacts through section 4.15 of the Environmental Planning and Assessment Act 1979.

ENVIRONMENTAL CONSIDERATIONS

All Development Applications are required to consider environmental impacts through section 4.15 of the Environmental Planning and Assessment Act 1979.

GOVERNANCE AND RISK CONSIDERATIONS

Reporting variations to Council satisfies NSW Department of Planning, Industry and Environment requirements and provides transparency in decision making, in addition to publishing this information on Council's website, reduces risk to the organisation.

ITEM 12.2	FIRE & RESCUE NSW INSPECTION REPORT - 105 FRENCHS FOREST ROAD (WEST) FRENCHS FOREST
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2021/764818
ATTACHMENTS	1 Fire & Rescue NSW Inspection Report - 105 Frenchs Forest (West) Frenchs Forest 2 Letter - Fire Safety Concerns - 105 Frenchs Forest (West) Frenchs Forest

SUMMARY

PURPOSE

Council received in late 2021 an inspection report from Fire & Rescue NSW (FRNSW) as shown in Attachment 1, in relation to Northern Beaches Hospital located 105 Frenchs Forest Road (West), Frenchs Forest.

FRNSW has powers under Section 9.32 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to carry out inspections of buildings and is required to forward its findings and recommendations to Council.

This report presents to Council the actions that Council has taken and seeks a resolution in relation to forward actions.

EXECUTIVE SUMMARY

FRNSW has powers under Section 9.32 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to carry out inspections of buildings and is required to forward its findings and recommendations to Council.

The EP&A Act prescribes that Councils must table such reports and recommendations at a meeting of Council to determine whether it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Northern Beaches Hospital is located on Crown land and was approved as a State Significant Infrastructure Project. Section 9.35(2) of the EP&A Act provides that a development control order in connection with State Significant Infrastructure may be given only by the Minister or Planning Secretary. Notwithstanding these legislative provisions, Northern Beaches Council has received correspondence from FRNSW under the provisions of Section 9.32.

Council's Fire Safety Officer's investigation into the matter resulted in Council issuing a letter to the Commissioner of Fire and Rescue NSW on 19 November 2021. The letter advised FRNSW that development control orders for State Significant Projects could not be issued by Councils and could only be issued by the Minister or Planning Secretary. Considering these legislative provisions, Council recommended that FRNSW to liaise directly with the NSW Health Administration Corporation regarding their concerns.

Council also recommended that FRNSW withdraw or amend their 9 July 2021 letter given that Council has no power in this instance to issue a Fire Safety Order for a State Significant Project.

Council has not received a response from FRNSW or NSW Health Administration Corporation to its letter of 19 November 2021.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. In accordance with the *Environmental Planning and Assessment Act 1979*, determine not to issue a Fire Safety Order in respect of 105 Frenchs Forest Road (West), Frenchs Forest given it has no statutory authority to do so.
 2. Notify the determination of this matter to Fire & Rescue NSW.
-

REPORT

BACKGROUND

Council received an inspection report from Fire & Rescue NSW dated 9 July 2021 in relation to Northern Beaches Hospital located at 105 Frenchs Forest Road Frenchs Forest, as shown in Attachment 1 of this Report.

Clauses 17 (2), (3) and (4) of Part 8 of Schedule 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) require Council to table such reports and any recommendations made at a meeting of Council.

Council is also to determine whether to issue a Fire Safety Order pursuant to section 9.34 and Part 2 of Schedule 5 of the EP&A Act.

Council has been advised that FRNSW received correspondence on 29 March 2021 in relation to the adequacy of the provision for fire safety in connection with the premises. The correspondence stated in part that '*An attempted evacuation of a level of the hospital was hindered by locked fire doors to the fire stairs*'.

FRNSW conducted an inspection of the building on 7 April 2021. Items that were identified as concerns during the inspection have been detailed in the Fire and Rescue New South Wales Inspection Report dated 9 July 2021 (refer to attachment 1).

Northern Beaches Hospital is located on Crown Land and was approved as a State Significant Infrastructure project by the Minister for Planning. Projects approved under the State Significant Development and State Significant Infrastructure regimes are not administered, assessed, determined, or certified by Council and are not required to obtain Construction Certificates. Accordingly, Council does not hold records related to the construction of the hospital and any National Construction Code 'alternate solutions' that may have been authorised in the approval of the Hospital. The absence of this information precludes Council from being able to complete a detailed investigation of the Hospital in respect of the issues identified by FRNSW.

Section 9.35(3) of the EP&A Act and Section 126 of the *Local Government Act 1993* specify that a council cannot issue an order in respect of certain Crown land unless the written consent of the Minister has been obtained. Further, Section 9.35(2) of the EP&A Act provides that a development control order in connection with State Significant Infrastructure may be given only by the Minister or Planning Secretary. This means that even if Council had information before it which would warrant the issue of a Fire Safety Order, it does not have the power to do so.

Council receives Annual Fire Safety Statements for the Hospital on an annual basis, with the most recent Fire Safety Statement being received on 23 May 2021 signed by an accredited practitioner (fire safety) confirming that the essential fire safety measures were inspected and assessed for the building.

Considering the above, staff in Council's Fire Safety team conducted a preliminary investigation of the matter and formed the view that Council cannot issue a Fire Safety Order in this instance.

Council issued a letter to the Commissioner of Fire and Rescue NSW on 19 November 2021 that brought to their attention the legislation related to buildings approved under the State Significant Infrastructure Planning Pathway and that development control orders for such projects could only be issued by the Minister or Planning Secretary. Considering this, Council recommended that FRNSW should liaise directly with the NSW Health Administration Corporation regarding their concerns.

In addition, Council also recommended that FRNSW withdraw or amend their 9 July 2021 letter given that Council has no power in this instance to issue a Fire Safety Order for a State Significant Project. Council's letter dated 19 November 2021 can be found in attachment 2.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council.

SOCIAL CONSIDERATIONS

Ensuring adequate fire safety measures are provided within buildings helps to minimise serious injury and loss of life within the Council area and as such has significant social benefit.

ENVIRONMENTAL CONSIDERATIONS

Installation of any additional fire safety measures (if required) will have minimal Environmental Impacts.

GOVERNANCE AND RISK CONSIDERATIONS

Council is required under the EP&A Act to table FRNSW inspection reports and decide whether to issue a Fire Safety Order. Failure to do so would be a breach of legislation and could create a public safety risk by failing to address any fire safety deficiencies identified.

Unclassified



File Ref. No: BFS21/985 (15048)
TRIM Ref. No: D21/76658
Contact: Edren Ravino

9 July 2021

General Manager
Northern Beaches Council
PO Box 82
Manly NSW 1655

E-mail: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT
'NORTHERN BEACHES HOSPITAL'
105 FRENCHES FOREST ROAD FRENCHES FOREST ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 29 March 2021, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated in part that:

An attempted evacuation of a level of the hospital was hindered by locked fire doors to the fire stairs.

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 7 April 2021 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

www.fire.nsw.gov.au

Page 1 of 3

Unclassified

Unclassified**COMMENTS**

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items are limited to observations of the building accessed at the time of the inspection and identifies possible deviations from the National Construction Code 2019, Volume 1 Building Code of Australia (NCC). FRNSW acknowledges that the deviations may contradict development consent approval. It is therefore council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified as concerns during the inspection:

1. Generally
 - 1A. Investigation Outcomes – The following are outcomes from the investigation on Wednesday, 7 April 2021:
 - A. Construction of Exits – Performance Requirement DP2 of the NCC outlines the requirements so that people can move safely to and within a building. At the time of the inspection, the facilities manager and project manager advised that an alternate solution had been approved for the evacuation for the ward – which is the subject of the concern.
 - B. Door Release Control – At the time of the inspection the facilities manager and project manager advised the following:
 - i. The exit door which is identified as the concern (all hereafter is named “the door”) forms part of an alternate solution.
 - ii. “The door” functions in a similar way as fire and smoke doors that are held open by a magna latch in accordance with Clause 3.19 of Australian Standard AS1670.1 – 2004. Where “the door” opens upon receipt of an alarm.
 - iii. At the time of the evacuation event, there was a programming fault associated with the door. Where the door did not function and could not be opened manually.
 - iv. A review of the evacuation procedure was conducted immediately after the event, where a key is now placed at the nurse's station, and the programming fault rectified.
 - 1B. Request for Meeting
 - A. A meeting with the relevant hospital staff and FRNSW consisting of the Zone Commander, Forestville 051 and officers from Fire Safety was conducted on 28 April 2021.
 - B. The following was discussed as part of the meeting:
 - i. Provide the relevant stations in the area an induction of the hospital, and allow the conduct of pre-incident planning. The appropriate contact details were provided as part of this meeting.

Unclassified

- ii. The maintenance for the essential fire safety measures are up to date. An audit is also currently being conducted as part of the ongoing maintenance of the systems generally.
 - iii. That the staff are operating in accordance with the alternate solution of the consent.
- 1C. Items for Further Investigation – An investigation may be required by council as the appropriate regulatory authority, to confirm that the maintenance is in accordance with the development consent.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1A & 1B of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS21/985 (15048) for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino
Senior Building Surveyor
Fire Safety Compliance Unit



19 November 2021

Commissioner of Fire and Rescue NSW
Community Safety Directorate
1 Amarina Avenue
GREENACRE NSW 2190

Attention: Fire Safety Compliance Unit

Dear Commissioner,

Re: Inspection Report
Premises: 105 Frenchs Forest Road West FRENCHS FOREST NSW 2086
'Northern Beaches Hospital'
Council Ref No: 2021/802783

Reference is made to your Inspection Report, dated 9 July 2021 (File Ref: No. BFS21/985 (15048) sent to Council in relation to the adequacy of the provision for fire safety at Northern Beaches Hospital located at the subject premises.

The Northern Beaches Hospital was approved as State Significant Infrastructure. Section 9.35(2) of the *Environmental Planning and Assessment Act 1979* provides that a development control order in connection with State significant infrastructure may be given only by the Minister or Planning Secretary.

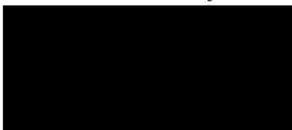
In light of the above, Council recommends you direct the Inspection Report to NSW Health Administration Corporation (see below) and liaise with them to appropriately resolve the claimed inadequate provisions of fire safety for the building. Council also considers it be appropriate for you to withdraw or amend your letter to Council dated 9 July 2021 given the above mentioned legislative provisions which mean that Council has no power to give a fire safety order.

The contact address for the NSW Health Administration Corporation is as follows:

NSW Health Administration Corporation
73 Miller Street
NORTH SYDNEY NSW 2060

If you require any further information in relation to this matter, please contact Council's Team Leader, Building Control Carl Georgeson on 8495 6527 during normal business hours between 9:00am to 5:00pm or by council@northernbeaches.nsw.gov.au.

Yours faithfully



Carl Georgeson
Team Leader
Building Control



CC Fire & Rescue NSW - Fire Safety Compliance Unit
Email FireSafety@fire.nsw.gov.au

ITEM 12.3	SUBMISSION ON INFRASTRUCTURE CONTRIBUTIONS REFORMS
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2022/023235
ATTACHMENTS	1 ⇒ Submissions on Infrastructure Contribution Reforms to the Department of Planning and Environment (Included In Attachments Booklet) 2 ⇒ Submission on the Review of Essential Works List and the Benchmark Cost Report to IPART (Included In Attachments Booklet) 3 ⇒ Joint Media Release by LGNSW and Minister for Planning - issued 24 November 2021 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To inform Council of the legislative reforms exhibited by the then Department of Planning, Industry and Environment (the Department) and the Independent Pricing and Regulatory Tribunal (IPART) regarding the infrastructure contributions system. Submissions responding to the exhibitions were provided to the Department and IPART prior to the close of the exhibition period on 10 December 2021. Due to the timing of the Local Government election these submissions were not able to be reported to Council for endorsement. Accordingly, the submissions are now provided to the new Council for review and endorsement.

EXECUTIVE SUMMARY

Infrastructure contributions (formerly known as development contributions) are a levy imposed on development. These contributions are used by Council to fund the delivery of infrastructure (works and services). To date, infrastructure contributions have helped to fund infrastructure delivery in the Northern Beaches like parks, community facilities, local roads, footpaths, stormwater drainage and traffic management.

A Contributions Plan can be prepared under the Environmental Planning and Assessment Act (the EP&A Act), based on two distinct provisions, namely Section 7.11 and 7.12.

In November 2020, the NSW Productivity Commissioner released a report titled 'Review of Infrastructure Contributions in NSW'. The report outlined 29 recommendations towards infrastructure contributions reform.

In March 2021, the NSW Government accepted all 29 recommendations and released its roadmap to implement legislative and regulatory amendments by July 2022.

In June 2021, the 'Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021' (the Bill) was introduced into NSW Parliament. The Bill was the subject of a Parliamentary Inquiry held in July 2021, where it was recommended not to progress the Bill until such time as the Department released the infrastructure-specific amendments to the Environmental Planning and Assessment Regulations 2000.

At the same time, the Independent Pricing and Review Tribunal (IPART) was requested to undertake two reviews. Firstly, a review of the Essential Works List and Nexus Requirements.

Additionally, IPART was instructed to have regard to the NSW Productivity Commissioner's recommendations and guidance in relation to costs and benchmarking.

In late October 2021, the Department released the draft infrastructure contributions reforms for exhibition. The reforms comprise three specific 'packages' as follows:

1. The Land Use Planning policy package seeks to introduce two separate Ministerial Directions into the NSW planning framework, namely the:
 - Environmental Planning and Assessment (Local Infrastructure Contributions – Planning Proposals) Direction 2022 (the 'Planning Proposals Direction'), and
 - Environmental Planning and Assessment (Housing, Infrastructure and Urban Development – dual and shared use of open space and public facilities) Direction 2022 (the 'Shared Spaces Direction').
2. The Local Contributions package seeks major reform to the regulatory settings under which Council can collect local contribution funds.
3. The new framework includes the renaming of state infrastructure contributions as Regional Infrastructure Contributions (RIC). It is essentially a broad-based state tax levied on development other than public housing, seniors housing, affordable housing provided by or on behalf of a social housing provider or community housing provider, group homes, hostels, rural workers' dwellings and secondary dwellings. The Department has confirmed that the \$12,000 RIC charge for a dwelling is also proposed to apply to knockdown/rebuild of an existing dwelling.

Council staff prepared a detailed submission responding to the exhibited reforms and forwarded this submission to the Department on 10 December 2021.

Key areas of concern raised in the submission relate to the following:

- The need to review any existing contributions plans (including new contributions plans that were adopted before the reforms are introduced) by 1 July 2024 regardless of the age of the contribution plan.
- The timeframes for review of contributions plans that required review and approval by IPART currently exceed 6 months. As such, for contributions plans required to be submitted to IPART it is recommended that the wording be amended to limit the approval of development applications until such time as a review has been completed and a contributions plan is in place.
- The Greater Sydney Regional Infrastructure Contributions Area is far-reaching and well beyond the identified Greater Sydney Metropolitan Area.
- The knockdown/rebuild of an existing dwelling is unlikely to generate additional demand on regional infrastructure. The requirement to pay \$12,000 to the State Government, in addition to any local infrastructure contributions levied by Council, is considered excessive. This will significantly increase the cost of building a new home and impact feasibility and will effectively charge mums and dads \$12,000 when they are rebuilding their own house. As such, it is considered that a credit should be allowed/provided for existing dwellings.
- There is a lack of clarity regarding how RIC funds will be spent in terms of what regional infrastructure items are listed and their location.
- The Terms of Reference provided to IPART by the NSW Government did not allow the Essential Works List to expand and expressly prohibited the consideration of the construction costs for community facilities.

On 28 October 2021, owing to the rescheduled Local Government Elections to 4 December 2021, the Department wrote to Council advising that a Council endorsed submission could be submitted after the first meeting of the new Council in early 2022. Accordingly, the submission is included as Attachment 1 for review and endorsement.

On 29 October 2021, the Independent Pricing and Regulatory Tribunal ('IPART') released for consultation its Review of the Essential Works List, Nexus and Efficient Infrastructure Design as well as the Review of Benchmark Costs for Local Infrastructure. On 10 December 2021, Council staff forwarded its response to questions posed to IPART. The submission to IPART is provided at Attachment 2.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

1. Council endorse the attached submission to the Department of Planning and Environment and the Independent Pricing and Regulatory Tribunal.
 2. Staff write to the Department of Planning and Environment and the Independent Pricing and Regulatory Tribunal and confirm the Council's endorsement of the submissions made on 10 December 2021.
 3. Council write to The Hon. Anthony Roberts MA (Comms) MP, Minister for Planning, and Minister for Homes seeking support on the following matters:
 - A The future Warriewood Valley Contributions Plan Amendment 16 Revision 4 and Frenchs Forest Contributions Plan be listed for review within four (4) years from the date each plan comes into effect, instead of the prescribed date of 1 July 2024.
 - B Confirmation of support for the changes announced in the joint media release of 24 November 2021, in particular:
 - a. that Regional Infrastructure Contributions will be spent in the regions that they are collected.
 - b. Council is able to retain its ability to levy for community facility construction costs.
-

REPORT

BACKGROUND**Infrastructure Contributions System**

Infrastructure contributions (formerly known as development contributions) are imposed on new development to fund new or augment infrastructure and services such as parks, roads and traffic treatments, footpaths and cycleways, community spaces such as libraries, community facilities, childcare and public art, and stormwater and drainage improvements. Infrastructure contributions may comprise:

- Monetary contribution payable to Council
- Dedication of land to Council
- Infrastructure constructed by the developer and transferred to Council.

Infrastructure contributions must be identified within a contributions plan prepared, exhibited and adopted by Council in accordance with legislative requirements.

A contributions plan can be prepared under the Environmental Planning and Assessment Act (the 'EP&A Act'), based on two distinct provisions, namely Section 7.11 and 7.12. The distinction between the two provisions is summarised below:

- A development contributions strategy based on a demonstrated nexus between additional development and the resulting additional demand for public infrastructure in accordance with section 7.11 of the EP&A Act.

Council has two Section 7.11 Contributions Plans applying to specific areas, namely Warriewood Valley Release Area and the Dee Why Town Centre. The draft contributions plan for the Frenchs Forest Precinct is a plan prepared under Section 7.11.

- A fixed rate levy based on the value of development works in accordance with section 7.12 of the EP&A Act.

Council's Northern Beaches Section 7.12 Contributions Plan 2021 applies to all land in the Northern Beaches except in the Warriewood Valley Release Area and Dee Why Town Centre.

NSW Government Review into the Development Contributions System

In November 2020, the NSW Productivity Commissioner released a report titled 'Review of Infrastructure Contributions in NSW'. The report outlined 29 recommendations towards infrastructure contributions reform.

In March 2021, the NSW Government accepted all 29 recommendations and released its roadmap to implement legislative and regulatory amendments by July 2022. This roadmap is shown in Figure 1.

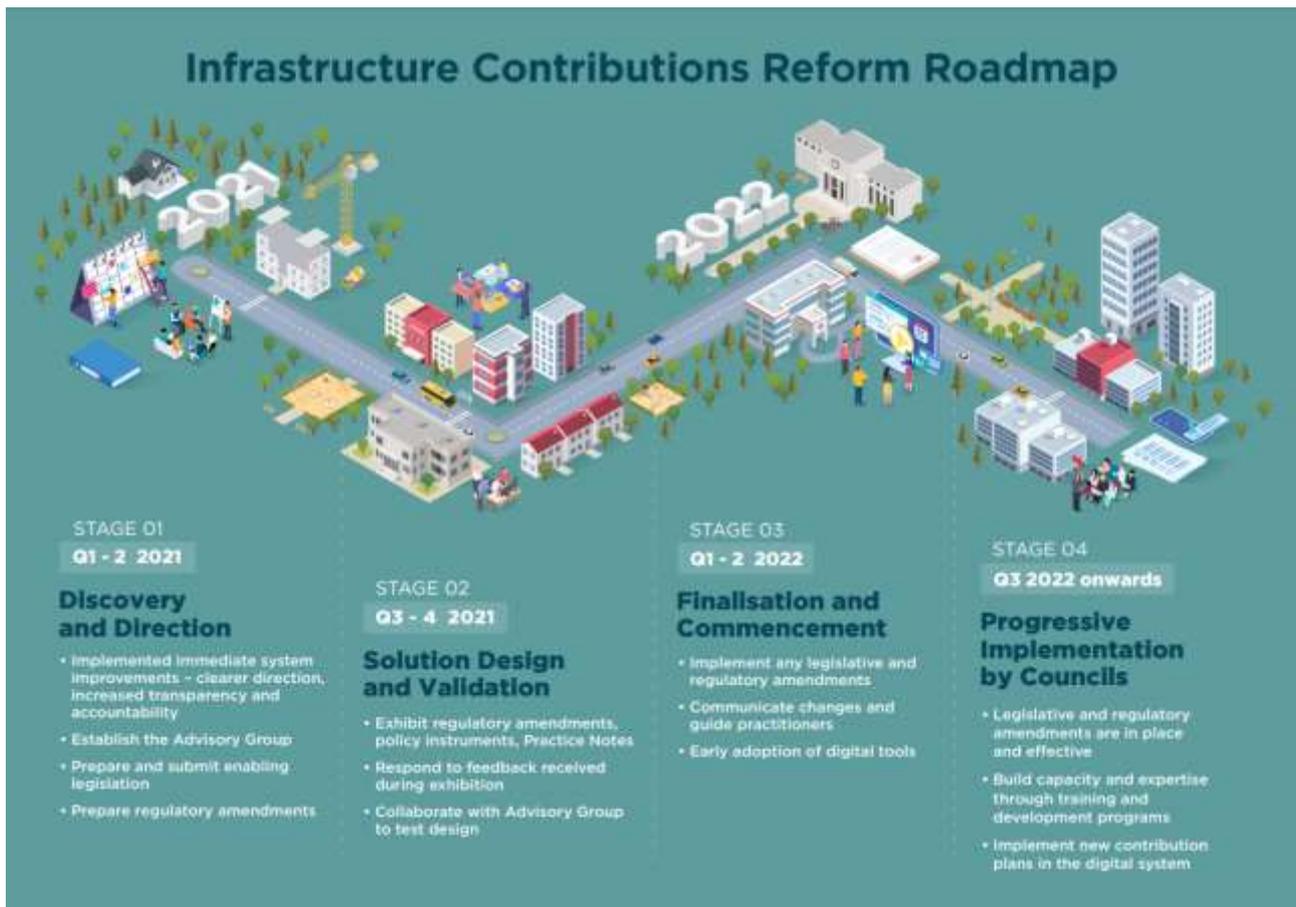


Figure 1: Infrastructure Contributions Reform Roadmap - Source: Department of Planning, Industry and Environment, March 2021

In June 2021, the 'Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021' (the 'Bill') was introduced into NSW Parliament. The Bill was the subject of a Parliamentary Inquiry held in July 2021, where it was recommended not to progress the Bill until such time as the Department released the infrastructure-specific amendments to the Environmental Planning and Assessment Regulations 2000.

At the same time, the Independent Pricing and Review Tribunal (IPART) was requested to undertake two reviews. Firstly, a review of the Essential Works List and Nexus Requirements based on the Terms of Reference which reads as follows:

- The NSW Productivity Commissioner's recommendations in relation to cost-reflective charges on impactors, and having infrastructure planning as part of the strategic planning process to encourage early identification of infrastructure needs.
- IPART's review of the local government rate peg to allow councils' general income to increase with population and provides the flexibility for additional rate revenue being used to fund the general costs from population growth.
- The essential works list must not expand beyond the current parameters and community facilities works must not be included.
- Differential infrastructure needs to reflect geographic issues and development typologies.

The Terms of Reference associated with the review of Benchmark Costs for Infrastructure reads as follows:

- Standardised benchmark costs for efficiently designed, development-contingent infrastructure on the essential works list, where the costs of that infrastructure are suitable to benchmark. These costs should cover the different transport, stormwater and open space infrastructure needs for infill, greenfield and regional development, and should reflect the base level of infrastructure that is appropriately funded by development.
- A standardised benchmark cost or costing approach for local infrastructure plan preparation and administration costs that specifies the components that are included in this cost category.
- Standardised allowances for inclusions such as contingency, project management and design. [NB. These allowances do not include Capitalised Employee Costs]
- A costing approach that councils should use for any base level infrastructure costs that are not derived from the standard benchmark costs.
- Differential costs to reflect geographic issues (ie metropolitan versus regional areas) and development typologies (infill versus greenfield) for the same types of infrastructure.

Additionally, IPART was instructed to have "...regard to the NSW Productivity Commissioner's recommendations and guidance in relation to:

- contribution plans reflecting development-contingent costs only,
- benchmark costs reflecting base level embellishment (with embellishment above base level being funded from other sources), and
- benchmark costs being used unless:
 - a specific, efficient cost estimate has been prepared, or
 - actual costs based on efficient base level design are determined following construction."

INFRASTRUCTURE CONTRIBUTIONS REFORMS 2021

In late October 2021, the Department released the draft infrastructure contributions reforms for exhibition. The reforms comprise three specific 'packages' related to land use planning, local infrastructure contributions and the new framework for state infrastructure contributions. These three packages are summarised as follows:

1. Land Use Planning

The Land Use Planning policy package seeks to introduce two separate Ministerial Directions into the NSW planning framework, namely the:

- Environmental Planning and Assessment (Local Infrastructure Contributions – Planning Proposals) Direction 2022 (the 'Planning Proposals Direction'), and
- Environmental Planning and Assessment (Housing, Infrastructure and Urban Development – dual and shared use of open space and public facilities) Direction 2022 (the 'Shared Spaces Direction').

The Planning Proposals Direction requires Council to identify infrastructure needs early in the planning proposal process, and endeavour to ensure that, where necessary, a draft contributions plan and draft planning proposal can be publicly exhibited at the same time.

The Shared Spaces Direction encourages Council to consider how publicly owned land and facilities could be used more efficiently and/or for multiple purposes across government.

2. Local Infrastructure Contributions

The Local Contributions package seeks major reform to the regulatory settings under which Council can collect local contribution funds (formerly known as development contributions), namely:

- A methodological change in how levies under a Section 7.12 Contributions Plan will be charged. Currently, this is charged as a percentage of the development cost up to a maximum 1%. It is proposed that a contribution rate be charged based on the number of new/additional dwellings, bedrooms or quantum floorspace.
- The proposed Land Value Contribution (LVC) is aimed as a mechanism for councils to forward-fund the acquisition of land identified for a public purpose (as land is a major cost for infrastructure provision in any Section 7.11 Contributions Plan).

The LVC will allow Council to collect up to 20% of the land value (determined by the NSW Valuer-General) from properties that have been rezoned:

- at the first point of sale immediately after rezoning, or
- when development occurs on the land,

whichever occurs first.

3. New Framework for State Infrastructure Contributions

The new framework includes the renaming of state infrastructure contributions as Regional Infrastructure Contributions.

It is essentially a broad-based state tax levied on development other than public housing, seniors housing, affordable housing provided by or on behalf of a social housing provider or community housing provider, group homes, hostels, rural workers' dwellings and secondary dwellings. The framework identifies that Regional Infrastructure Contributions (the 'RIC') will fund delivery of regional infrastructure such as state and regional roads, other transport infrastructure, hospitals, schools, regional parks and emergency services facilities.

Northern Beaches is in the Greater Sydney Regional Infrastructure Contribution Area ('Greater Sydney RIC'). The Greater Sydney RIC area extends from the Northern Beaches to Wollongong in south, and westward to the Blue Mountains and Hawkesbury. The RIC collected from the Greater Sydney RIC area is proposed to be spent anywhere in this area.

The following RIC charges are proposed to apply to development in the Northern Beaches identified in the following infographic.

Greater Sydney Region	
Land use	Contribution rate
 Houses (detached, semi-detached and townhouses)	\$12,000 per dwelling \$12,000 per lot for greenfield residential subdivision
 All other residential accommodation (residential flat buildings and units)	\$10,000 per dwelling
 Industrial	\$15 per m ² of new GFA
 Commercial	\$30 per m ² of new GFA
 Retail	\$30 per m ² of new GFA

Source: DPIE – RIC Discussion Paper, October 2021

Joint Media Release, issued 24 November 2021

On 24 November 2021, a joint media release was issued by Local Government NSW (LGNSW) and the then Minister for Planning and Public Spaces in regard to the exhibited reforms. A copy of this media release is included at Attachment 3. The Minister's promise to modify elements in the exhibited reforms includes:

- Allowing councils that currently fund community infrastructure from developer contributions to continue to do so;
- Ensuring that state contributions are spent in the region where they are collected;
- Re-setting the blanket rate councils can charge, known as 7.12 plans;
- Increasing the maximum amount councils can charge for infrastructure associated with solar and wind farms.

No other details on these commitments have been released.

Key Areas of Concern for Council

Council is generally supportive of the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Regulations 2021 (the 'Regulations 2021'), noting these detailed provisions should be read in conjunction with the draft Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021.

Notwithstanding, key features of the reforms will have significant impacts on Council, including:

- 1 The need to review any existing contributions plans (including new contributions plans that were adopted before the reforms are introduced) by 1 July 2024 regardless of the age of the contribution plan.

Currently, a review of the Warriewood Valley Contributions Plan is underway and will be presented to Council in coming months. Additionally, a draft Frenchs Forest Contributions Plan is being finalised and will also be presented to Council in coming months.

If both these Contributions Plans are exhibited before 1 July 2022 (the date the reforms are anticipated to be introduced), Council has no option but to again review these plans prior to 1 July 2024.

- 2 A new provision will be introduced to the Environmental Planning and Assessment Regulation that restricts any development applications lodged on land recently rezoned from being consented to until such time as:

- the relevant contributions plan for a newly rezoned area is in place, or
- 6 months after the land was rezoned.

The timeframe taken for contributions plans that are required to be reviewed by IPART currently exceed 6 months. As such, for contributions plans required to be submitted to IPART it is recommended that the wording be amended to limit the approval of development applications until such time as a review has been completed and a contributions plan is in place.

- 3 The Greater Sydney Regional Infrastructure Contributions Area is far-reaching and well beyond the identified Greater Sydney Metropolitan Area.

The planning for new housing, population and infrastructure however is delineated by the District Plans. It is considered more appropriate that the catchment for Regional Infrastructure Contributions align more closely to the boundaries under the District Plans.

- 4 The Department has confirmed that the \$12,000 RIC charge for a dwelling will also apply to knockdown/rebuild of an existing dwelling.

The knockdown/rebuild of an existing dwelling is unlikely to generate additional demand on regional infrastructure. A development application or Complying Development Certificate for a knockdown/rebuild in the Northern Beaches would require payment of \$12,000 to the State Government, in addition to any local infrastructure contributions levied by Council. This will significantly increase the cost of building a new home and impact feasibility and will effectively charge mums and dads \$12,000 when they are rebuilding their own house. As such, it is considered that a credit must be provided for existing dwellings.

- 5 There is also no clarity or certainty on how RIC funds will be spent in terms of what regional infrastructure items are listed and their location.

- 6 IPART publicly exhibited the Review of the Essential Works List, Nexus and Efficient Infrastructure Design as well as the Review of Benchmark Costs for Local Infrastructure. The Terms of Reference provided to IPART by the NSW Government did not allow the Essential Works List to expand and expressly prohibited the consideration of the construction costs for community facilities.

Council welcomed the then Minister for Planning and Public Spaces' announcement on 24 November 2021 advising the following:

“Allow councils that currently fund community infrastructure from developer contributions to continue to do so”.

Failure to maintain this position will have significant implications for Council's ability to continue to recover funds to pay for the construction of the Warriewood Valley Community Facility (planned commencement in 2022). If Council is unable to recover the development contributions income associated with the community facility, there is a projected funding shortfall of approximately \$953,407.

Reviews by IPART Released for Consultation

IPART has released for consultation two review reports specifically related to contributions plans prepared under Section 7.11 of the Environmental Planning and Assessment Act, namely:

1. **Review of the Essential Works List, Nexus and Efficient Infrastructure Design (IPART, November 2021)**

This report makes several recommendations that will inform policy around the preparation, implementation and operation of Section 7.11 contribution plans (the 'Section 7.11 plan'), such as:

- The items in a Section 7.11 plan must be on the essential works list which can include borrowing costs of forward funded infrastructure.
- The items must be development contingent.

Development contingent refers to development where there is a demonstrable nexus/link between new development and increased demand for infrastructure.

- The costs in a Section 7.11 plan must be based on the base level infrastructure that meets efficient design and delivery principles.
- If there is a relevant benchmark cost, that cost should be used unless it is not reasonable. Where a benchmark cost is not used, the council should apply the costing approach outlined in the report.
- Plans may be updated to reflect actual costs during the life of a plan. Where this is not reasonable, the plan may continue to reflect an updated cost estimate.

2. **Review of the Benchmark Costs for Local Infrastructure**

In 2014, IPART released the Local Infrastructure Benchmark Costs, Costing Infrastructure in Local Infrastructure Plans, and is the reference report used by NSW Councils and IPART in infrastructure costings, contingencies etc.

The exhibited Benchmark Cost Report was prepared by Cardno and seeks to update these original costings. The updated report also contains recommended adjustment factors for indexation, site constraints, soil, distance to raw materials, on costs and contingency.

The updated Benchmark Cost Report is intended to inform infrastructure costings in contributions plans from 1 July 2024.

As indicated above, Council's response to the exhibition material is included at Attachment 3.

CONSULTATION

The exhibition period for the Department's contributions reforms (comprising the three policy packages) closed on 17 December 2021. On 10 December 2021, Council staff forwarded its detailed technical submissions to the Department.

Notwithstanding, the Department has confirmed that it will await any Council-endorsed submission made after the first meeting of the newly elected Council in early 2022. This was confirmed by the

then Minister for Planning and Public Spaces on 24 November 2021, in the joint media release as stating:

“Incoming councils will have the until the week after their first ordinary meeting in February 2022 to make submissions on the policy package currently on public exhibition.”

With regard to the consultation undertaken by IPART, this closed on 16 December 2021. Council's response to questions posed by IPART in its two review reports was forwarded to IPART on 10 December 2021.

TIMING

If the exhibited reforms are progressed by the NSW Government, it is anticipated to be in place by 1 July 2022.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Environment Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles.
- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Transport and Infrastructure - Goal 16: Our integrated transport networks meet the needs of our community.

FINANCIAL CONSIDERATIONS

If Council's request regarding the review of the Warriewood Valley Release Area and draft Frenchs Forest Contributions Plans is not agreed to, Council will be forced to undertake the reviews of these contributions plans under the new rules by 1 July 2024. At best, these plans will have been in place for twelve months only and to review them is an unnecessary cost-burden on Council.

In the event Council's request to consider timing of an IPART review in Clause 271A is not supported, there are significant implications for Council's capacity to deliver infrastructure in Frenchs Forest Precinct. Until such time as the Frenchs Forest Contributions Plan has been reviewed by IPART, Council will be stymied in levying development contributions in this precinct.

The exhibited Regional Infrastructure Contribution has impact on development feasibility, particularly for dwelling knock-down/rebuilds, and non-residential development being charged at \$15/m² or \$30/m².

In the event that Council can no longer levy for the community facility at Warriewood Valley and recoup the funds that will have been spent in forward funding the community facility, this will result in a shortfall of \$953,407.

SOCIAL CONSIDERATIONS

These reforms seek to continue facilitation of Council's ability to levy infrastructure contributions on developments that in turn, enables timely delivery of infrastructure and services. Infrastructure contributions allow Council to deliver planned infrastructure that enhances social connectedness and promotes interactions that, in turn builds local communities and enjoyment within these communities.

Nonetheless, it is disappointing that the NSW Government expressly instructed IPART to not consider the construction of community facility buildings in its review the Essential Works List and Nexus Requirements. Community facility buildings are essential in facilitating the recreational, social and health related activities that enhance community wellbeing and bring local communities together.

If the new rules on essential infrastructure items are in place, then the next iteration of the Dee Why Town Centre Contributions Plan may necessitate removal of public domain and streetscape improvements (currently listed in this plan) as these items do not fall under the definition of 'development-contingent infrastructure'. Public domain and streetscape upgrades help to provide a pleasing visual environment and in turn, increases amenity and wellbeing and should be retained.

ENVIRONMENTAL CONSIDERATIONS

The reforms are comprehensive. Nonetheless, it is disappointing that the funding of infrastructure provision is only for basic embellishment and that IPART was unable to consider costs to future-proof this infrastructure against climate change impacts.

To facilitate environmental resilience, Council contends that infrastructure costs need to exceed basic embellishment and specifically future proof against climate change impacts.

GOVERNANCE AND RISK CONSIDERATIONS

If Council is required to review contributions plans that were exhibited before the legislative reforms are in place, there is duplication of effort by Council staff and potential financial implications that Council may be unprepared for. There would also be resourcing implications given the proposed timeframe under the reforms would mean Council would have to review its Contributions Plans for Warriewood Valley, Dee Why Town Centre and Frenchs Forest before 1 July 2024.

ITEM 12.4	STATUTORY EXHIBITION FINDINGS FOR A PLANNING PROPOSAL FOR 1294-1300 PITTWATER ROAD NARRABEEN AND 2-4 ALBERT STREET, NARRABEEN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2022/057503
ATTACHMENTS	<ol style="list-style-type: none">1 ⇒ Planning Proposal - 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street, Narrabeen - September 2021 (Included In Attachments Booklet)2 ⇒ Referral Response - DPE - Environment, Energy and Sciences Group (Included In Attachments Booklet)3 ⇒ Referral Response - NSW State Emergency Service (Included In Attachments Booklet)4 ⇒ Referral Response - Transport for NSW (Included In Attachments Booklet)5 ⇒ Gateway Determination (Included In Attachments Booklet)6 ⇒ DCP amendments - Warringah Development Control Plan 2011 - Part G8, Corner of Pittwater Road and Albert St Narrabeen (Included In Attachments Booklet)7 ⇒ Submissions Review - Statutory Exhibition - PEX2018/0009 (Included In Attachments Booklet)8 ⇒ Applicant - response to submissions - submissions analysis (Included In Attachments Booklet)9 ⇒ Traffic Report - response to submissions (Included In Attachments Booklet)

SUMMARY

PURPOSE

To consider the outcomes of the statutory public exhibition and seek Council's endorsement for a Planning Proposal at 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street, Narrabeen.

EXECUTIVE SUMMARY

Council, at the meeting on 15 June 2021, resolved to submit an amended Planning Proposal for 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street, Narrabeen to the NSW Department of Planning and Environment (the Department) for a Gateway Determination.

The Planning Proposal seeks to:

- Increase the maximum building height standard at 1298 (front portion) and 1300 Pittwater Road, Narrabeen (Building A) from 8.5 metres to 12 metres to accommodate an additional floor and increased floor to floor heights at the ground and first floors.
- Increase the maximum building height standard from 8.5 metres to 11 metres for 4 Albert Street, 1294 and 1296 Pittwater Road and part of (rear portion) 1298 Pittwater Road, Narrabeen.

- Permit additional uses of commercial premises, medical centre and shop top housing at 1298-1300 Pittwater Road, Narrabeen (Building A). The medical centre and commercial premises consolidate existing uses on the site and must not have a gross floor area exceeding 1,150 square metres.
- Introduce a Local Environment Plan (LEP) provision that refers to the Northern Beaches Affordable Housing Contributions Scheme.

The NSW Department of Planning and Environment granted a Gateway Determination for the Planning Proposal on 20 August 2021. An amended version of the Planning Proposal (Attachment 1) was prepared and endorsed for public exhibition by the Department on 21 October 2021.

At the same meeting on 15 June 2021, Council also resolved to:

- Place draft amendments to the Warringah Development Control Plan 2011 on public exhibition concurrently with the statutory exhibition of the Planning Proposal.
- Amend the draft Northern Beaches Affordable Housing Contributions Scheme to include 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street, Narrabeen as a site to which the scheme applies.

Amendments to the Northern Beaches Affordable Housing Contributions Scheme were exhibited alongside the Frenchs Forest Precinct Strategy from July 2021 to September 2021 and the Scheme was endorsed by Council at its meeting on 28 September 2021.

Consultation with the community occurred over a 28-day period in line with Gateway requirements from 17 November 2021 to 15 December 2021. The Planning Proposal to amend the Warringah LEP 2011 and the proposed amendments to Warringah Development Control Plan 2011 were publicly exhibited at the same time for comment.

During this time adjoining and nearby property owners were notified via post in accordance with Council's Community Participation Plan. A project page on Council's YourSay webpage invited submissions and the exhibition was also promoted via Council's Northern Beaches News distributed on Saturday 20 November 2021.

A total of 23 submissions were received: 21 objected to the proposal and two indicated support subject to conditions. Key themes within the submissions included:

- The bulk and scale of the proposed development x19
- Road network impacts to parking and traffic x13
- Interfaces of the proposal with the public domain x 8
- Concerns relating to the Planning Proposal process x 5
- Affordable Housing Contributions Scheme x 5
- Commercial land uses x 5
- Active Travel and car share x 3
- Heritage x 2.

A response to each of these issues is provided in this report and in greater detail in the attached 'Submissions Review' document which considers responses provided by the applicant alongside responses from Council officers.

Consultation with State Agencies commenced on 22 October 2021, with requests for comment sent to Transport for NSW, NSW State Emergency Service and the Department of Planning and Environment - Environment, Energy and Sciences Group in accordance with Gateway conditions.

- NSW DPE Environment, Energy and Sciences Group (Attachment 2) *would not anticipate any significant issue to arise due to the proposed increase in density.*
- NSW State Emergency Service (Attachment 3) provided a standard response as at the time staff were involved in operational responses in line with their legislative responsibilities.
- Transport for NSW (Attachment 4) raised no objection *as the planning proposal is not likely to have significant traffic impact on the adjoining classified state road network.*

No change to the Planning Proposal is recommended as a result of public exhibition process.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Adopt the Planning Proposal and submit it to the Department of Planning and Environment for finalisation to amend the Warringah Local Environment Plan (LEP) 2011 to:
 - A. Increase the maximum building height standard at 1298 (front portion) and 1300 Pittwater Road, Narrabeen (Building A) from 8.5 metres to 12 metres to accommodate an additional floor and increased floor to floor heights at the ground and first floors.
 - B. Increase the maximum building height standard at 4 Albert Street, 1294 and 1296 Pittwater Road, and part of (rear portion) 1298 Pittwater Road, Narrabeen from 8.5 metres to 11 metres.
 - C. Permit the additional uses of commercial premises, medical centre and shop top housing at 1298-1300 Pittwater Road, Narrabeen (Building A). The medical centre and commercial premises must not have a gross floor area exceeding 1,150 square metres.
 - D. Introduce a LEP provision that refers to the Northern Beaches Affordable Housing Contributions Scheme.
 2. Adopt the site-specific amendment to Warringah Development Control Plan for 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street, Narrabeen.
 3. Publish the amendments to Warringah Development Control Plan 2011 in accordance with legislative requirements, to come into effect on the same date of statutory notification of the amendment to Warringah Local Environment Plan 2011.
 4. Write to all persons who made a submission during the public exhibition period advising them of Council's decision.
-

REPORT

BACKGROUND

Council received a Planning Proposal on 21 December 2018, prepared by BBC Consulting Planners on behalf of the applicant, Highgate Management Pty Ltd.

At the 28 May 2019 Council meeting, Council considered a report (Item 12.3) on the subject Planning Proposal and resolved:

That:

- A. *Council submits an amended Planning Proposal to the NSW Department of Planning and Industry for Gateway Determination to amend Warringah Local Environment Plan 2011 to:
 - a. *Increase the maximum building height standard on the site to 11 metres with the exception of 2 Albert Street, Narrabeen being lot 1, DP613544 (containing heritage listed dwelling house) and the front part of 4 Albert Street, Narrabeen being part lot 8C, DP200030 which will retain an 8.5 metre height limit.*
 - b. *Permit the additional uses of commercial premises, medical centre, and shop-top housing on the area of the site adjoining the intersection of Pittwater Road and Albert Street.*
 - c. *Permit a maximum of 1,150 square metres of medical centre, commercial premises, and the retail/ business premises component of any shop-top housing to the area referred to b. above.*
 - d. *Require a minimum 10% of the additional dwellings on the site resulting from the Planning Proposal, to be dedicated to Council as affordable rental housing.**
- B. *The applicant is requested to submit draft site-specific planning controls to be incorporated in Council's Development Control Plan to further guide the redevelopment of the site having regard to the Urban Design Guidelines accompanying the Planning Proposal and addressing the matters outlined in this report.*
- C. *The applicant be requested to provide an amended Traffic Impact Assessment Report addressing the issues outlined in this report for exhibition with any Gateway determination issued by the NSW Department of Planning and Industry.*

A further report was considered by Council on 27 April 2021, where Council resolved as follows:

That the item be deferred to enable staff and the proponent to continue discussions in relation to the proposed 2 metre set-back in the Development Control Plan, the provision of adequate commercial floor space, and the provision of affordable housing.

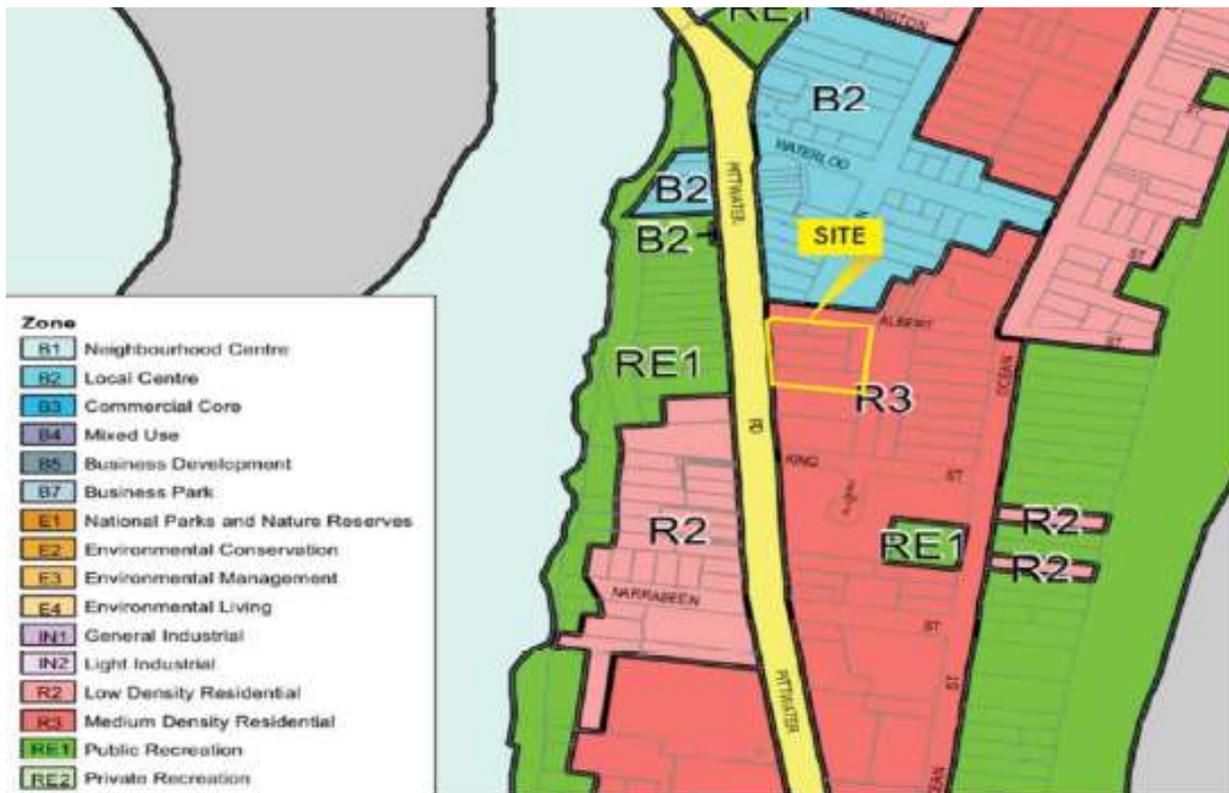
Following discussions with the proponent, a report was presented to the 15 June 2021 Council meeting and Council resolved as follows:

1. *Council resubmit a revised Planning Proposal for 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street, Narrabeen to the NSW Department of Planning, Industry and Environment for a Gateway determination to:
 - A. *Increase the maximum building height standard at 1298-1300 Pittwater Road, Narrabeen (Building A) to 12 metres to accommodate increased floor to floor heights at the ground and first floors.*
 - B. *Permit the additional uses of commercial premises, medical centre and shop top housing at 1298-1300 Pittwater Road, Narrabeen (Building A). The medical centre and commercial premises must not have a gross floor area exceeding 1,150 square metres.**

- C. *Introduce a LEP provision that refers to the Northern Beaches Affordable Housing Contribution Scheme.*
2. *Council request to exercise the delegation of the Minister for Planning and Public Spaces under section 3.36 of the Environmental Planning and Assessment Act 1979 regarding the making of local environmental plans in relation to this Planning Proposal.*
 3. *Council place the draft amendments to Warringah Development Control Plan 2011 on public exhibition for a minimum of 28 days concurrently with the statutory exhibition of the revised Planning Proposal for 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street, Narrabeen.*
 4. *The outcomes of the public exhibition of the amendments of the Warringah Development Control Plan 2011, Planning Proposal for 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street, Narrabeen and Affordable Housing Contribution Scheme be reported to Council.*
 5. *Amend the draft Northern Beaches Affordable Housing Contribution Scheme as attached, to include 1294-1300 Pittwater Road, Narrabeen and 2-4 Albert Street as a site to which the scheme applies with a contribution amount of \$1,129,846 or equivalent amount at the time of payment as indexed in accordance with the Northern Beaches Council Affordable Housing Contribution Scheme.*
 - A. *Submit the amended Northern Beaches Affordable Housing Contribution Scheme as attached to the Department of Planning, Industry and Environment together with this Planning Proposal.*
 - B. *Exhibit this Northern Beaches Affordable Housing Contribution Scheme and the Northern Beaches Council Affordable Housing Tenancy Guidelines concurrently with this Planning Proposal during post Gateway exhibition.*

The NSW Department of Planning and Environment granted a Gateway determination for the Planning Proposal on 20 August 2021. An amended version of the Planning Proposal was prepared in accordance with Gateway conditions and endorsed for public exhibition by the Department on 21 October 2021.

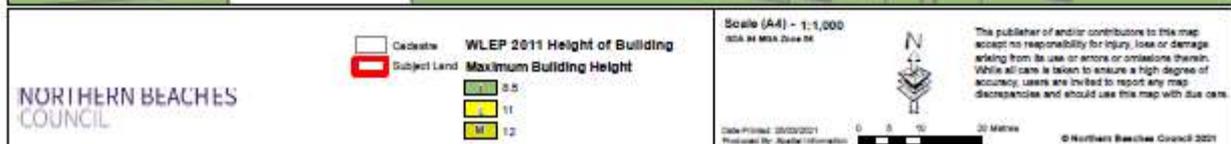
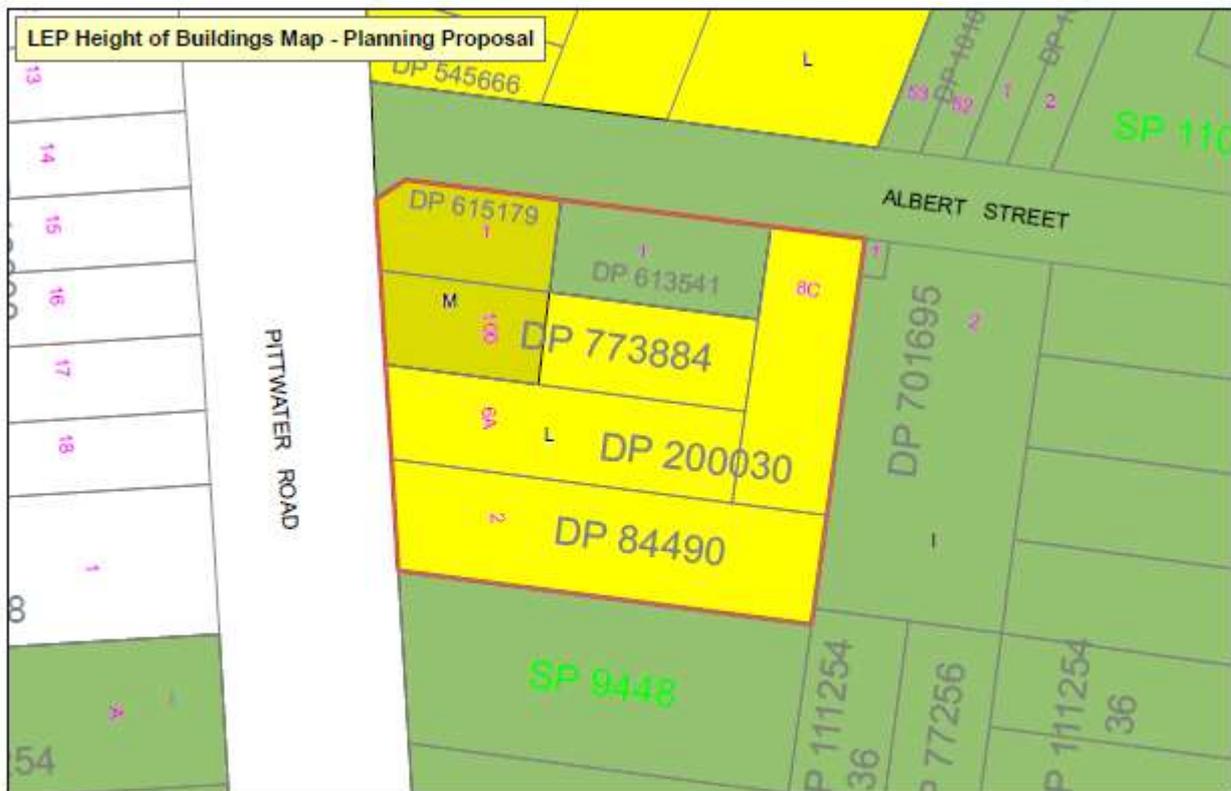
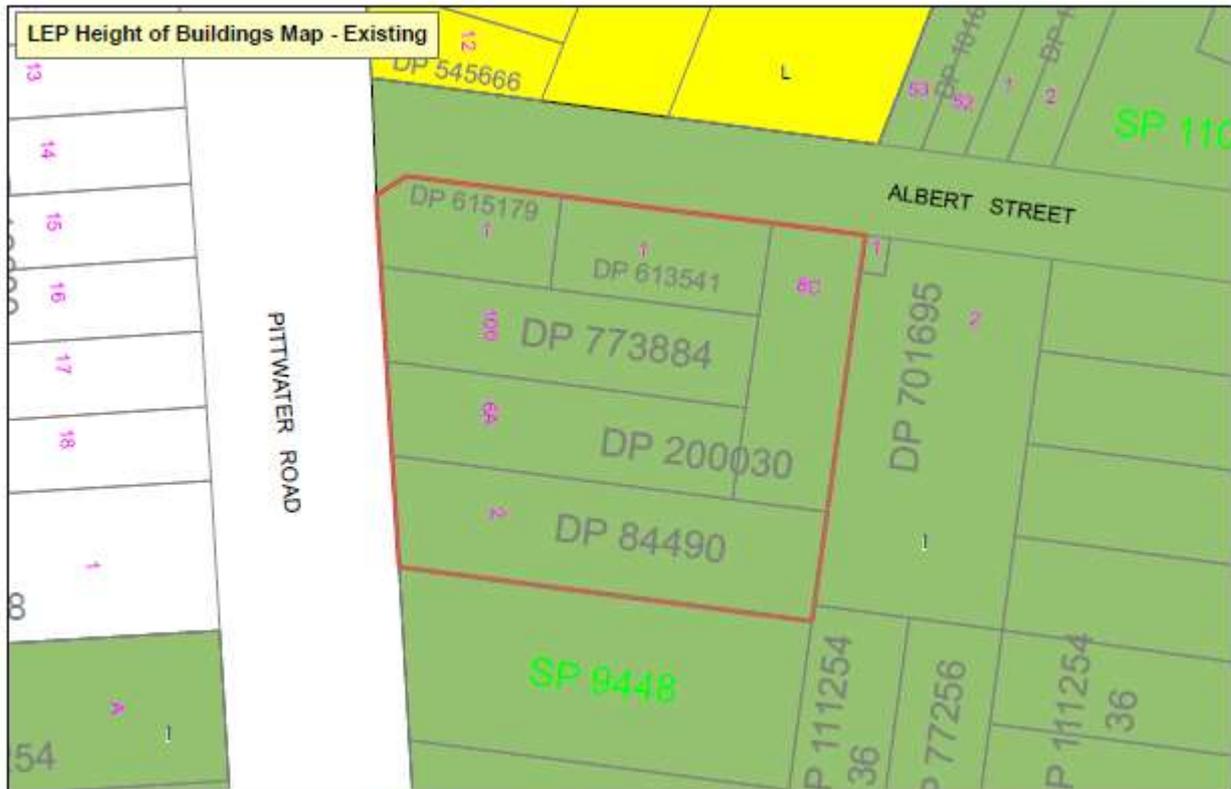
Amendments to the Northern Beaches Affordable Housing Contributions Scheme (the Scheme) were exhibited alongside the Frenchs Forest Precinct Strategy from July 2021 to September 2021. The Scheme was endorsed by Council at its meeting on 28 September 2021 and subsequently submitted to the Department in line with the Gateway determination (Attachment 5) condition to submit at least one month prior to the request to draft and LEP to finalise this Planning Proposal.



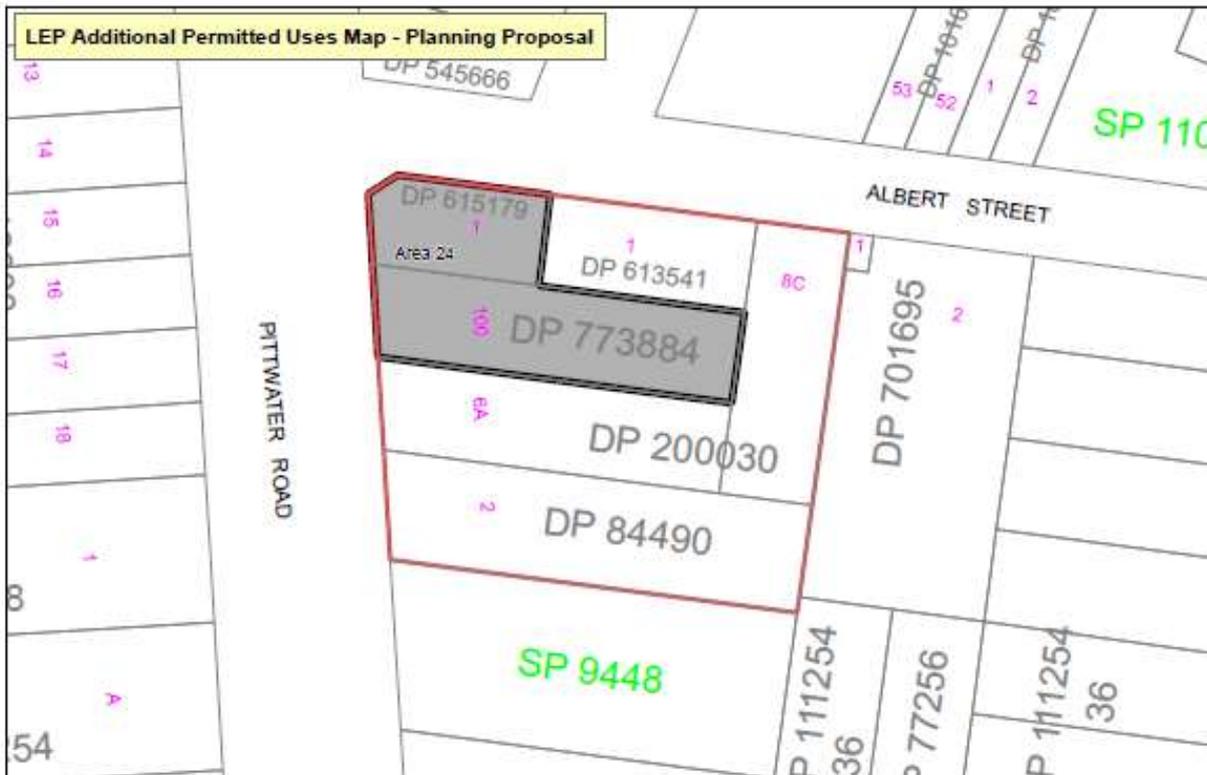
The Planning Proposal seeks to:

- Increase the maximum building height standard at 1298 (front portion) and 1300 Pittwater Road, Narrabeen (building A) from 8.5 metres to 12 metres to accommodate an additional floor and increased floor to floor heights at the ground and first floors;
- Increase the maximum building height standard from 8.5 metres to 11 metres for 4 Albert Street, 1294 and 1296 Pittwater Road, and part of (rear portion) 1298 Pittwater Road, Narrabeen.
- Permit additional uses of commercial premises, medical centre and shop top housing at 1298-1300 Pittwater Road, Narrabeen (Building A). The medical centre and commercial premises consolidate existing uses on the site and must not have a gross floor area exceeding 1,150 square metres.
- Introduce a LEP provision that refers to the Northern Beaches Affordable Housing Contributions Scheme.

The existing and proposed LEP heights in the Planning Proposal are summarised below:



The land subject to the proposed additional uses in the Planning Proposal are summarised below:



Proposed future building footprints and building setbacks, as identified in the draft DCP amendments (Attachment 6), and are provided below:



The Planning Proposal is considered to achieve both strategic and site-specific merit (for a detailed discussion on these issues see the Planning Proposal at Attachment 1).

CONSULTATION

Consultation with State Agencies commenced on 22 October 2021 with requests sent to Transport for NSW, NSW State Emergency Service and the Department of Planning and Environment - Environment, Energy and Sciences Group in accordance with Gateway conditions.

- NSW DPE Environment, Energy and Sciences Group *would not anticipate any significant issue to arise due to the proposed increase in density.*
- NSW State Emergency Service provided a standard response as at the time staff were involved in operational responses in line with their legislative responsibilities.
- Transport for NSW raised no objection as *the planning proposal is not likely to have significant traffic impact on the adjoining classified state road network.*

Consultation with the community occurred over a 28-day period in line with Gateway requirements from 17 November 2021 through to 15 December 2021. During this time adjoining property owners and occupiers and owners and occupiers across the road from the subject site were notified via post. A project page on Council's YourSay webpage invited submissions and the exhibition was also promoted via Council's Northern Beaches News EDM distributed on Saturday 20 November 2011.

A total of 23 submissions were received. 21 objected to the proposal and two indicated support subject to conditions. Key themes within the submissions included:

- 19 submissions highlighted bulk and scale of the proposed development, of which 13 were concerned about impacts to Narrabeen's village character; and 6 focused on the impacts of additional building height to solar access and privacy.
- 13 submissions highlighted road network concerns, including 11 mentions of parking constraints; 8 mentions of traffic congestion; and 3 submissions raising concerns about the location of the driveway access to the proposed development.
- 8 submissions mentioned the interface of the proposed development with the public domain including 5 focused on Pittwater Rd setbacks and flooding; 2 focused on landscaping and 1 focused on the Albert Street Interface.
- 5 submissions raised concerns about the planning proposal process including 3 objections to changing the planning controls for this proposal and 2 raising concerns they had not been formally notified of the statutory exhibition (neither were adjoining occupants or land owners).
- 5 submissions made comments on the application of the Affordable Housing Contributions Scheme including concern the dwellings would not be delivered / disbelief that the dwellings would be affordable, that affordable housing dwellings would not add value to existing residents and owners and 1 in support of implementing the scheme in this location.
- 5 submissions raised concerns about the proposal to include commercial uses on the site. 2 raised concerns about vacancy rates in Narrabeen, 1 felt there is no need to 'extend' the centre, a request for limits on hours of operation and concerns about parking for customers.
- 2 submissions raised concerns about preservation of the heritage item and concerns about overshadowing.
- 2 submissions made comments on the need for setbacks to support active travel with 1 stating there is no need for this and another highlighting that elderly patients of the medical practice cannot use active travel.
- 1 submission stated that the car share plan is non-compliant. No detail was provided to explain why it is non-compliant.

A detailed response to each of these issues is provided in the 'submissions review' (Attachment 7). This document includes a response from the applicant (Attachment 8) and a response from Council officers.

Summary of Response to submissions

Bulk and Scale

- Consolidating existing commercial uses at the front corner of the site and allowing an increase in height by one storey will support the medical centre to grow and meet the needs of a growing and ageing population in Narrabeen. It will not set a precedent for nearby sites as the rationale for this planning proposal is to recognise uses operating under existing use rights.
- The site's R3 Medium Density Residential zone has long supported a three-storey residential flat building format noting that this site has been underutilised for many decades. This proposal seeks one additional storey to align with the height controls in the adjoining town centre resulting in a four-storey built form with the fourth floor largely contained within the roof line.
- Building separation complies with and exceeds the requirements in the Australian Design Guidelines for Building separation to protect solar access and privacy.
- Landscaping requirements outlined in the DCP seek to ensure appropriate screening to protect privacy, seek to maximise opportunities for deep soil planting of mature trees at site boundaries to reduce heat, shade active travel routes and provide canopy habitat for birds.

Road Network

- On-site parking is proposed across two basement levels for future residents and for the operation of the medical practice. The site is within 450m of the B-line bus stop at Narrabeen.
- Albert Street is relatively narrow at 7.5m which is why passing opportunities have been created with no parking zones in front of 1-7 Lagoon Street and 3-5 Albert Street to support safe passing.
- The findings of the applicant's traffic report (Attachment 9) have been validated by more recent traffic assessment work undertaken by Council.
- The proposed driveway location on Albert Street aligns with Transport for NSW Guidelines and is directly supported in their submission. It also maintains heritage item setbacks, is set back from Pittwater Road to maintain safe intersection sight lines and provides an access point above the flood free board level.

Public Domain

- Council's position to require a setback of 2 metres at the ground floor for Building A is based on recommendations from the Design and Sustainability Advisory Panel (DSAP) and advice from Council's Urban Designers to enable a transition from the town centre (zero setback) to a 2 metre setback at Building A and then a 6.5 metre setback for Building B in line with existing controls for the residential zone. The 2 metre setback for Building A provides significant improvement compared to the current zero setback to support active travel and amenity at one of only two signalised pedestrian crossings in Narrabeen.
- The Proposal has been reviewed by Council's Stormwater Floodplain Engineering team who are satisfied the proposal generally complies with the flood controls in the LEP, DCP and recent changes to Ministerial Directions. Referral advice was also sought from NSW State Emergency Service.
- The desired urban design outcome for Albert Street is captured in the DCP controls, including excavation and retaining wall to make the most of available space.

Affordable Housing Contribution Scheme

- Detailed feasibility analysis has been undertaken, and having regard for the built form controls as proposed, the maximum affordable housing contribution achievable at this site is \$1,129,846 or equivalent amount at the time of payment as indexed in accordance with the Northern Beaches Council Affordable Housing Contribution Scheme.
- The provision of affordable housing across all communities on the Northern Beaches will bring benefits of greater diversity and attraction of key workers to provide essential services to the community.
- When physical dwellings are dedicated to Council, they will be provided as affordable rental dwellings in perpetuity with rents capped at a proportion of the worker's income.

Commercial Uses

- An Economic Impact Assessment considered vacancies in Narrabeen and determined that available spaces lacked the size and accessibility required for a medical practice.
- On-site parking for the medical centre will be provided within the two levels of basement parking proposed. The site is within 450m of the B-line bus stop.

Heritage

- Protection of the heritage bungalow at 2 Albert Street has been a consideration throughout the planning proposal process. The proposed changes to the LEP specifically exclude the

bungalow site while the DCP specifically addresses the heritage bungalow through a number of provisions including setbacks of other buildings and a requirement for a Heritage Management Plan.

Active and Shared Travel

- This proposal contributes to improved active travel routes for the broader Narrabeen community to access the B-line and Narrabeen town centre. Encouraging uptake of active travel reduces car dependency, reduces traffic congestion, frees up parking capacity, reduces carbon emissions and improves health outcomes.
- Requirements for car-share spaces will be confirmed at Development Application stage.

TIMING

If Council resolves to adopt the Planning Proposal and Development Control Plan amendments, it is anticipated that the amendment will likely be made in April/May 2022.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.
- Vibrant Local Community - Goal 15: Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure, and social life.

FINANCIAL CONSIDERATIONS

Funding to progress the Planning Proposal and draft DCP are covered by the application fees paid by the Applicant.

It is noted that the Planning Proposal will achieve positive economic effects, with the delivery of the following number of jobs:

- Four additional General Practitioner jobs.
- 28 full time equivalent jobs from the commercial floor space (currently there are ten full time equivalent jobs).
- Further support staff and the provision of medical land uses.
- 160 jobs during construction.

SOCIAL CONSIDERATIONS

This Planning Proposal will achieve positive social benefits including an additional 15 to 20 dwellings targeting downsizers within easy walking distance to high frequency public transport and existing services. The proposed location of medical and commercial floor space adjoining an established town Centre, opposite public open space and in easy walking distance to the B-Line supports amenity and accessibility for workers, patients, and visitors, encouraging the use of public transport and enjoyment of public open space. Expanded floor space to accommodate a growing medical practice will provide an important service to the local community in an accessible modern building, recognising the ageing population within the Narrabeen Town Centre catchment area, which will see continued growth in demand for medical services.

Urban design outcomes have been developed to enhance the heritage values of 2 Albert Street and respond to Place Score insights for Narrabeen local centre which highlight overall visual

character of the area and vegetation and natural elements as the top priorities for investment. Deep soil planting opportunities have been maximised with requirements for mature tree plantings along site boundaries to support high amenity shaded active travel links for the surrounding community to access the Narrabeen Town Centre and the B-Line bus stop. While building heights and setbacks have sought to create a transition from town centre to residential neighbourhoods with a negotiated 2m setback from the site boundary providing a softer presentation to the public domain and increasing pedestrian space to access one of only two pedestrian crossings of Pittwater Road.

The delivery of affordable housing through the Affordable Housing Contributions Scheme will also have significant social benefits.

ENVIRONMENTAL CONSIDERATIONS

There are no natural environmental impacts, and the subject site does not contain any critical habitat or threatened species, populations or ecological communities or their habitats that are mapped by Council. Regarding environmental health, a Contamination Assessment has been submitted which confirms that the subject site has a low potential to result in contamination and is considered suitable for the proposed development. Regarding natural hazards that impact the site such as flood risk and acid sulphate soils, it is considered that these matters can be managed at the development assessment stage. Throughout the refinement of the draft DCP, Council staff have incorporated new sustainability and building design provisions. This includes passive building design requirements to maximise amenity such as building orientation and setbacks, the requirement for a Green Travel Plan to demonstrate any reduction in parking spaces given the subject site's proximity to the B-Line, car share and electric vehicle charging space requirements, and greater landscaping and deep soil requirements.

GOVERNANCE AND RISK CONSIDERATIONS

Council's role to consider the orderly planning of land is set out in the *Environmental Planning and Assessment Act 1979* (the Act). The planning assessment addresses the requirements of the Act and recommends that the proposal is suitable for submission to the Department of Planning and Environment and to request legal drafting from the Parliamentary Counsel Office.

Council has been granted the 'Local Plan-Making Authority' by the Department of Planning, Industry and Environment in accordance with conditions outlined in the Gateway Determination.

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	PUBLIC EXHIBITION OF THE DRAFT NORTHERN BEACHES PROPERTY STRATEGY
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2021/287552
ATTACHMENTS	1 ⇒ Draft Property Strategy (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek approval to place the draft Property Strategy on public exhibition.

EXECUTIVE SUMMARY

The purpose of the (draft) Property Strategy is to ensure that Council's property portfolio is strategically aligned with its service delivery objectives and community expectations. The Strategy provides the systems and processes to enable Council to make short, medium and long term decisions around the property portfolio in a fully informed manner which balances the needs of property users with the interests of the broader community.

The Strategy identifies seven focus areas and eighteen actions to deliver the Goal of "*ensuring the most effective provision and utilisation of the community's property assets to meet the needs of the community, the protection of the environment and our heritage*". The Strategy provides Council a comprehensive approach to reviewing, managing and improving the suitability of Council's property portfolio.

An outcome of the Property Strategy will be the creation of a Property Action Plan that will be reviewed and managed by a new Property Steering Committee (PSC) to determine appropriate acquisition, divestment and repurposing opportunities.

It is proposed to place the draft Strategy on public exhibition, after which submissions will be considered and the final Strategy will be reported to Council seeking adoption.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council place the draft Northern Beaches Property Strategy on public exhibition for a minimum of 28 days.
 2. A report be provided to Council with the outcomes of the public exhibition, together with any recommended changes to the Draft Property Strategy.
-

REPORT

BACKGROUND

Given the importance the large Council portfolio of land and buildings plays in serving a range of community, administrative and commercial uses, Council engaged a specialist consultant (HillPDA) via a formal request for tender process to undertake a Strategic Property Review and to provide a long-term Property Strategy Framework that assess key property portfolio decisions.

HillPDA worked with internal stakeholders and Councillors to develop principles for property decision making that provide a clear framework that addresses how Council will make decisions around its property portfolio. The Strategy is supported by three detailed process maps for Hold/Repurpose, Divestment and Acquisition of Property.

The (draft) Strategy now provides a consistent Northern Beaches Council approach in the management of Council's extensive property portfolio.

Principles for property decision making within the draft strategy include:

1. Be strategic in managing the land and property portfolio to optimise community benefit and financial sustainability.
2. Be transparent and responsive in administering the property portfolio to satisfy full accountability to the community.
3. Be active in the protection and the enhancement of the environment.
4. Be creative and adaptable to meet the future needs of the community.
5. Be protective of heritage, considerate in its adaptive reuse and accountable for its cultural significance to the community.
6. Invest in property to foster improved environmental, social, cultural and economic outcomes in accord with the Council's Strategic Planning Framework and objectives.
7. Leverage the property portfolio to achieve a commercially sustainable return on assets where appropriate.
8. Explore and foster new and ongoing partnerships to maximise the community benefit arising from shared facility use and digital connectivity.

To inform the Property Strategy, HillPDA undertook the following actions:

- Comprehensive desktop review of all the properties (land and buildings).
- Review of existing strategies, management plans and other relevant documents.
- On-site review for property/land with opportunities identified (where required).
- Workshops with Managers in each of Council's diverse business units.
- Engagement with Councillors over a series of workshops to identify the guiding principles for land ownership, acquisition and property asset management strategies.
- Research and literature review of other property strategies.
- A review of a sample of Council properties using the principles and assessment framework.

The Property Strategy identifies 7 focuses supported by 18 actions to deliver the goal of *ensuring the most effective provision and utilisation of the community's property assets to meet the needs of the community, the protection of the environment and our heritage.*

These seven focuses and 18 actions are as follows:

1. Establishing the strategic property baseline
 - A. Prepare, consult on and finalise Property Strategy
 - B. Align property policies with the Property Strategy
 - C. Perform a baseline review of Council's Property Register
 - D. Update the Land Register
2. Strengthen Council's strategic property relationships
 - A. Strengthen relationships with the Metropolitan Local Aboriginal Land Council
 - B. Continue to work with Crown Lands on the implementation of the new Crown Lands Act and Land Negotiation Program
 - C. Strengthen relationships with State and Federal Government bodies
3. Evaluation of Leases and Licences
 - A. Evaluate existing and expired leases and licences against the policy framework
 - B. Establish lease and licence templates for community tenure arrangements
4. Reviewing current provision and utilisation of property
 - A. Review the use of all Council owned and utilised property
 - B. Prepare a Property Action Plan for the Property Steering Committee Review
5. Determining future property needs
 - A. Conduct an annual needs assessment of potential gaps in the Property Portfolio
 - B. Incorporate the needs assessment in the draft Property Action Plan
6. Implementation and Governance
 - A. Establish the governance framework to monitor the Property Action Plan
 - B. Establish and maintain a financial reserve to support the Strategy
 - C. Implement the approved list of property proposals in the Property Action Plan
7. Performance and Reporting
 - A. Establish property performance metrics
 - B. Annually report to Council on property performance metrics

CONSULTATION

The (draft) Strategy was developed in consultation with key Council stakeholders including Environment & Climate Change, Community Services, Parks and Recreation, Transport and Civil Infrastructure, Strategic & Place Planning and Councillors. The guiding principles were developed through consultation with Councillors at several Councillor Workshops and with the assistance of Property Advisory Consultants HillPDA whom Council engaged to work on a Property Strategy and review of Council's property portfolio.

Additionally, policies, strategies and guidelines from other councils were also considered as part of the investigation process.

The consultation approach for the exhibition period will be undertaken as outlined in the Community and Stakeholder Engagement Plan.

Information will be available on Council's Your Say project page.

TIMING

Following the public engagement period, it is anticipated that a final version of the Property Strategy will be reported to Council for consideration and adoption in the first half of 2022.

LINK TO STRATEGY

The Property Strategy is led by Council's Community Strategic Planning Framework which consists of Shape 2028 – the Community Strategic Plan (CSP) and Towards 2040 – the Local Strategic Planning Statement (LSPS).

The priorities identified in the LSPS are considered when reviewing unmet property needs. These priorities cover needs around biodiversity, open space, community facilities, affordable housing, heritage and transport corridors.

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.

FINANCIAL CONSIDERATIONS

The Strategy does not carry specific financial impact, however, the principles ensure that financial impact is one of the considerations when making decisions around Council's property portfolio.

Implementing the Property Strategy may result in financial benefits, be it ongoing benefit through a commercial development or a one-off through the sale of property. To reduce reliance on rates, these funds will be placed in a financial reserve to support the delivery of Council's objectives.

SOCIAL CONSIDERATIONS

The principles of the Property Strategy have a focus on effective management of Council's property portfolio taking into account community and environmental outcomes. Considerations about land and property use raised in the Local Strategic Planning Statement have been reflected in the development of the Property Strategy and will form part of the Land Dealings and Leasing and Licensing Policies yet to be finalised. Of particular note were the land use needs identified in the "Northern Beaches Social Infrastructure Study - Issues and Opportunities Background Paper" and the "Northern Beaches Council Background Paper – Planning for our Environment".

ENVIRONMENTAL CONSIDERATIONS

The Strategy identifies the importance of the natural environment to the community. One of the 8 principles for property decision making is to "Be active in the protection and the enhancement of the environment".

GOVERNANCE AND RISK CONSIDERATIONS

One of the focus areas of the Property Strategy is to establish a sound governance framework to oversee the development and implementation of the Property Action Plan. This includes the establishment of a Property Steering Committee to oversee the Property Action Plan.

ITEM 13.2	OUTCOME OF PUBLIC EXHIBITION TO RENAME WALWORTH COURT, NEWPORT
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT & CIVIL INFRASTRUCTURE
TRIM FILE REF	2022/041201
ATTACHMENTS	1 Community Engagement Report - Proposal to Rename Walworth Court, Newport (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek approval to rename Walworth Court in accordance with the request of the property owners of Walworth Court, Newport and after the community engagement conducted from 1 October 2021 to 31 October 2021.

EXECUTIVE SUMMARY

Council received concerns from property owners regarding the Walworth Court street name and its likeness to the adjoining Walworth Avenue and the impact this is having on postal and courier deliveries and general wayfinding.

Council sought and received suggestions for road names from the Aboriginal Heritage Office (AHO) in the local Aboriginal language for the purpose of naming roads in the Northern Beaches LGA. Council has written to the six property owners with a list of seven AHO provided names as well as the option for Walworth Court to remain and received support to change the name to Guru Court, with 'guru' being the local Aboriginal word for 'sea'.

Council has submitted the street name, Guru Court, to the Geographical Names Board of NSW for pre-approval which has been granted. Council has advertised and given notice of intention to rename this road in accordance with Section 162 of the *Roads Act 1993*, Section 7 of the *Roads Regulation 2018* and in accordance with Council's Policy for the Naming of our Reserves, Facilities and Roads.

During the aforementioned public engagement Council received 25 responses with the majority being positive responses. Accordingly, it is recommended that Council renames Walworth Court to Guru Court.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note the outcome of the public exhibition of the proposal to rename Walworth Court, Newport.
 2. Approve the renaming of Walworth Court to Guru Court and advise Geographical Names Board of NSW of the change.
 3. Install new street name signage with additional interpretive information.
-

REPORT

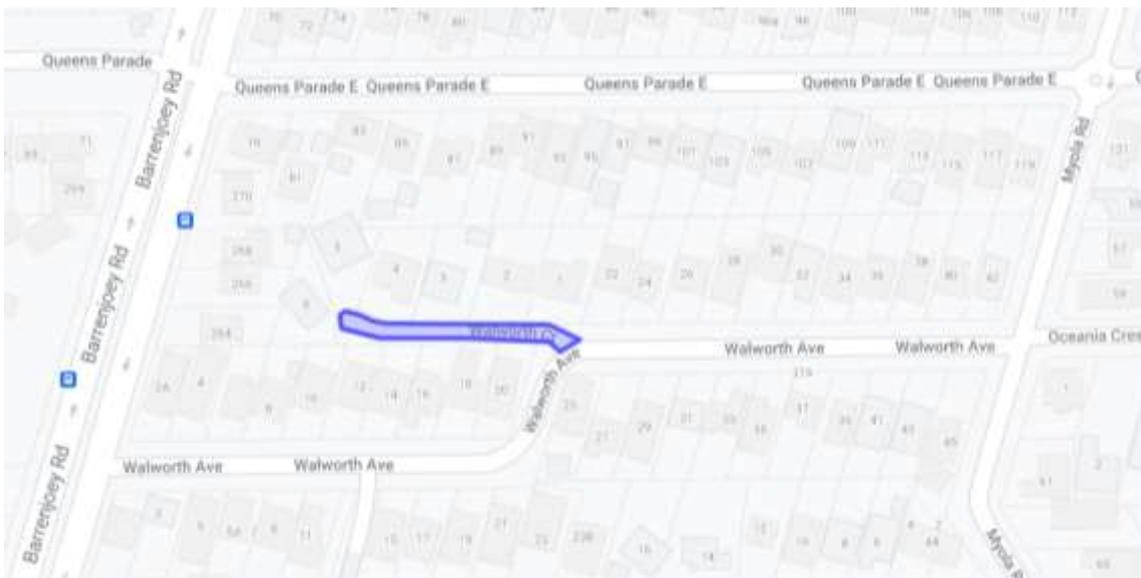
BACKGROUND

Council has received concerns around the name Walworth Court and its likeness to the adjoining Walworth Avenue. The similarity in names is resulting in the misdirection of postal and courier deliveries and problems with general wayfinding. Given these issues around the street name Council sought feedback from six affected property owners regarding the renaming of this street.

When naming/renaming a street, Council is required to follow the guidelines of the Geographical Names Board (GNB) of NSW Property Addressing Policies, Guidelines and Standards and Council's Policy for the Naming of our Reserves, Facilities and Roads.

The GNB of NSW has developed standards for property addressing to ensure consistent and unambiguous addressing and is the authority to approve street naming proposals. These addressing standards are important for both the government and the community to accurately identify properties and for the delivery of services, such as, postal, deliveries, emergency services, utilities and government agencies, as these services rely on property addressing data held by NSW Land Registry Services.

These standards inform Council proposals for names with the GNB of NSW being the final authority for approval.



CONSULTATION

On 29 April 2021, Council sent a letter to the six property owners of Walworth Court to determine whether there was general support for changing the road name and whether there was a preference from the list of names by the AHO.

- The closing date for submissions was 21 May 2021 and Council received responses from four property owners with the following answers:
- In regard to changing the name, four of the six property owners support the renaming.
- In regard to preferred names, three property owners support the name Guru Court with guru being the local Aboriginal word for 'sea'. The remaining response supports both Guru Court and Garrawi Court with garrawi being the local Aboriginal word for 'cockatoo'.
- Two property owners had not responded by the closing date.

On 1 October 2021 the proposal to rename Walworth Court to Guru Court was placed on public exhibition.

The closing date from submissions was 31 October 2021 and Council received 25 responses from the community. The Community Engagement Report is attached.

Of these 25 responses 23 supported changing the name and 15 of these supported the proposed name. There were 3 submissions that raised concerns around the use of the word Guru in the Indian language of Sanskrit, 2 had concerns around the Aboriginal language used and 2 proposed alternative Aboriginal names.

To address concerns regarding the similarity of the Aboriginal word Guru to a word in the Sanskrit language, Council will include the meaning of the Aboriginal word Guru on the street sign.

There were submissions made indicating that 'Guru' means something different in different Aboriginal languages. Pursuant to advice from the AHO that the proposed name is a local Aboriginal word for 'sea', we will proceed with this name.

Given the largely supportive nature of the responses, it is recommended that Council proceed with the renaming of Walworth Court to Guru Court.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Transport and Infrastructure - Goal 18: Our community can easily connect and communicate through reliable communication technologies.
Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council. Administration of the renaming process and installation of signposting the street names can be accommodated within existing operational budgets.

SOCIAL CONSIDERATIONS

The names proposed are consistent with GNB guidelines. Six existing properties will need to amend property addressing.

ENVIRONMENTAL CONSIDERATIONS

The recommendations of this report pose no environmental impact on Council.

GOVERNANCE AND RISK CONSIDERATIONS

Council is required to follow the guidelines of the Geographical Names Board (GNB) of NSW Property Addressing Policies, Guidelines and Standards and Council's Policy for the Naming of our Reserves, Facilities and Roads. The proposed road name is fully compliant.

ITEM 13.3	SUSPENSION OF THE ALCOHOL PROHIBITED AREA ON MANLY BEACH FOR VOLLEYBALL AUSTRALIA VOLLEYFEST SUNDAY 6 MARCH 2022
REPORTING MANAGER	ACTING EXECUTIVE MANAGER PARKS & RECREATION
TRIM FILE REF	2022/050668
ATTACHMENTS	1 ↓ Site Plan - Lift AFZ VolleyFest - Sunday 6 March 2022

SUMMARY

PURPOSE

To consider the request from Volleyball Australia to suspend the Alcohol Prohibited Area at Manly Beach for their VolleyFest 2022 event on Sunday 6 March 2022.

EXECUTIVE SUMMARY

Volleyball Australia are holding their VolleyFest 2022 event at Manly Beach from Saturday 26 February to Sunday 6 March 2022. Volleyball Australia propose to make alcohol available in a designated VIP area (and not available to the public) no earlier than 12noon and no later than 9pm on Sunday 6 March 2022. Alcohol and security management plans will be in place where alcohol is approved to be made available.

Manly Beach and adjacent reserves are Alcohol Prohibited Areas. Volleyball Australia has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their VolleyFest 2022 event and this requires Council to resolve to suspend the APA.

The Northern Beaches Police Local Area Command are aware of this and do not object to this request. The service of alcohol will be dependent on Volleyball Australia obtaining the required licencing approvals.

Volleyball Australia is the peak body for administration of volleyball in Australia and has successfully held VolleyFest events at Manly Beach in 2014, 2016, 2017, 2019 and 2020. The APA was suspended for VolleyFest in 2017, 2019 and 2020 without incident.

It is recommended that Council suspend the Alcohol Prohibited Area at Manly Beach for Volleyball Australia's VolleyFest 2022 event on Sunday 6 March 2022 as outlined in this report.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Suspends the Alcohol Prohibited Area at Manly Beach for Volleyball Australia's VolleyFest 2022 event on Sunday 6 March 2022 as outlined in the report for this item.
 2. Provide notice of the suspension of the Alcohol Prohibited Area via signage at the VolleyFest 2022 event site.
 3. Continues to liaise with Volleyball Australia and Northern Beaches Police Local Area Command about safe management of service of alcohol at VolleyFest 2022 during the suspension of the Alcohol Prohibited Area at Manly Beach.
-

REPORT

BACKGROUND

Volleyball Australia are holding their VolleyFest 2022 event at Manly Beach (adjacent to the North Steyne beach volleyball courts) from Saturday 26 February to Sunday 6 March 2022.

Volleyball Australia propose to make alcohol available in a designated VIP area (and not available to the public) no earlier than 12noon and no later than 9pm on Sunday 6 March 2022. Manly Beach and adjacent reserves are Alcohol Prohibited Areas. Volleyball Australia has requested suspension of the Alcohol Prohibited Area (APA) at Manly Beach for their VolleyFest 2022 event. To suspend the APA requires a Council resolution to do so.

The Northern Beaches Police Local Area Command are aware of this request and the Licensing Police have advised they have no objections to lifting the APA for this event. The service of alcohol is dependent on Volleyball Australia obtaining the required licencing approvals.

Volleyball Australia is the peak body for administration of volleyball in Australia and has successfully held VolleyFest events at Manly Beach in 2014, 2016, twice in 2017, 2019 and 2020. The APA was suspended for VolleyFest in 2017, 2019 and 2020 without incident.

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

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

Under the provisions of section 645(1) of the Local Government Act 1993 the Council may of its own motion suspend the operation of an alcohol-free zone by publishing notice of the suspension in the area concerned. The provisions under section 632A of the Local Government Act in regards to APAs do not define the requirements for the suspension of an APA. However, in order to adhere to best practice, it is proposed that Council approve the suspension of the APA for VolleyFest 2022 in accordance with the process for suspension of an Alcohol Free Zone.

CONSULTATION

If the APA is suspended as requested, Council will place signage at the VolleyFest 2022 event site to notify the public.

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

TIMING

Volleyball Australia propose to make alcohol available in a designated VIP area (and not available to the public) no earlier than 12noon and no later than 9pm on Sunday 6 March 2022.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.
- Community and Belonging - Goal 11: Our community feels safe and supported.

FINANCIAL CONSIDERATIONS

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

The recommendations of this report pose no financial impact on Council. Installation of signage will be covered within the Parks & Recreation operational budget.

SOCIAL CONSIDERATIONS

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

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

ENVIRONMENTAL CONSIDERATIONS

Volleyball Australia will be required to ensure that VolleyFest 2022 is managed in accordance with Council's Waste Minimisation for Functions and Events Policy and the relevant Booking Contract terms and conditions. Approval for the event is granted through the temporary booking for the Reserve.

Council has undertaken an environmental assessment by taking into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposal and it is considered that it is unlikely to have any discernible environmental impacts. Accordingly, it has been determined that the proposal will not significantly affect the environment.

GOVERNANCE AND RISK CONSIDERATIONS

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

Council will issue approval for this event through a Booking Contract; this document outlines the terms and conditions for the event at Manly Beach. The terms and conditions aim to manage associated risks and resultant impact on the area, including surrounding residents and businesses. Adherence to the terms and conditions is paramount for Council to consider future Volleyball Australia bookings.

ITEM 13.4	COUNCIL REPRESENTATION ON THE BOARD OF THE NORTHERN BEACHES INDOOR SPORTS CENTRE
REPORTING MANAGER	ACTING EXECUTIVE MANAGER PARKS & RECREATION
TRIM FILE REF	2022/072880
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To consider Council's representation on the Board of the Northern Beaches Indoor Sports Centre.

REPORT

The Northern Beaches Indoor Sports Centre (NBISC) has requested that Council nominate a Council representative on the NBISC Board. The Board governs the operations and strategic direction of the NBISC which is a well-used community facility located on NSW Government land on Jacksons Road, Warriewood. The NBISC is the name of the facility and also the name of the entity established for its management which is a company limited by guarantee and a registered charity.

The NBISC opened in 2001 and was developed in partnership with the NSW Government, the former Pittwater Council and local sports groups. The facilities at the NBISC include six indoor courts that can be configured for sports including basketball, netball and volleyball. Key users include the; Manly Warringah Basketball Association, Manly Warringah Volleyball Association, Northern Beaches Netball and the nearby Narrabeen Sports High School and Narrabeen North Public School.

The involvement of Council on the NBISC Board ensures this important public recreational facility is governed in the interests of the local community and is aligned with Council's strategic goals.

It is recommended that Mr Alex McTaggart is nominated as Council's representative on the Board of the Northern Beaches Indoor Sports Centre. Mr McTaggart has a long history of public service being the former Member of Parliament for Pittwater, a former Councillor and Mayor of Pittwater Council and a former Councillor of Northern Beaches Council. Mr McTaggart will bring this extensive governance experience to the role to ensure the community's interests are met.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

The recommendation of this report pose no environmental impact on Council however the board may at times be required to consider the environmental impact in the operation of the Centre.

SOCIAL CONSIDERATIONS

NBISC is an important recreational facility providing a venue for indoor sports that serves a large catchment for the central, northern and western parts of the Northern Beaches. It is important that the NBISC Board is guided to continue to provide this facility in the best interests of the community.

GOVERNANCE AND RISK CONSIDERATIONS

Mr McTaggart is considered to have the suitable requisite experience and expertise to make a significant contribution to the NBISC Board.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council nominate Mr Alex McTaggart as Council's representative on the Board of the Northern Beaches Indoor Sports Centre.

14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

ITEM 14.1	APPOINTMENT OF PERFORMANCE REVIEW PANEL - CHIEF EXECUTIVE OFFICER
REPORTING MANAGER	DIRECTOR WORKFORCE & TECHNOLOGY
TRIM FILE REF	2022/026765
ATTACHMENTS	1 ⇒ Guidelines for the Appointment and Oversight of General Managers (Included In Attachments Booklet)

SUMMARY

PURPOSE

To appoint a Performance Review Panel to review the performance of the Chief Executive Officer and to delegate to the Panel the process of performance management of the Chief Executive Officer in accordance with the Guidelines issued by the Office of Local Government (formerly the Division of Local Government).

EXECUTIVE SUMMARY

The Chief Executive Officer (CEO) is accountable to Council principally through his contract of employment. The performance of the CEO is to be reviewed at least annually against agreed performance criteria.

Due to the election of a new Council, arrangements are to be put in place with respect to the CEO's performance reviews.

Consistent with previous practice, it is considered appropriate for Council to undertake the CEO's performance management process in accordance with the *Guidelines for the Appointment & Oversight of General Managers* dated July 2011 (see Attachment 1) issued by the Division of Local Government (now Office of Local Government) and to delegate the whole process of the CEO's performance management to the Panel in accordance with the Guidelines.

RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY

That for the term of Council:

1. Council undertake the process of performance management of the Chief Executive Officer in accordance with the *Guidelines for the Appointment & Oversight of General Managers* dated July 2011 issued by the Division of Local Government (now Office of Local Government).
 2. Council resolve the composition of the Chief Executive Officer's Performance Review Panel to consist of the Mayor, Deputy Mayor, one Councillor nominated by Council, and one Councillor nominated by the Chief Executive Officer.
 3. Council elect one Councillor to be the on the Chief Executive Officer's Performance Review Panel.
 4. Council note the Chief Executive Officer nominates Councillor Walton to be the on the Chief Executive Officer's Performance Review Panel.
 5. Council delegate to the Panel the whole process of performance management of the Chief Executive Officer, including discussions about performance and performance reviews, any actions that should be taken, the determination of the new performance agreement, the reporting of performance findings and recommendations to Council, and (with the agreement of the Chief Executive Officer) the appointment of an external facilitator to assist with the process.
-

REPORT

BACKGROUND

Council is to conduct a performance review of the CEO at least annually in accordance with the CEO's contract of the employment and the responsibilities of Council. Pursuant to section 23A of the *Local Government Act 1993*, the *Guidelines for the new Appointment & Oversight of General Managers* dated July 2011 (Guidelines) issued by the former Division of Local Government must be taken into consideration when exercising Council functions related to the recruitment, oversight and performance management of General Managers/Chief Executive Officers.

It is proposed that the performance review process at Northern Beaches Council be undertaken in accordance with the Guidelines.

The Guidelines provide that the Council's governing body is to establish a Performance Review Panel and delegate the task of performance reviews of the CEO to this Panel.

The Guidelines provide that the Performance Review Panel should be comprised of the Mayor, Deputy Mayor, a Councillor nominated by Council and a Councillor nominated by the CEO. Accordingly, for Northern Beaches Council, this would mean the Panel is constituted as follows:

- Mayor, Councillor Michael Regan
- Deputy Mayor, Councillor Candy Bingham
- Councillor to be nominated by Council
- Councillor to be nominated by the CEO, Councillor David Walton.

Further the Guidelines recommend that the whole process of performance management of the CEO (being the statutory General Manger) be delegated to the Performance Review Panel, including including discussions about performance, any actions that should be taken and the determination of the new performance agreements. It is also considered this would include the conduct of formal performance reviews, the reporting of findings and recommendation to Council and development of the annual performance agreement.

The Guidelines also provide that:

- The governing body of Council and the CEO may agree on the involvement of an external facilitator to assist with the process of performance appraisal and the development of new performance plans. This person should be selected by the governing body of Council or the Performance Review Panel.
- At all times those Councillors not on the Panel can contribute to the process by providing feedback to the Mayor on the performance of the CEO.

The CEO's current performance agreement established by the former Panel is for the period 1 July 2021 to 30 June 2022. McArthur Management Services was engaged to support the development of the current agreement and to facilitate the most recent performance review.

CONSULTATION

The Mayor has been consulted.

TIMING

Nil

LINK TO STRATEGY

There are no strategic considerations associated with this report.

FINANCIAL CONSIDERATIONS

Funding for the engagement of an external facilitator is included in existing budgets.

SOCIAL CONSIDERATIONS

There are no social considerations associated with this report.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations associated with this report.

GOVERNANCE AND RISK CONSIDERATIONS

This report meets the requirements of the July 2011 Director General's Guidelines for the appointment and Oversight of General Managers to appoint a Performance Review Panel and delegate the Panel the function to create the Chief Executive Officer's Performance Plan and review the Chief Executive Officer's performance in accordance with the Office of Local Government Guidelines.

15.0 NOTICES OF MOTION

ITEM 15.1	NOTICE OF MOTION NO 1/2022 - WARRINGAH AQUATIC CENTRE PRECINCT PLAN
TRIM FILE REF	2022/090532
ATTACHMENTS	NIL

Submitted by: Councillor Jose Menano-Pires

MOTION

That Council prepare a report on a Draft Precinct Plan, to be presented to Council within three months, for the Warringah Aquatic Centre Precinct, including, but not limited to:

1. Upgrade / refurbishment of existing facilities.
2. An integrated multi discipline indoor sports Centre.

BACKGROUND FROM COUNCILLOR JOSE MENANO-PIRES

During the last administration of the former Warringah Council an urgent need for both refurbishment of the current aquatic facilities, and the availability of an indoor sports facility in the area was identified. Following amalgamation this project was shelved by the Administrator as other more urgent issues had priority.

Considering the forecasted increase in population based on the Northern Beaches Hospital Precinct Plan, as well as the decision regarding the future location of Frenchs Forest High School, this project should now be completed.

The Warringah Aquatic Centre facilities are now around 50 years old. The Olympic 50m pool is one of the very few indoor 50m pool north of Sydney Harbour and should be maintained.

Overall, the aquatic facilities should be enhanced, the main objective being to increase usage and patronage.

There's no indoor sports facility in our area and a very high demand for it. Sports such as basketball and gymnastics are in urgent need of facilities to fulfill the demands of an increased population.

The outdoor use of the Precinct, mainly softball and baseball should be maintained and our users consulted on potential upgrade of their facilities.

The Warringah Aquatic Centre Precinct is the crossroads of two main sets of mountain bike tracks, Garigal National Park and Manly Dam. Consideration should be given to establishing some sort of Mountain Bike Hub in the Precinct, in consultation with the mountain bike community.

ITEM 15.2	NOTICE OF MOTION NO 2/2022 - ACKNOWLEDGEMENT OF COMMUNITY SERVICE TO THE PEOPLE OF THE NORTHERN BEACHES
TRIM FILE REF	2022/090554
ATTACHMENTS	NIL

Submitted by: Councillor Georgia Ryburn

MOTION

That Council:

1. Prepare a report identifying existing or new structures or locations to be named in honour of Manly resident Ray Mathieson, in appreciation of his years of service and contributions to the Northern Beaches community.
2. Report back to Council within three months with recommendations, outlining any costings for the above.

BACKGROUND FROM COUNCILLOR GEORGIA RYBURN

With over 20 years of outstanding service to the Northern Beaches community, in particular the Manly and Little Manly Community, Ray Mathieson has been instrumental in shaping the local community to what it is today.

Mr Mathieson has been chairman of the Little Manly Precinct (on and off) since 1999, chairing one of the most successful and active community precincts. He established and was a member of several community groups including the Manly Safety committee, the Environment committee, and the Manly Marine Watch. He was the community representative on the redevelopment for Manly Hospital, Manly Liquor accord, and North Head sewage treatment plant. Mr Mathieson was selected as the community representative for MIAP, the local planning panel, assessing hundreds of DAs for our community. Mr Mathieson has built a strong community of engagement, hosting regular meetings and distributing regular local newsletters to thousands. He was named Manly Citizen of the Year in 2007.

Mr Mathieson has been a strong voice for the community and has committed thousands of hours of community service to the people of Manly. It's aspirational community members like Mr Mathieson that make living on the Northern Beaches a safe, connected and vibrant place.

ITEM 15.3	NOTICE OF MOTION NO 3/2022 - WAIVE OUTDOOR DINING FEES FOR BUSINESSES
TRIM FILE REF	2022/090575
ATTACHMENTS	NIL

Submitted by: Councillor Georgia Ryburn

MOTION

That Council continue to waive outdoor dining fees for businesses to 30 June 2022.

CHIEF EXECUTIVE OFFICER REPORT

In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:

The proposed motion would have a negative impact on Council's budget, estimated at \$345,000. If the motion is passed, a report will be provided to the March 2022 Council meeting identifying capital projects of an equivalent value recommended for deferral, to offset the budget impact.

ITEM 15.4	NOTICE OF MOTION NO 4/2022 - SIMPLIFYING SMALL BUSINESS APPLICATIONS
TRIM FILE REF	2022/090722
ATTACHMENTS	NIL

Submitted by: Councillor Sue Heins

MOTION

That:

1. Council develop an easy to understand 'small business planning package' on the planning pathways available to small businesses on the Northern Beaches that includes:
 - A. information on exempt development
 - B. complying development
 - C. development consent requirements related to small business.
 - D. where a DA is required the package should contain simplified information on the documents required to accompany applications for business uses.
2. Consultation with councillors and the small business community on the 'small business planning package' is conducted prior to any launch.
3. Staff provide an update on progress of the 'small business package' at a councillor briefing within three months.

BACKGROUND FROM COUNCILLOR SUE HEINS

The Northern Beaches currently has the third highest small business ownership in Sydney and the one of the highest number of non-employing businesses (sole traders).

For many business owners, starting their business is one of the most exciting parts of their business journey. One of the 2nd most exciting parts is opening a bricks and mortar business when the business expands. A physical place that is no longer at home, a place where they can hang their sign up.

Sadly this part is also one of the most challenging and many give up or battle through the DA process usually coming out the other side with negative feelings about the DA process and especially Council due to the difficulty in understanding the requirements and using a DA that was not built for businesses.

DA's are primarily designed for land owners to build, renovate or extent their houses or buildings.

An example is many business owners starting out, have no comprehension on what a Statement of Environmental Effect actually means for their business application.

If the business owner wants to change the use the premises from a hairdresser to a convenience store or put up a sign, they all have the fill out the same DA that uses language that has no relevance to what the business owner wants to do.

This Notice of Motion aims to simplify and create a simplified process especially aimed at DA's that a first time business owner can understand, making it easier to do business on the Northern Beaches.

ITEM 15.5	NOTICE OF MOTION NO 5/2022 - MANLY VALE STREETScape AND TOWN CENTRE
TRIM FILE REF	2022/091028
ATTACHMENTS	NIL

Submitted by: Councillor Sarah Grattan

MOTION

That Council:

1. Investigate potential “quick win” opportunities to improve the streetscape and liveability in the vicinity of Roseberry Street, Manly Vale/Balgowlah, including:
 - A. providing a ‘Welcome to Manly Vale’ sign
 - B. creating a pocket park in front of the Northern Beaches Council depot
 - C. opening a pedestrian access way from Roseberry Street to Manly West Park
 - D. writing to landowners and tenants to encourage them to keep their properties tidy and clear of rubbish
 - E. planting additional street trees along Roseberry Street and adjacent streets
 - F. changing on-street parking to reduce congestion and improve pedestrian safety.with staff providing a report on the result of investigations to Council within three months.
2. Seek available grant funding to help expedite these projects.
3. Write to Transport for NSW requesting a review and consideration of options to assist Council reduce traffic congestion in the block bordered by Balgowlah Road/ Condamine Street/ Roseberry Street and Kenneth Road, including relevant recommendations of the 2018 Bitzios Balgowlah/Manly Vale Traffic & Parking Review.

BACKGROUND FROM COUNCILLOR SARAH GRATTAN

Local residents of Manly Vale raised a number of requests over recent months for some improvements to provide them a more attractive and liveable town centre.

Manly Vale, located at the end of Burnt Bridge Creek deviation, is a suburb split by the major traffic thoroughfare of the beaches and new infrastructure to service the B-Line Bus Stop. At present the area is characterised by numerous construction sites from the ongoing development along Condamine St and significant traffic and parking issues on side streets. There is not even any signage to acknowledge the entry into Manly Vale. Residents feel like poor cousins to the beachside and harbour suburbs that have more attention and investment into the streetscape and create a place for people.

The block bordered by Balgowlah Rd/ Condamine St/ Roseberry St and Kenneth Rd (highlighted in yellow on the map) was zoned in 2015 as a B6 Enterprise Zone (by former Manly Council). It is an area that is highly congested from a mixture of customer traffic, rat-runners, transport service access and local traffic due with only two alternatives for access between Manly Vale/ North Manly and Balgowlah/ Fairlight (Roseberry St and Balgowlah Rd-near ABC Pool). Saturday traffic is

particularly bad with travel to sporting activities also in the mix. On-street parking that reverses into the street and delivery vehicles further complicates the situation.

Council undertook a traffic study of the area in 2018 that highlighted the problems – and it has only worsened in subsequent years. To quote the introduction to the 2018 report:

“The approval and subsequent operations of large scale developments such as Bunnings, Woolworths located on Roseberry St have gradually increased traffic and parking pressures within the area. These pressures will be exacerbated with redevelopment and the introduction of the B-Line multi-story car park on Kenneth Road and Aldi development on Roseberry St. With redevelopment there will be a rapid increase in local traffic heightening the mix of commercial traffic, industrial traffic, school traffic and commuter traffic in this constrained area... it will be important to plan for traffic management, parking management and active transport provisions to ensure safety and accessibility is not compromised in future years...”

(Balgowlah Manly Vale Traffic & Parking Review, Bitzios)

The number of retail outlets on Roseberry St has increased in recent years and that has also provided some greater amenity for the Manly Vale community – but it’s also a “B6 enterprise zone” with light industrial and commercial ‘back of house’ operations that are not typically well kept. The Woolworths development is an exception with the provision of an attractive streetscape and some plantings.

One of the detractors from the streetscape is the visual amenity of the Council’s Balgowlah Depot on the strip. This area would benefit from a small slice of land at the Roseberry St entrance to the depot being turned into a small reserve with some hedging to screen the depot. It might include a picnic table or seating that could be enjoyed by workers, shoppers and residents.

There are two marked pathways from Roseberry St to Manly West Park, located in the block behind (shown by red dotted line in diagram below). These pathways do not currently provide pedestrian



access to park. it would be beneficial to investigate opening these pathways, making a direct and safe access way between the town centre and park

The timing of the construction of the approved Roseberry St shared footpath works in 2022/23 (subject to funding) provides an opportunity to make some cosmetic changes and improve the area as a whole for the Manly Vale Community.

In addition, detailed design work and approvals for street trees along Condamine St has been secured from TfNSW and will go out for public consultation in February. These street trees will soften the streetscape, and it may be beneficial to concurrently consider additional street trees on Council roads, such as Roseberry St to provide more attractive landscaping to the area.

Creating a more attractive 'town centre' for Manly Vale and investigating the suggestions above is aligned with the Community Strategic plan, Towards 2040 LSPS and the Move Strategy.

COMMUNITY STRATEGIC PLAN

- Places for People
 - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community
 - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Community & Belonging
 - Goal 11 – Our community feels safe and supported
- Vibrant Local Economy,
 - Goal 15 – Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.
 - Sub-strategies include facilitate active and safe urban environments through increased economic activity
- Transport, Infrastructure and Connectivity
 - Goal 17 – Our community can safely and efficiently travel within and beyond Northern Beaches (public transport connectivity, safe cycling, parking options)
 - reduce the impact of traffic and congestion
- Environmental Sustainability
 - Goal 5 Our built environment is developed in line with best practice sustainability principles; in addition to improving environmental standards and compliance in new and existing developments

18.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

1. In accordance with the requirements of section 10A of the Local Government Act 1993 as addressed below, Council resolve to close the meeting to the public to consider and discuss:

- A. Item 18.1 RFT 2021/106 - Slope Stabilisation and Retaining Structure Panel on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- B. Item 18.2 RFT 2021/159 - Outcome of RFT - Lease and Fitout of Hospitality Venue - Glen Street Theatre on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- C. Item 18.3 RFT 2021/157 - Provision and Installation of Mobile Library Shelving on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- D. Item 18.4 Coast Walk Public Art Commission - Robert Dunn Reserve on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning procurement of public art. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would provide confidential information regarding the person who supplied it.

2. The resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
-

19.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

In accordance with Part 15 of the Code of Meeting Practice, resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson as soon as practicable. The resolution must be recorded in the publicly available minutes of the meeting.



northern
beaches
council

