

AGENDA

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

Tuesday 26 July 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

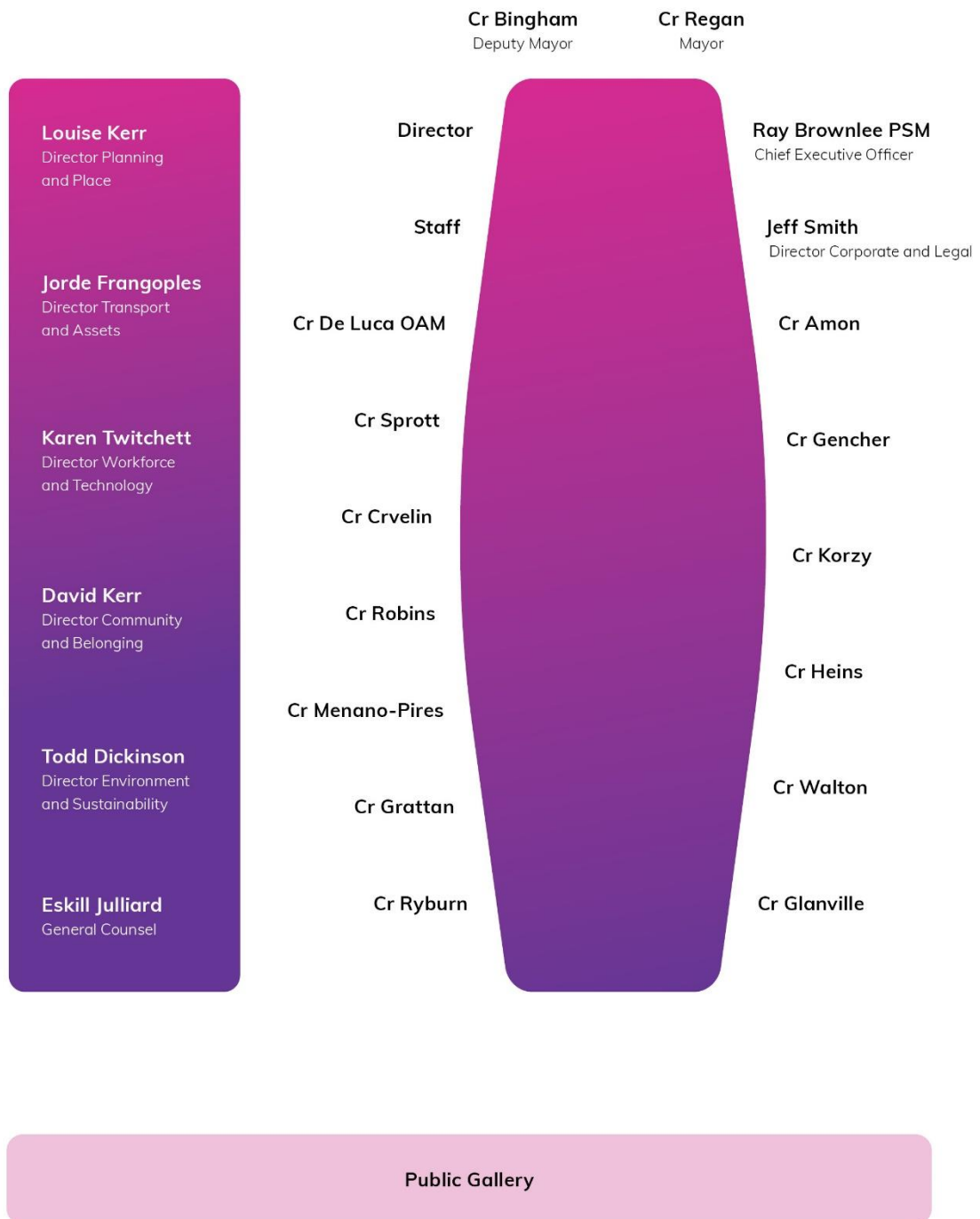
OUR VALUES

Trust Teamwork Respect Integrity Service Leadership

OUR OBLIGATIONS

I swear/solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Northern Beaches and the Northern Beaches Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

Council Chambers Seating Plan



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 26 July 2022
at the Civic Centre, Dee Why
Commencing at 6:00pm**

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

In accordance with Part 6 of the Code of Meeting Practice, Council will consider apologies, requests for leave of absence, and requests to attend meetings remotely via audio-visual link.

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 28 JUNE 2022

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held 28 June 2022, 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.

A Councillor who has a **pecuniary interest** in any matter with which Council is concerned, and who is present at a meeting of Council at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

The Councillor must not be present at, or in sight of, the meeting:

- a. at any time during which the matter is being considered or discussed, or
- b. at any time during which Council is voting on any question in relation to the matter.

A Councillor who has a **significant non-pecuniary** conflict of interest in a matter under consideration at a Council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.

A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is **not significant** and does not require further action, when disclosing the interest must also explain why the conflict is not significant and does not require further action in the circumstances.

As required by Council's Code of Conduct and the Information and Privacy Commission's Information Access Guideline 1, returns made by designated persons are routinely tabled at Council meetings and published on Council's website.

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.

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	OUTCOME OF PUBLIC EXHIBITION OF CODE OF CONDUCT AND PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT
REPORTING MANAGER	EXECUTIVE MANAGER INTERNAL AUDIT AND COMPLAINTS RESOLUTION
TRIM FILE REF	2022/415071
ATTACHMENTS	<ol style="list-style-type: none"> 1 ☞ Northern Beaches Council Code of Conduct (Included In Attachments Booklet) 2 ☞ Procedures for the Administration of the Northern Beaches Council Code of Conduct (Included In Attachments Booklet) 3 ☞ Engagement Report (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To seek the adoption of the Northern Beaches Council Code of Conduct (Code) and the Procedures for the Administration of the Northern Beaches Council Code of Conduct (Procedures).

REPORT

At its 24 May 2022 meeting, Council resolved to place the draft Code and Procedures on exhibition with the outcomes to be reported to Council (resolution 143/22).

The Code and Procedures are aligned to amendments made to the Office of Local Government's (OLG) Model Code and Procedures made under section 440 of the *Local Government Act 1993* (LGA) and the *Local Government (General) Regulation 2021* (Regulation).

The draft Code and Procedures were publicly exhibited from Friday 27 May to Sunday 26 June 2022 and attracted two submissions, which are outlined below:

Submission verbatim	Response
<p><i>I support the Draft Northern Beaches Code of Conduct and Draft Procedures of Administration if they are completely aligned to the Model Code of Conduct for Local Councils in NSW (including extending their application to persons that are not "council officials").</i></p> <p><i>I do not support any provisions that are less strict than those of the Model Code of Conduct</i></p>	<p>Council's Code of Conduct is consistent with and in some respects, more restrictive than the Model Code, for instance in the area of receipt of gifts.</p>
<p><i>Will it state what happens if this is not followed. It sounds great but as I'm finding with the building section of the council that there is none of this being upheld. I have been trying hard for 2 months to make council recognise the processing of fraudulent documents as I have counter evidence. I have been told by the ombudsman that I have to go to the ICAC to have it dealt with. It is unacceptable that there is no follow up process when this code of conduct is not upheld</i></p>	<p>The Code provides on page 3 that, "Failure by a member of staff to comply with a Council's Code of Conduct may give rise to disciplinary action." The matter referred to</p>

Submission verbatim	Response
	in this submission has been addressed with the complainant.

The draft Code and Procedures are provided for Council's consideration (Attachments 1 & 2).

Should Council adopt the draft Code and Procedures, it will replace the earlier versions with the names Northern Beaches Council Code of Conduct 2022 and Procedures for the Administration of the Northern Beaches Council Code of Conduct 2022.

The Community Engagement Report is provided at Attachment 3.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

Good governance - Goal 20 Our Council is proactive, and 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

There are no specific environmental considerations.

SOCIAL CONSIDERATIONS

A strong Code of Conduct is essential for maintaining Council's integrity and community confidence in Council.

GOVERNANCE AND RISK CONSIDERATIONS

The Code of Conduct sets the minimum standards of conduct for council officials. The Procedures are prescribed for the administration of the Code of Conduct and provide guidance for managing breaches of the Code of Conduct.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the outcome of the public exhibition of the draft Northern Beaches Council Code of Conduct and Procedures for the Administration of the Northern Beaches Council Code of Conduct.
 2. Adopt the Northern Beaches Council Code of Conduct and Procedures for the Administration of the Northern Beaches Council Code of Conduct.
-

ITEM 9.2	AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT 2021 AND REPORT OF CONFIRMED MINUTES OF 12 APRIL 2022 COMMITTEE MEETING
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2022/315483
ATTACHMENTS	1 ARIC Minutes - 12 April 2022 (Included In Attachments Booklet) 2 ARIC Annual Report 2021 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To report to the Council relevant matters in accordance with the Audit, Risk and Improvement Committee Charter.

REPORT

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 line with the reporting requirements outlined in clause 5.1 of the Charter, the Chair of the ARIC has submitted an Annual Report to the Council on the Committee's operations. The ARIC Annual Report highlights its activities over 2021. The report is provided at Attachment 1. Further, in accordance with the reporting requirements for the ARIC, the confirmed minutes of the ARIC meeting held on 12 April 2022 are provided at Attachment 2.

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 support the Audit, Risk and Improvement Committee is included in the existing operational budget.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

Council is accountable to the community for the delivery of the Community Strategic Plan, and a key function of the Audit, Risk and Improvement Committee is to promote good corporate governance, transparency and external accountability.

GOVERNANCE AND RISK CONSIDERATIONS

On 4 June 2022, sections 428A and 428B of the *Local Government Act 1993* commenced. This means that all councils are now required to have an ARIC.

The Northern Beaches Council ARIC meets these requirements and functions in accordance with the non-mandatory guidelines issued by the Chief Executive of the Office of Local Government under section 23A of the *Local Government Act 1993* and in consideration of Part 4A of the *Local Government Act 1993* as proposed by the *Local Government Amendment (Governance and Planning) Act 2016*.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the Audit, Risk and Improvement Committee Annual Report for 2021.
 2. Note the confirmed minutes of the Audit, Risk and Improvement Committee 12 April 2022.
-

ITEM 9.3	OUTCOME OF PUBLIC EXHIBITION OF APPOINTMENT OF COMMITTEE MEMBERS POLICY
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2022/362557
ATTACHMENTS	1 Draft Appointment of Committee Members Policy 2 Community Engagement Report

BRIEF REPORT

PURPOSE

To seek the adoption of the Appointment of Committee Members policy.

REPORT

At its 24 May 2022 meeting, Council resolved to place the draft Appointment of Committee Members Policy on exhibition with the outcomes to be reported to Council (resolution 137/22).

The draft Appointment of Committee Members Policy provides a framework for the appointment of community members, industry representatives, and other stakeholders to committees, providing equity and transparency of the appointment process.

The draft Policy was publicly exhibited from Friday 27 May to Sunday 26 June 2022 and attracted one submission, which is outlined below:

Submission verbatim	Response
<p>I support the proposed changes with one suggested amendment.</p> <p>Current wording:</p> <p>Objectivity is an essential requirement and therefore conflicts of interest, perceived or otherwise, must be identified and may preclude representatives being selected</p> <p>Suggested wording:</p> <p>Objectivity is an essential requirement and therefore conflicts of interest, perceived or otherwise, must be identified and must be disclosed and may preclude representatives being selected</p>	<p>Accepted, new wording incorporated into draft Policy.</p>

The draft Policy is provided for Council's consideration (Attachment 1). In line with the comment above, the minor addition has been reflected in the new draft, highlighted in red for ease of reference.

Should Council adopt the draft Policy it will replace the earlier version with the name 'Appointment of Community and Stakeholder Representatives Policy 2018.'

The Community Engagement Report is provided at Attachment 2.

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

Activities to support the Appointment of Committee Members Policy are provided for in existing operational budgets.

ENVIRONMENTAL CONSIDERATIONS

There are no specific environmental considerations.

SOCIAL CONSIDERATIONS

The draft Policy provides a decision-making framework for the appointment of community members to committees, providing equity and transparency of the appointment process.

GOVERNANCE AND RISK CONSIDERATIONS

Reviewing Council policies in accordance with their review cycle ensures they remain relevant, effective and in keeping with community expectations.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the outcome of the public exhibition of the draft Appointment of Committee Members Policy.
 2. Adopt the Appointment of Committee Members Policy provided at Attachment 1.
-

Council Policy

Appointment of Committee Members

Policy Statement

To prescribe the process for the appointment of individuals to Council Committees, as either representing organisations, groups or other stakeholders, or the general community, where the composition of the Committee is established in the relevant Committee Terms of Reference or Charter.

To ensure representatives are objectively selected on merit, thereby removing any claim of political patronage.

Principles

The following principles and procedure shall be followed in the appointment of organisational, stakeholder and general community representatives to Committees established by the Council or on behalf of other agencies.

- All appointments must be in accordance with Council's Community Committee Framework (2022/165351).
- All appointments to Committees are to have due regard not only to the provisions of the relevant Committee Charter or Terms of Reference but also to the general principles of merit-based selection, gender balance, equality, and diversity of membership.
- The selection of community representatives on Council Committees is a function best administered independently of the elected Council, and in accordance with the Terms of Reference of the relevant Committee. This approach avoids both the perception and reality of political interference in the appointment process. Committee representatives shall be entitled to be appointed without influence from political beliefs, philosophical reasons, affiliations or community standing. They are entitled to be considered for appointment because of their interest or involvement in the work of the Committee or because they have particular skills or professional training of benefit to the Committee's deliberations. Objectivity is an essential requirement and therefore conflicts of interest, perceived or otherwise, must be identified **and must be disclosed** and may preclude representatives being selected.

Scope and Application

It is appropriate that organisations, the general community and other relevant stakeholders be represented on Committees to assist Council in its ongoing planning and decision-making processes.

Council is responsible for adopting the Charter of each Committee established by it, including the composition of the Committee and any specific skills or requirements to be included in that composition.

Organisational and Stakeholder Representatives:

Where an organisation, community group, interest group, user group or other stakeholder is, according to a Committee Charter or Terms of Reference, to be represented on that Committee:

- The organisation or group shall nominate its representative in writing to the Chief Executive Officer (CEO).

- The written nomination is to be made, as appropriate, by a duly authorised office bearer or office holder of the organisation/group concerned using the template provided by Council for that purpose including evidence of constitution and membership.
- The CEO shall appoint such nominated representatives and reserves the right to reject such nominated representatives should there be any non-compliance with requirements in the relevant Committee Charter or Terms of Reference, or conflicts of interest.

Individual Community Representatives:

- Nominations will be publicly invited for appointment to a Committee.
- All nominees will be required to make written application to Council using the template provided by Council for that purpose. Any particular skills, experience or expertise required of members by the relevant Committee Charter or Terms of Reference must be addressed in any nomination submitted to Council.
- Where complying nominations received are equal to or less than available positions on a Committee, the CEO may appoint such nominees to the relevant Committee.
- Where the number of complying nominations exceeds the number of individuals required for appointment, the CEO shall arrange for an assessment panel to make a direct appointment(s) based on merit. In such cases the Panel, comprising of Executive Manager Governance & Risk (or delegate), a member of Community Engagement (or other nominee of the CEO), and the relevant Executive Manager, is to have regard to any membership requirements outlined in the relevant Committee Terms of Reference or Charter as well as those detailed in this Policy.

Term of Appointment

A person appointed to a Committee shall continue as a member of the Committee for the period outlined in the relevant Committee Terms of Reference or Charter.

Where a person has been nominated to represent a particular organisation or group on the Committee, a duly authorised representative of the organisation may request a change to its nominated representative during the relevant term.

Community Notification

Opportunities will be advertised via Council's e-news, website and social media channels. Emails will be sent to target groups and the Community Engagement Database. Detailed information and nomination forms will be available on the website. Ideally nominations will be open for 28 days and a minimum of 14 days.

Delegation of Authority

By adoption of this Policy, the Council specifically and hereby delegates authority to the Chief Executive Officer to exercise all functions, powers or actions required to implement this policy.

Responsible officer

Executive Manager Governance and Risk

References and related documents

- Northern Beaches Council Committee Framework (adopted 22 February 2022)
- NSW Local Government Act 1993

Definitions

“Committee”, for the purposes of this Policy, refers to any Strategic Reference Group, Reference Groups, Statutory Committees and Joint Stakeholder committees, or other project/working advisory groups that have councillors and community members represented.

Review Date

July 2026

Revision History

Revision	Date	Change	TRIM Ref
1	17 April 2018	Policy adopted by Council	2018/266800
2	17 April 2020	Policy amended by Director Corporate and Legal to incorporate the Community Committee framework (see related email 2020/221767)	2018/266800
3	24 March 2022	Draft Appointment of Committee Members	2022/186992
4	13 April 2022	Updated following CET review	2022/186992
5	28 June 2022	Updated following public exhibition for Council consideration	2022/186992



Community and Stakeholder Engagement Report

Draft Appointment of Committee Members Policy (Stage 1 of 1)

Consultation period: 27 May 2022 to 26 June 2022

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1. Summary

This report outlines the outcomes of community and stakeholder engagement as part of a proposal to amend the Appointment of Committee Members Policy to align with Council's Committee Framework, including general principles of merit-based selection, gender balance, equity and diversity of membership.

There was one submission received during the exhibition period. The submission suggested amended wording which has been accepted and incorporated into the wording of the draft Policy.

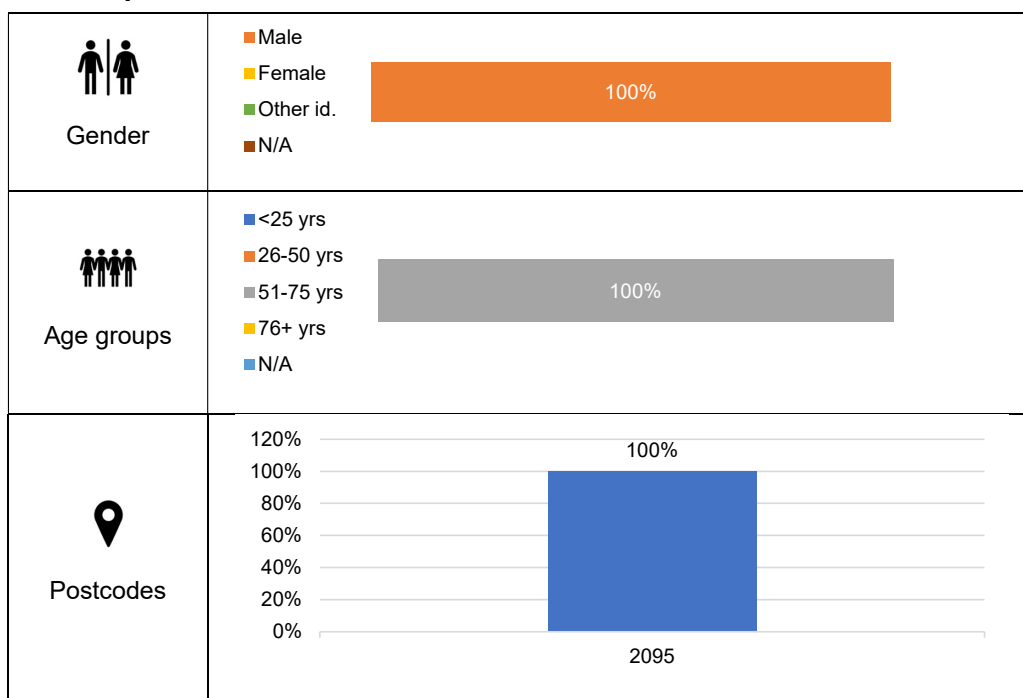
1.1. Key outcomes

 Total unique responses	1	
 How responses were received	Submission form Written responses (email/letter)	Completions: 1 Number received: 0

1.2. How we engaged

 Have Your Say: visitation stats	Visitors: 232	Visits: 282	Average time onsite: 1 min 13 sec
 Electronic direct mail (EDM)	Community Engagement (fortnightly) newsletter: 2 editions Council (weekly) e-News: 1 edition		Distribution: 23,000 subscribers Distribution: 180,000 subscribers

1.3. Who responded¹



2. Background

We engaged on the draft Appointment of Committee Members Policy in line with Council's commitment to Good Governance under our Community Strategic Plan.

The intention of community engagement was to provide an opportunity to review and give feedback on Council's proposed changes to the existing policy. Where appropriate, and on this occasion, as a direct result of feedback, the community's comments were considered and influenced the final wording of the draft policy.

3. Engagement objectives

Community and stakeholder engagement aimed to:

- Provide accessible information so community and stakeholders can participate in a meaningful way
- Public feedback contributes to the decision-making process.

4. Engagement approach

Community and stakeholder engagement for the draft Appointment of Committee Members Policy was conducted between 27 May and 26 June 2022 and consisted of a series of activities that provided opportunities for community and stakeholders to contribute.

¹ Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Matrix](#) (2017).

A project page was established on our have your say platform with information provided in an accessible and easy to read format.

The project was primarily promoted through our regular email newsletter (EDM) channels.

Feedback was captured through an online submission form embedded onto the have your say project page.

An open-field comments box provided community members a space to provide any feedback they wished to contribute.

Email and written submissions were also invited.

5. Findings

Community engagement on the draft Policy received a single submission as detailed in the table below.

The submission suggested some revised wording for the draft Policy and was accepted by Council. The revised wording has been incorporated into the draft Policy and will be reported to Council as amended for adoption at the July Council meeting.

Table 1: Issues, change requests and other considerations

Theme	Issues, change requests and other considerations raised	Council's response
Disclosure of conflicts of interest	<p>I support the proposed changes with one suggested amendment.</p> <p>Current wording: Objectivity is an essential requirement and therefore conflicts of interest, perceived or otherwise, must be identified and may preclude representatives being selected</p> <p>Suggested wording: Objectivity is an essential requirement and therefore conflicts of interest, perceived or otherwise, must be identified and must be disclosed and may preclude representatives being selected</p>	Accepted, new wording incorporated into draft Policy.

Appendix 1 Verbatim community and stakeholder responses*

Number	Submission
1	<p>I support the proposed changes with one suggested amendment.</p> <p>Current wording: Objectivity is an essential requirement and therefore conflicts of interest, perceived or otherwise, must be identified and may preclude representatives being selected</p> <p>Suggested wording: Objectivity is an essential requirement and therefore conflicts of interest, perceived or otherwise, must be identified and must be disclosed and may preclude representatives being selected</p>

Document administration	
Version	2.0
Date	5 July 2022
Approval	<p>Content provided and approved by Governance and Risk Team.</p> <p>Responsible Executive Manager: Sarah Dunstan</p>
Status	Final
Related Projects	Community Strategic Plan (CSP)
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

**Personal details and inappropriate language have been redacted where possible. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.*

ITEM 9.4	STRATEGIC REFERENCE GROUPS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2022/438174
ATTACHMENTS	1 Committee Framework

BRIEF REPORT

PURPOSE

To seek Council's consideration to conclude the Travel & Transport and Economic & Smart Communities Strategic Reference Groups and to commence recruitment of community and stakeholder members for the Environment SRG.

REPORT

In February 2022 Council resolved (021/22) its committee framework (Attachment 1) which provides the mechanism to establish a range of reference groups, statutory committees, joint stakeholder committees, memberships and project working advisory groups.

The new framework provides for councillors to be part of formal committees (established under Council resolution) as well as more flexible informal working groups or issues-based forums (established by the Chief Executive Officer), as required.

As part of the resolution the Council temporarily extended three of the former Council term Strategic Reference Groups (SRG), including current community and stakeholder members, until a new committee structure was to be established by Council.

The 3 SRGs have met twice over the last 4 months. The community and stakeholder members, while they had served their original 4-year terms, have continued to participate in accordance with the Council's decision. To provide the members with clarity on the requirements for their ongoing service, a decision is required regarding whether the interim committees will be ongoing.

The SRGs were established in 2017 and have been effective in supporting Council through the early implementation of the CSP priority areas. The SRGs were originally designed to inform the strategic direction of the Council and in the years since their establishment, Council has progressed a large quantum of strategic work (ie Community Safety Plan, Children's Services Strategy, Resilience Strategy, Destination Management Plan, Local Strategic Planning Statement etc). Many strategic plans also now have defined action plans and Council is in a delivery phase.

Given this, the majority of SRGs have delivered on their intended purpose and are now no longer required in their current form making it timely the Council consider its formal committee requirements based on new priorities. A facilitated workshop will be held with councillors in coming months to identify these requirements. Initial feedback from councillors indicated a preference to retain the Environment SRG and membership be refreshed and recruited in accordance with the Appointment of Committee Members Policy.

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. Council's Community Engagement Policy and Strategy provides the foundations and principles for this engagement. Formal committees, briefings and informal meetings involving councillors are all channels of engagement. All major plans, initiatives and programs have a tailored engagement strategy to seek feedback from experts, stakeholders, community members and Council.

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. The report recommends the continuation of the Environment SRG.

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:

1. Council conclude the Travel & Transport and Economic & Smart Communities Strategic Reference Groups (SRG) and thank all previous members for their contribution.
 2. Staff conduct a process to renew the community and stakeholder members of the Environment SRG in accordance with the Environment SRG Charter and the Appointment of Committee Members Policy.
-

Northern Beaches Council Committee Framework



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. 	No

	<ul style="list-style-type: none"> 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. 	
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

Responsible Officer

Executive Manager Governance & Risk

governance@northernbeaches.nsw.gov.au

Revision History

Revision	Date adopted	Change	TRIM
1	22 Feb 2022	Adopted by Council	2022/165351

ITEM 9.5	MONTHLY INVESTMENT REPORT - JUNE 2022
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2022/404217
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 section 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 \$160,160,643 comprising:

- Trading Accounts \$980,037
- Investments \$159,180,606

The portfolio achieved a return of 0.088% for the month of June which was 0.038% above the benchmark AusBond Bank Bill Index return of 0.05%. For the past 12 months the portfolio achieved a return of 0.525% which was 0.425% above the benchmark AusBond Bank Bill Index return of 0.10%.

The weighted average interest rate of the portfolio is 1.39% compared to 1.00% for the prior month. For the past 12 months the weighted average interest rate of the portfolio was 0.60% compared to the average Ausbond Bank Bill movement of 0.02% and the average Reserve Bank of Australia Cash Rate of 0.18%.

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*, section 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 June 2022, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

In accordance with section 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.

In response to a public address to Council at its meeting on 28 June 2022 which questioned the validity of the benchmark comparisons used by Council we have provided greater clarity on the comparison of performance against the AusBond Bank Bill Index and Reserve Bank Cash Rate by adding additional detail to the report under 'Investment Performance vs Benchmark'.

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 \$876,027 compared to budgeted income of \$538,800, a positive variance of \$337,227.

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 and minor amendments were presented to the Audit, Risk and Improvement Committee at its meeting in December 2021. The Committee endorsed a report to Council detailing the proposed changes to the revised policy and its public exhibition to enable community consultation.

At its meeting on 24 May 2022, Council resolved to place the draft revised policy on exhibition for a period of 28 days. Exhibition commenced on 27 May 2022 and submissions closed on 26 June 2022. A report has been prepared for Council to consider the engagement outcomes and the adoption of the revised Investment Policy.

Council's Investment Strategy was reviewed by its Investment Advisors in November 2021, 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 authorised deposit-taking institution (ADI) issued bonds and floating rate notes.

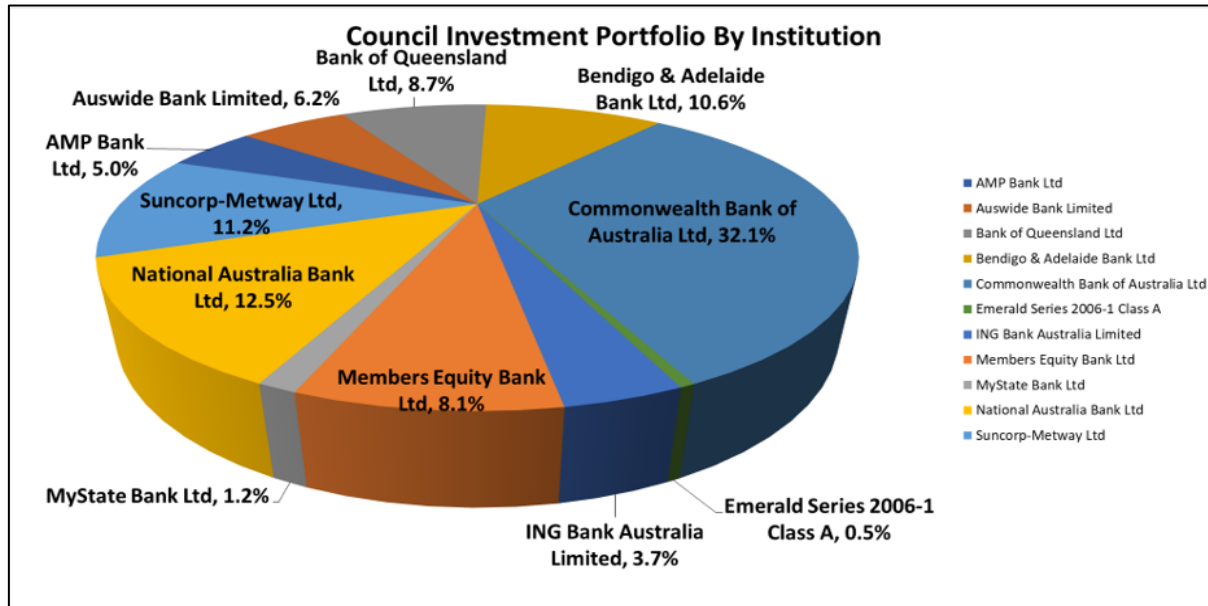
Investment Balances

INVESTMENT BALANCES				
As at 30-Jun-2022				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	61,717		0.90%
National Australia Bank Ltd	A1+	15,769		0.70%
		77,486		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	5,523,359	At Call	0.95%
		5,523,359		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	A*	760,230	21-Aug-51	1.5044%
		760,230		
Term Deposits				
National Australia Bank Ltd	A1+	2,000,000	05-Jul-22	0.45%
National Australia Bank Ltd	A1+	2,000,000	05-Jul-22	0.51%
AMP Bank Ltd	A2	1,500,000	05-Jul-22	1.00%
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	0.45%
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%
National Australia Bank Ltd	A1+	3,000,000	26-Jul-22	0.84%
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%
Members Equity Bank Ltd	A2	2,000,000	09-Aug-22	0.60%
Members Equity Bank Ltd	A2	2,000,000	11-Aug-22	0.60%
Bank of Queensland Ltd	A2	3,000,000	16-Aug-22	0.60%
Bank of Queensland Ltd	A2	2,000,000	18-Aug-22	0.60%
Bank of Queensland Ltd	A2	2,000,000	23-Aug-22	0.60%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	25-Aug-22	0.55%
Bank of Queensland Ltd	A2	2,000,000	06-Sep-22	0.60%
Bank of Queensland Ltd	A2	2,000,000	08-Sep-22	0.60%
Auswide Bank Limited	A2	3,000,000	13-Sep-22	0.80%
Auswide Bank Limited	A2	2,000,000	15-Sep-22	0.80%
Suncorp-Metway Ltd	A1	1,000,000	20-Sep-22	0.88%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Sep-22	1.29%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	27-Sep-22	1.29%
Auswide Bank Limited	A2	3,000,000	27-Sep-22	0.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Sep-22	1.29%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	04-Oct-22	1.88%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	06-Oct-22	1.90%
National Australia Bank Ltd	A1+	3,000,000	11-Oct-22	0.63%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	13-Oct-22	2.20%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	18-Oct-22	2.20%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	20-Oct-22	2.25%
AMP Bank Ltd	A2	1,100,000	25-Oct-22	2.80%
AMP Bank Ltd	A2	900,000	25-Oct-22	2.80%
Suncorp-Metway Ltd	A1	3,000,000	25-Oct-22	0.93%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	27-Oct-22	2.30%

INVESTMENT BALANCES				
As at 30-Jun-2022				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Nov-22	2.30%
Suncorp-Metway Ltd	A1	2,000,000	03-Nov-22	2.72%
Members Equity Bank Ltd	A2	3,000,000	08-Nov-22	2.15%
Suncorp-Metway Ltd	A1	2,000,000	10-Nov-22	2.72%
MyState Bank Ltd	A2	2,000,000	22-Nov-22	2.25%
Members Equity Bank Ltd	A2	3,000,000	06-Dec-22	2.35%
Suncorp-Metway Ltd	A1	2,000,000	08-Dec-22	3.00%
Auswide Bank Limited	A2	2,000,000	13-Dec-22	2.65%
Suncorp-Metway Ltd	A1	3,000,000	20-Dec-22	3.42%
Suncorp-Metway Ltd	A1	2,000,000	21-Dec-22	3.35%
Suncorp-Metway Ltd	A1	3,000,000	03-Jan-23	3.42%
ING Bank Australia Limited	A1	4,000,000	31-Jan-23	2.36%
AMP Bank Ltd	A2	2,500,000	14-Feb-23	1.00%
Members Equity Bank Ltd	A2	3,000,000	28-Feb-23	3.60%
ING Bank Australia Limited	A1	2,000,000	18-Apr-23	2.30%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	20-Apr-23	2.22%
		124,000,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	902,551		0.25%
		902,551		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	472,301	At Call	0.85%
Commonwealth Bank of Australia Ltd	A1+	1,800,189	At Call	0.85%
		2,272,490		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,500,000	01-Jul-22	0.47%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	01-Aug-22	0.53%
Commonwealth Bank of Australia Ltd	A1+	13,124,528	22-Aug-22	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Sep-22	1.24%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	28-Sep-22	1.70%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	03-Oct-22	1.91%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Nov-22	2.14%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Dec-22	2.43%
		26,624,528		
Total Cash and Investments		160,160,643		

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

Portfolio Analysis

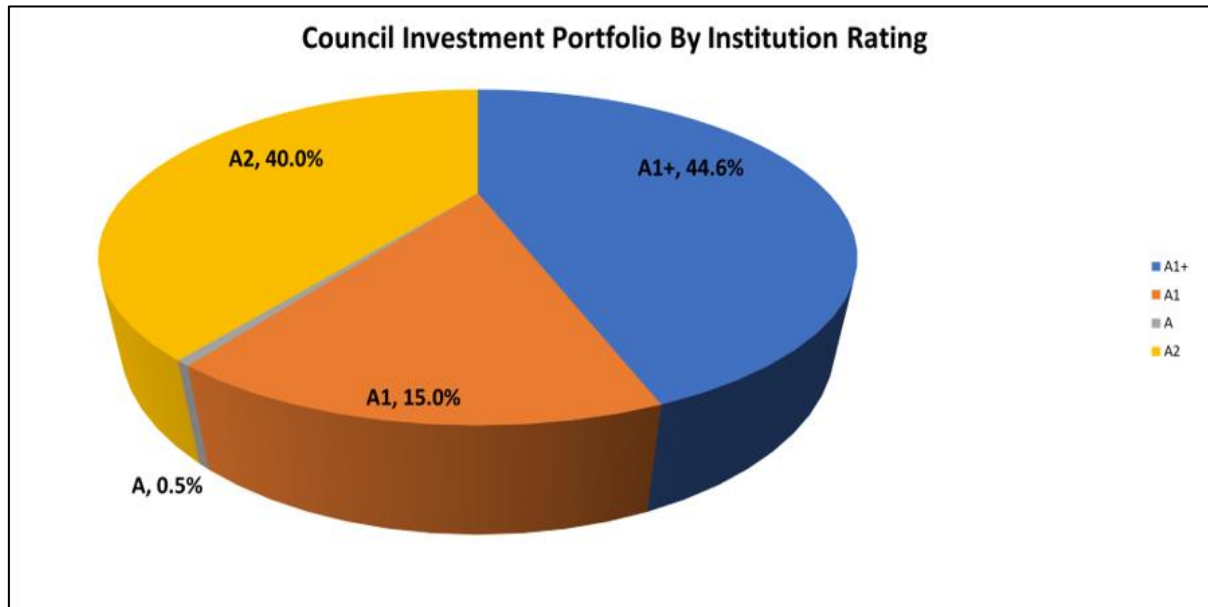


Institutional Credit Framework – Compliance with Investment Policy Requirements

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+	A-1	40%	Yes
A			
A-			
BBB+	A-2	30%	Yes
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.



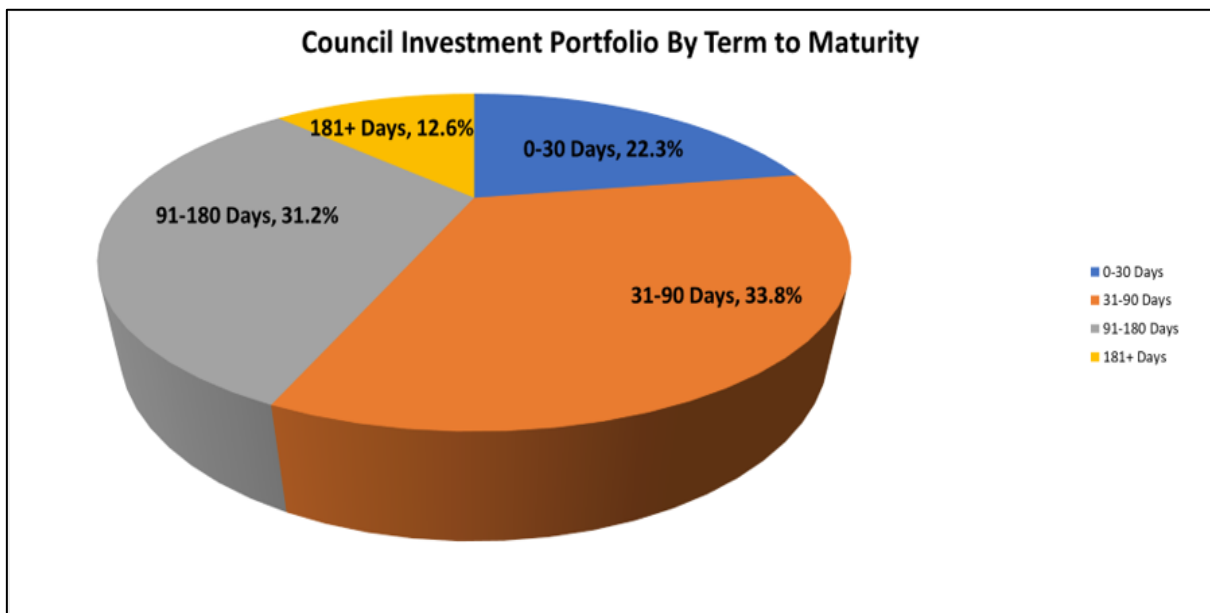
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

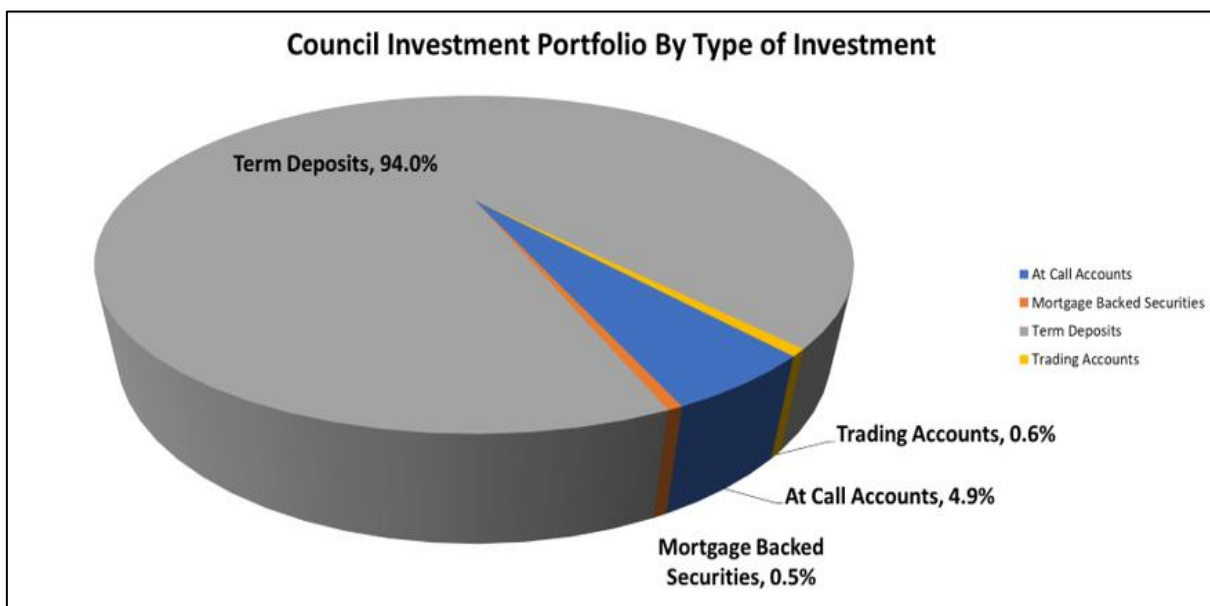
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

a) Portfolio Return vs Benchmark

	Investment Portfolio Return *	Benchmark: AusBond Bank Bill Index
1 month	0.088%	0.05%
3 Months	0.211%	0.07%
FYTD	0.525%	0.10%
12 Months	0.525%	0.10%

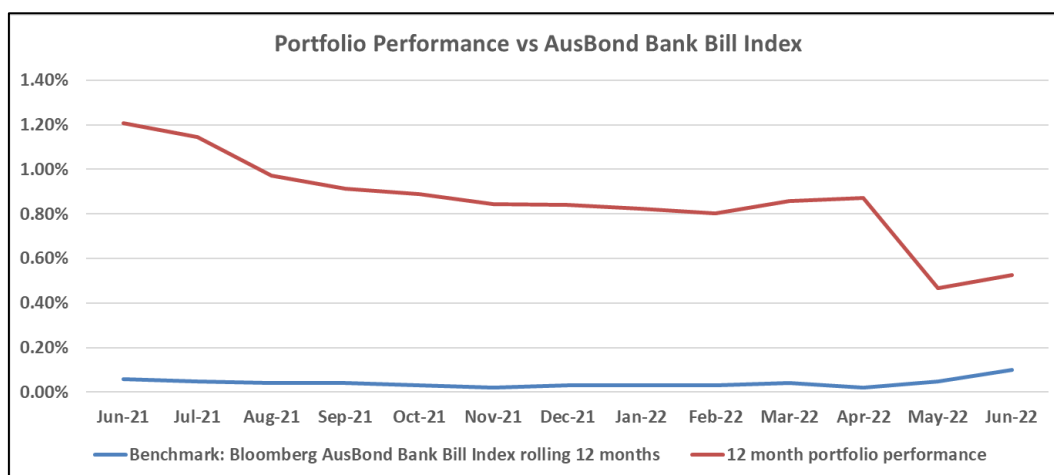
* Excludes trading account balances

Council's Investment Advisors have stated this form of portfolio reporting conforms to global investment performance standards and that these standards say that periods below 12 months should not be annualised

The above table shows a comparison of Council's investment portfolio return to the benchmark. Council's Investment Advisor, Laminar Capital, has created an accumulation index for the portfolio which increases each month by the portfolio internal rate of return to enable meaningful comparison to the benchmark AusBond Bank Bill index, which is an accumulation index.

The Bloomberg AusBond Bank Bill Index is engineered to measure the Australian money market by representing a passively managed short term money market portfolio. This index is comprised of 13 synthetic instruments defined by rates interpolated from the RBA 24-hour cash rate, 1M BBSW, and 3M BBSW.

The portfolio achieved a return of 0.088% for the month of June which was 0.038% above the benchmark AusBond Bank Bill Index return of 0.05%. For the past 12 months the portfolio achieved a return of 0.525% which was 0.425% above the benchmark AusBond Bank Bill Index return of 0.10%.



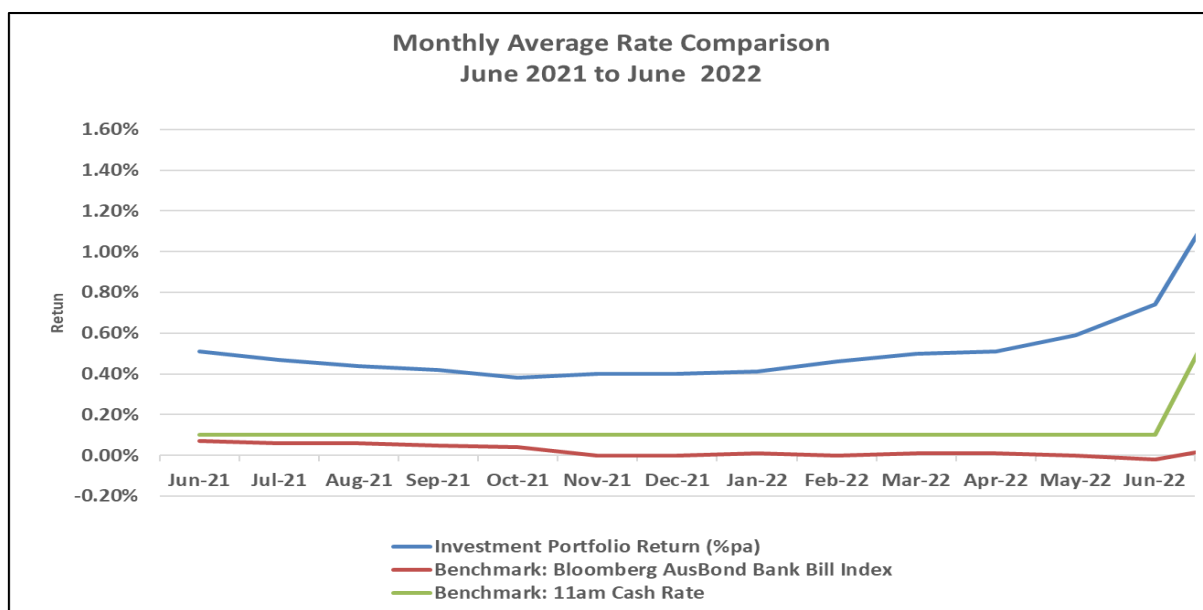
b) Portfolio Interest Rate vs Benchmarks

	Weighted Average Portfolio Interest Rate (%pa) *	Average Benchmark: AusBond Bank Bill Index	Average RBA Cash Rate
1 month	1.39%	0.05%	0.85%
3 Months	1.06%	0.02%	0.43%
6 Months	0.80%	0.01%	0.27%
FYTD	0.60%	0.02%	0.18%
12 Months	0.60%	0.02%	0.18%

* Excludes trading account balances

The above table shows the weighted average interest rate of the portfolio as at month end. This is an average of all the interest rates that each term deposit is earning. It is the current earning rate of the portfolio and this information is useful as it shows how the earning rate is changing each month in line with changes in market interest rates. Each time a term deposit matures during the month it is being reinvested at current interest rates. To facilitate meaningful comparison, the weighted average interest rate of the portfolio is compared to the average AusBond Bank Bill Index and average RBA Cash Rate for the same period.

The weighted average interest rate of the portfolio is 1.39% compared to 1.00% for the prior month. For the past 12 months the weighted average interest rate of the portfolio was 0.60% compared to the average Ausbond Bank Bill movement of 0.02% and the average Reserve bank of Australia Cash Rate of 0.18%.

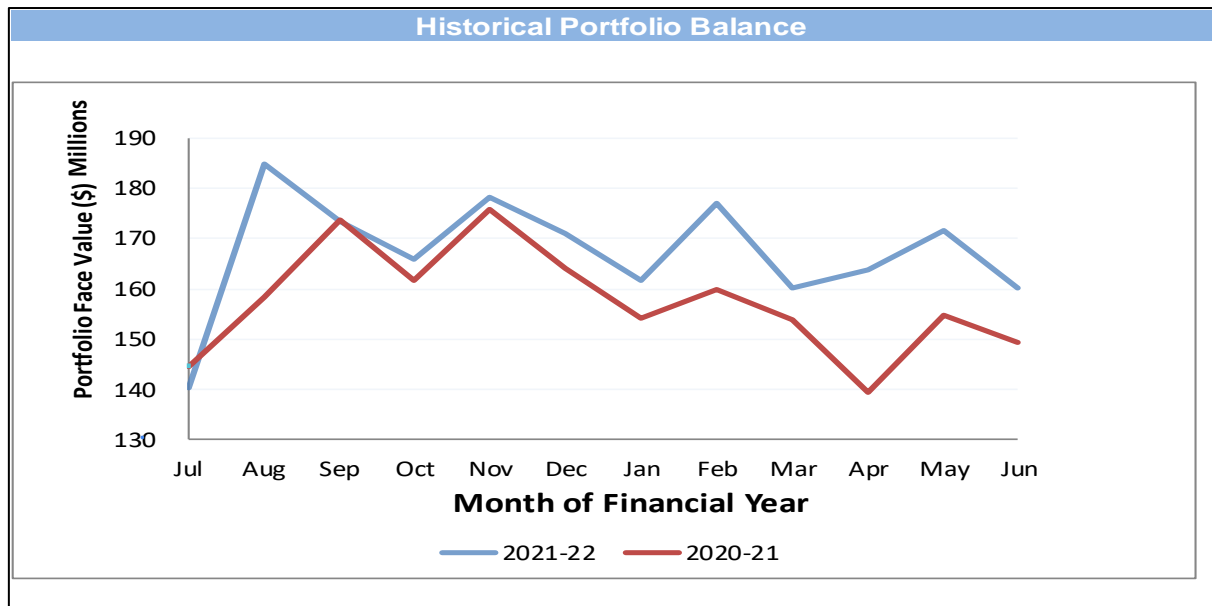


Monthly Investment Income* vs Budget

	June 2022 \$	Year to Date \$
Investment Income	149,972	859,470
Adjustment for Fair Value	3	16,557
Total Investment Income	149,975	876,027
Budgeted Income	35,900	538,800

*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	176,973,362	159,915,952
Mar	160,133,548	153,861,974
Apr	163,852,294	139,392,596
May	171,636,374	154,616,319
Jun	160,160,643	149,441,669
Average Portfolio Balance	167,298,451	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)

Financial markets traded weaker in June with the notable exception of the Chinese markets. The growing risk of recession down the track loomed large in June as high inflation prompted several big central bank rate hikes with the prospect of more to come and quickly to temper demand and cap inflation.

Central banks are powerless to deal with the supply issues fostering inflation and must use tighter monetary conditions to tailor demand growth to the limitations imposed by restricted supply to try and prevent high inflation becoming entrenched. The monetary policy task is to try and dial a soft economic landing and bring down inflation. The likelihood is diminishing of achieving both a soft landing and inflation returning to target. Inflation is too high in the near-term and to be tamed needs substantial demand curtailment. As financial markets reassess the monetary tightening that still lies ahead, the least line of resistance for most financial markets is weaker.

China's financial markets ran against the weakening trend elsewhere in June mostly because its economy has been running weaker over the past year and its policymakers have started easing monetary conditions and are starting to boost government spending. China's economy is not expected to recover as strongly as it has in the past, but it is coming out the other side of its downturn late this year and in 2023 when most other major economies will be weakening in response to tighter monetary tightening.

Rising official interest rates with the prospect of more to come took a toll on credit markets in June. Spreads widened, including the spreads on Australian credit. While Australian businesses and households are relatively well placed to pay higher borrowing interest rates, the relatively quick escalation in interest rates will prove challenging to more recent borrowers led by earlier RBA guidance to expect low interest rates to persist through to 2024 at least. Given Australia's high level of household debt, what is more certain is that the relatively big increases in borrowing interest rates will cut into loan demand adding to downward pressure on the most interest rate sensitive part of the Australian economy, housing.

Returning to monetary policy activity, it became clear in June that key central banks wanted to lift the pace of monetary tightening. The US Fed hiked its Funds rate by 75bps to 1.75% and indicated in its forecasts that the Funds rate would increase to around 3.80% over the next year. This prospective Funds rate still looks light on, given that US CPI inflation at 8.6% y-o-y with producer price inflation at 10.8% y-o-y may not have peaked yet. In late June and early July financial markets are toying with the idea that the Fed may stop lifting rates when it gets more evidence that the US economy is starting to weaken, but that misses the point that the Fed needs to weaken demand a lot to deal with the inflation pressure that is still brewing. Inflation readings over the next few months are likely to send more high-side shocks over the bows of US financial markets trying to divine how much further the current bear market will run.

In Australia, the RBA delivered a 50bps rate hike at its June policy meeting and indicated that it needed to remove quickly emergency-low interest rates designed to counter much weaker than current strong economic conditions. The RBA also indicated that it would move the cash rate up from 0.85% after the June hike to a more normal setting around 2.50% and that could occur quickly depending upon incoming economic data. So far, the economic growth pulse has been strong bolstered by pent up demand released with easing of covid restrictions, strong employment growth and low unemployment, and a record rise in Australian export commodity prices over the past year.

In June, it became clearer that Australian annual inflation will travel higher in the near-term – RBA governor Lowe indicated 7% y-o-y late this year. It also became clearer that when annual inflation moderates in 2023 and 2024 higher wage growth could prevent inflation getting down to 3% or lower. The premise for a normal cash rate around 2.50% is that inflation returns inside the 2-3% target band over the next two years or so.

ITEM 9.6

OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT INVESTMENT POLICY

REPORTING MANAGER

CHIEF FINANCIAL OFFICER

TRIM FILE REF

2022/408490

ATTACHMENTS

- 1 [Investment Policy - Following Public Exhibition \(Included In Attachments Booklet\)](#)
- 2 [Community Engagement Report - Draft Investment Policy \(Included In Attachments Booklet\)](#)

SUMMARY

PURPOSE

To report on the outcomes of the public exhibition of the Draft Investment Policy.

EXECUTIVE SUMMARY

At its meeting held on 24 May 2022 Council endorsed the public exhibition of the Draft Investment Policy (the Policy) for a period of 28 days. At that meeting Council resolved to amend the Draft Investment Policy to include an additional bullet point to the Policy Statement (Clause 2) under the paragraph that when exercising the power of investment, Council should consider, but not be limited by:

- “The exposure of that investment to financial risks associated with climate change”.

Council also resolved that the public exhibition of the Draft Investment Policy ask for feedback concerning any types of investments not in line with community values, for example due to their impact on environment or community, and that Council should avoid investment in.

A total of 4 submissions were received during public exhibition. One submission expressed support for the Draft Investment Policy, in particular the proposed limits on unrated investments.

The other 3 submissions advocated for environmental and social factors to be considered by Council when making investment decisions. Currently conflicts of interest and guidelines for the preferencing of institutions demonstrating environmental and social responsibility are grouped together under the heading Ethics and Conflicts of Interest. It is proposed to separate these items under their own headings in the policy in light of the submissions received to provide a clearer delineation of the consideration when investing of the issue of environmental and social responsibility.

No submissions were received in relation to the other proposed changes to the Policy as detailed in the Report.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the outcomes of the public exhibition of the Draft Investment Policy
 2. Adopt the Investment Policy provided at Attachment 1.
-

REPORT

BACKGROUND

In November 2021 the existing Investment Policy was reviewed by Council's investment advisors. The review noted there had 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.

However, four amendments were proposed following further consultation with Council's Investment advisors, these were presented to the Audit, Risk and Improvement Committee at its meeting in December 2021.

The amendments proposed to the existing Investment Policy include:

- reducing the maximum investment percentage of the portfolio than can be exposed to the Unrated category from 20% to 5%
- allowing unrated investments covered by the Australian Government Guarantee Scheme and limit the exposure to a maximum of \$250,000 per Institution
- reducing the maximum investment percentage for the Unrated TCorp Funds Category from 10% to 5%
- providing clarity on grandfathered investments by including a statement that: "investments made before the date of 12 January 2011 and held under the *Ministerial Investment Orders* are deemed to have been made in compliance with this policy, so long as the investments have not been subject to any restructuring or switching as stated in those Orders".

At the meeting held on Tuesday 24 May 2022 Council considered the proposed amendments in the Draft Investment Policy. Council resolved to place the Draft Investment Policy on exhibition and include an additional bullet point in the Policy Statement that when exercising the power of investment, Council should consider, but not be limited by:

- The exposure of that investment to financial risks associated with climate change.

Council also resolved to seek feedback concerning any types of investments not in line with community values. For example, due to their impact on the environment or community, and that Council should avoid investment in.

Four submissions were received during the exhibition period via Council's Your Say page. One submission expressed support for the Draft Investment Policy, in particular the proposed limits on unrated investments. The other three submissions advocated for environmental and social factors to be considered by Council when making investment decisions.

The detailed submissions and responses are as follows:

No.	Please provide your submissions below	Please share your feedback on any types of investments Council should avoid, such as those that do not align with community values or impact on the environment.	Council response
1		I ask council to avoid investments that fund the fossil fuel industry and avoid banking institutions who finance and invest in fossil	Clause 3.6 of the Draft Investment Policy includes a requirement for Council to consider environmental and social factors when making investment decisions. Clause 3.6

No.	Please provide your submissions below	Please share your feedback on any types of investments Council should avoid, such as those that do not align with community values or impact on the environment.	Council response
		<p>fuel projects. Our beautiful coastline has already and continues to feel early climate changes. It would be to the absolute benefit of our local community and ongoing generations.</p> <p>As per the NSW Office of Local Government: 'In accordance with the Local Government Act 1993, councils are required to follow principles of sound financial management. Councils must ensure its spending is responsible and sustainable, undertake responsible and sustainable investments in infrastructure for the benefit of the local community, implement effective financial and asset management, and have regard to achieving intergenerational equity.'</p> <p>Office of Local Government https://www.olg.nsw.gov.au/councils/council-finance/</p>	<p>provides that "Where financial institutions are offering equivalent investment returns with the same credit ratings and the investment conforms with the Investment Policy then preference will be given to institutions demonstrating environmental and social responsibility."</p> <p>The comments made in relation to Council's spending, infrastructure, financial and asset management and intergenerational equity are noted, however do not pertain to Council's Investment Policy.</p> <p>Details about Council's responsible and sustainable investment in infrastructure can be found in Council's Delivery Program located on Council's website.</p>
2	I support the draft Investment Policy, in particular the proposed limits on un-rated investments		The comments are noted.
3	<p>Thank you for the opportunity to provide feedback on Council's Investment Policy. While the controls placed on Council investing are both understandable and appreciated, there are some additional issues that do not appear to be included in the draft policy that seem worthy of consideration. In particular:</p> <ul style="list-style-type: none"> * the extent to which social and environmental impacts of Council's investments influence Council's investing; * Council's growing exposure to the impacts of climate 	<p>Examples of where Council should avoid investing include investments (whether directly or indirectly) in:</p> <ul style="list-style-type: none"> * fossil fuels (thus avoiding further exacerbation of climate change) * the gambling industry (with its huge socially devastating impacts, including here in our own community) * cigarette and alcohol industries (both of which contribute significantly to harm to health) * companies involved in firearms production and sale 	<p>The comments raised relating to the consideration of social and environmental impacts and climate change are adequately and appropriately covered in Clause 3.6 of the Draft Investment Policy. Clause 3.6 provides that "Where financial institutions are offering equivalent investment returns with the same credit ratings and the investment conforms with the Investment Policy then preference will be given to institutions demonstrating environmental and social responsibility."</p> <p>Comments made in relation to opportunities for investment in "Ethical Funds" are noted. However, as stated in Clause 3.3 of the Draft</p>

No.	Please provide your submissions below	Please share your feedback on any types of investments Council should avoid, such as those that do not align with community values or impact on the environment.	Council response
	<p>change of Council's investments</p> <p>*Opportunities for investment in 'Ethical Funds'. While I have not been able to find global ratings for the better of these funds, some (such as Australian Ethical Investments) are highly ranked award winners in terms of return on investment AND their ESG performance. These funds meet the considerations outlined in the Draft Policy (p.1). They offer 'equivalent [or in many cases, better] returns than standard non-ethical funds, and can contribute significantly to responsible diversification which avoids over-investment in a particular sector of the investment market.</p>	<p>* companies involved in native forest logging and other environmentally unsustainable practices.</p>	<p>Revised Investment Policy, Council's investments are limited to those allowed by the most current Ministerial Investment Order. Council cannot invest in funds that fall outside of those allowed by the most current Ministerial Investment Order.</p> <p>Comments made about the types of investments that Council should avoid have been noted. The Draft Investment Policy does not permit Council to directly invest in specific companies, organisations or industries as detailed in the comment. In accordance with Clause 3.3 of the Draft Investment Policy, Council's investments are limited to those allowed by the most current Ministerial Investment Order. These investments are largely limited to interest-bearing deposits with, or any debentures or bonds, issued by an authorised deposit taking institution (ADI) (as defined in the Banking Act 1959 (Cwth)). In addition, Clause 3.6 of the Policy includes a requirement for Council to consider environmental and social factors when making investment decisions.</p>
4		<p>As we saw last weekend it feels like there is strong support in the local area for net zero by 2050 and to limit the effects of global warming. In order to achieve this the IPCC has stated that there should be no new coal, oil or gas projects. Yet energy companies continue to invest billions of dollars. As a minimum it feels like council money shouldn't go to supporting oil, coal and gas businesses, or index tracking funds which have exposure to them. Not only right thing in order to achieve climate goals but almost surely the best choice for medium to longer term financial returns.</p>	<p>The comments made relating to environmental considerations have been noted.</p> <p>Clause 3.6 of the Draft Revised Investment Policy includes a requirement for Council to consider environmental and social factors when making investment decisions. Clause 3.6 provides that "Where financial institutions are offering equivalent investment returns with the same credit ratings and the investment conforms with the Investment Policy then preference will be given to institutions demonstrating environmental and social responsibility."</p>

Currently conflicts of interest and guidelines for the preferencing of institutions demonstrating environmental and social responsibility are grouped together under the heading Ethics and Conflicts of Interest. It is proposed to separate these items under their own headings in the policy in light of the submissions received to provide a clearer delineation of the consideration when investing of the issue of environmental and social responsibility.

The relevant clause in the current policy is as follows:

3.6 Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the Chief Executive Officer.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest.

Where financial institutions are offering equivalent investment returns with the same credit ratings and the investment conforms with the Investment Policy then preference will be given to institutions demonstrating environmental and social responsibility.

It is proposed to separate these issues and present them as follows:

3.6 Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the Chief Executive Officer.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest.

3.7 Environmental and Social Considerations

Where financial institutions are offering equivalent investment returns with the same credit ratings and the investment conforms with the Investment Policy then preference will be given to institutions demonstrating environmental and social responsibility.

This preferencing includes institutions that do not lend to businesses in the fossil fuel industry in recognition of the impacts of climate change.

CONSULTATION

The revised Policy was developed in consultation with Council's Investment Advisors. Additionally, it was presented to the Audit, Risk and Improvement Committee and their feedback was included in the report to Council on 24 May 2022 seeking endorsement for public exhibition.

The Draft Policy was placed on public exhibition from Friday 27 May to Sunday 26 June 2022. A community and Stakeholder Engagement report is attached (Attachment 2). Four submissions were received during the exhibition period via Council's Your Say page.

One submission expressed support for the Draft Investment Policy, in particular the proposed limits on unrated investments. The other three submissions advocated that environmental and social considerations should be considered by Council when making investment decisions. Clause 3.6 of the Policy already includes a requirement for Council to consider environmental and social factors when making investment decisions.

TIMING

Should the revised Policy be adopted, it will remain in place for a period of three years with an expected review date of July 2025, unless changes are required earlier due to legislative or Ministerial Investment Order changes, changes in the Investment Policy Guidelines by the Office of Local Government or recommendations of the Audit, Risk and Improvement Committee following their annual review of the 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

The Investment Policy is a key financial policy which provides comprehensive guidelines for Council's staff and management to ensure best practice financial management and that appropriate fiscal responsibility is exercised.

SOCIAL CONSIDERATIONS

The Investment Policy requires consideration of social responsibility when making investment decisions.

ENVIRONMENTAL CONSIDERATIONS

The Investment Policy requires consideration of environmental responsibility when making investment decisions.

GOVERNANCE AND RISK CONSIDERATIONS

In accordance with the Local Government Code of Accounting Practice and Financial Reporting Council must maintain an investment policy that complies with the Local Government Act 1993, the Local Government (General) Regulation 2021 and the Ministerial Local Government Investment Order and ensure it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

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 were 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.

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1	PUBLIC EXHIBITION ESTUARINE PLANNING LEVEL STUDIES, NORTH HARBOUR, MIDDLE HARBOUR AND COWAN CREEK
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2021/238943
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒ Draft Cowan Creek Estuarine Planning Level Study for Public Exhibition (Included In Attachments Booklet) 2 ⇒ Draft North and Middle Harbour Estuarine Planning Level Study for Public Exhibition (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval to place the draft Estuarine Planning Level (EPL) Studies for North Harbour, Middle Harbour and Cowan Creek on public exhibition.

EXECUTIVE SUMMARY

To inform the development of the new Local Environmental Plan (LEP) and Development Control Plan (DCP) for the Northern Beaches, a number of studies have been prepared for Council, including the EPL Studies for the foreshore areas of Cowan Creek (Attachment 1) as well as the foreshore areas of North Harbour and Middle Harbour (Attachment 2). These studies take in parts of the suburbs of Cottage Point, Manly, Fairlight, Balgowlah Heights, Clontarf, Seaforth and Killarney Heights.

The EPL Studies define the estuarine inundation risk for foreshore properties within the Northern Beaches LGA under both existing and future sea level conditions. Coastal inundation, also referred to as estuarine inundation, is one of the seven coastal hazards identified in the Coastal Management Act 2016. As a result, Council is required to consider the impacts of estuarine inundation in granting development consent on parcels of land that are impacted by this hazard. EPLs are set to minimise the potential for inundation and damage during storm related inundation events and are implemented through development controls.

Properties mapped as impacted by estuarine inundation will be required to satisfy Council's development controls. Similar to the existing controls in the Pittwater 21 DCP these controls may include ensuring floor levels of dwellings are above the EPL (similar to a flood planning level), ensuring buildings are designed and constructed to have a low risk of damage and are constructed from flood compatible materials. Controls will not permit dangerous or hazardous goods to be stored below the EPL and will ensure electrical equipment and utilities are raised above the EPL.

EPLs are currently applied (primarily as a floor level control) in the former Pittwater LGA under the provisions of the Pittwater Local Environmental Plan 2014. Council's approach to managing this risk is set out in the Estuarine Risk Management Policy for Development in Pittwater within the Pittwater 21 Development Control Plan. The former Pittwater policy remains in place, however these draft Studies will inform the Northern Beaches LEP and DCP and standardise Council's approach to managing this coastal hazard across the broader LGA.

Public exhibition is proposed for a minimum of 28 days to coincide with the exhibition of the draft Conservation Zone review (this Conservation Zone review will be brought to Council for approval at an upcoming Council meeting). The community will be invited to participate in the review of the documents through Yoursay and via direct letter to affected property owners in line with Council's Community Engagement Framework. Following the completion of the exhibition period the community's comments will be considered and amendments made to the draft Studies where appropriate before reporting the matter back to Council. The community will also be consulted on development controls relevant to EPLs during the development of the draft LEP and DCP.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

1. Council place the draft Cowan Creek Estuarine Planning Levels Study on public exhibition for a minimum of 28 days.
 2. Council place the draft North and Middle Harbour Estuarine Planning Levels Study on public exhibition for a minimum of 28 days.
 3. The outcome of the public exhibition of both studies be reported back to Council.
-

REPORT

BACKGROUND

To help inform the development of a new LEP and DCP for the Northern Beaches a number of studies have been prepared for Council, including the EPL Studies for North Harbour, Middle Harbour and Cowan Creek.

The EPL Studies seek to define the estuarine inundation risk for foreshore properties within the Northern Beaches LGA under both existing and future sea level conditions. Coastal inundation (also referred to as estuarine inundation in the studies) is one of the seven coastal hazards identified in the Coastal Management Act 2016.

Future development needs to consider the effects of coastal inundation including through the application of relevant development controls and design standards for infrastructure planning and construction. EPLs are set to minimise the potential for inundation and damage during rare and extreme inundation events to manage the risk to life and property.

EPLs are currently applied (primarily as a floor level control) in the former Pittwater LGA under the provisions of the Pittwater Local Environmental Plan 2014. Council's approach to managing this risk is set out in the Estuarine Risk Management Policy for Development in Pittwater within the Pittwater 21 Development Control Plan.

The EPL Studies will inform the Northern Beaches LEP and DCP and standardise Council's approach to managing this coastal hazard across the LGA.

Study Areas

Two separate studies have been undertaken to address the coastal inundation risk (also referred to as estuarine inundation risk in the Studies) for the foreshores of Sydney Harbour and Cowan Creek.

Draft North and Middle Harbour EPL Study

The study area for this study includes the foreshore areas of North Harbour and Middle Harbour that lie within the Northern Beaches LGA. This includes the suburbs of Manly, Fairlight, Balgowlah Heights, Clontarf, Seaforth and Killarney Heights. Land uses within the study area include national park, public recreation, residential, commercial and light industrial.

Draft Cowan Creek EPL Study

The study area for this study includes the foreshore areas of Cowan Creek that lie within the Northern Beaches LGA. This is primarily the suburb of Cottage Point located within Ku-ring-gai Chase National Park. Land uses within the study area include national park, public recreation, residential and commercial.

In both studies, hydrodynamic and wave modelling was undertaken to account for coastal and estuarine processes. This information was used to calculate estuarine planning levels in the study areas and to define the foreshore inundation risk.

An analysis of the impact of sea level rise values of 0.4m and 0.9m on estuarine inundation was also undertaken. This approach to modelling and sea level rise is consistent with previous EPL Studies that have been applied in the Estuarine Risk Management Policy for Development in Pittwater and Pittwater 21 DCP.

Properties Affected by Estuarine Inundation

Those properties subject to an estuarine inundation risk have been mapped and individually identified in the studies. Properties have been identified as being affected if they are entirely or

partially within the mapped EPL extent, taking into account a range of projected sea level rise scenarios.

There are 588 properties parcels in total (541 private properties) in North Harbour and Middle Harbour mapped as affected by estuarine inundation. In Cowan Creek a total of 60 parcels at Cottage Point (including 49 private properties) are mapped as affected by estuarine inundation.

If development is proposed within the area mapped as affected by an estuarine inundation risk, development controls to mitigate the risk may need to be applied. This may involve measures such as:

- Ensuring floor levels of dwellings are above the EPL (similar to a flood planning level).
- Ensuring that buildings are designed and constructed to have a low risk of damage from wave action and estuarine inundation and are constructed from flood compatible materials.
- Not permitting dangerous or hazardous goods and substances that have the potential to pollute waterways to be stored below the EPL and ensuring that electrical equipment, wiring, services and utilities are raised above, or flood proofed to the EPL.

Measures to mitigate estuarine inundation would apply to new development only. Existing dwellings and other foreshore development would not be required to comply with the planning provisions or controls and would not be required to raise existing floor levels.

Both study areas have a relatively steep topography where the estuarine inundation risk mapping only impacts the low-lying foreshore portion of most properties. Under these circumstances there may be no estuarine inundation risk associated with the existing primary dwelling. However, any new development on the lower lying portion of the property will need to comply with the new LEP and DCP controls.

In North and Middle Harbour, most properties whose primary dwelling is impacted by the EPL study are also identified as flood impacted in the Manly to Seaforth Flood Study, 2019. In this case these properties will have existing flood controls on development and EPL controls will be consistent with these.

The EPL studies will be implemented in the LEP and DCP through development controls. These controls will be similar to those in the Estuarine Risk Management Policy for Development in Pittwater and Pittwater 21 DCP to ensure consistency across the LGA.

CONSULTATION

Internal consultation has taken place with Council's Strategic and Place Planning business unit to ensure the information provided by these studies can be applied in the new LEP and DCP. The Floodplain Planning and Response Team, within the Environment and Climate Change business unit, have also been consulted to ensure consistency with flood related development controls at impacted sites.

In formulating an appropriate land use response to the potential effects of coastal hazards on constrained lands, the draft Conservation Zones Review program is also being informed by the draft EPL Studies.

Public exhibition is expected to be undertaken for a minimum of 28 days to coincide with the exhibition of the Draft Conservation Zone review (this Conservation Zone review will be brought to Council for approval at an upcoming Council meeting). The community will be invited to participate in the review of the documents through YourSay and via direct letter to affected property owners in line with Council's Community Engagement Framework. Council will also provide more detailed information one on one sessions with interested community members by phone as requested.

Following the completion of the exhibition period the community's comments will be considered and amendments made to the draft Studies where appropriate. The community will also be consulted on development controls relevant to EPLs during the development of the draft LEP and DCP.

TIMING

The draft EPL Studies are proposed to be publicly exhibited for a period of at least 28 days and in conjunction with the future Conservation Zones Review community engagement process. The outcome of the public exhibition of both studies will be reported back to Council at a future meeting.

LINK TO STRATEGY

This report relates to Protect. Create. Live. Environment & Climate Change Strategy 2040:

- Theme 8 Adaptation and Resilience - To build resilience in our community and our natural and built environments, so we are prepared for and can adapt to climate change and natural hazards.

This report relates to Priority 8 of the Local Strategic Planning Statement (Towards 2040):

- Priority 8: Adapted to the impacts of natural and urban hazards and climate change.
 - Action 8.3: Undertake studies including constraints, coastal hazards and flood mapping and develop LEP and DCP controls to restrict development in high-risk hazard areas.

This report also relates to the Community Strategic Plan Outcome of:

- Protection of the environment - Goal 2 Our environment is resilient to natural hazards and climate change

FINANCIAL CONSIDERATIONS

Funding to support the public exhibition of the EPL Studies is included in the existing budget.

Costs to private property owners may include preparation of an estuarine hazard report to accompany a DA, and potential design and building costs. Existing dwellings and other foreshore development would not be required to comply with the planning provisions or controls.

SOCIAL CONSIDERATIONS

The EPL Studies provide Council with better coastal inundation information for affected areas of the LGA and provide for more effective management of estuarine inundation risk for future development. Publicly available coastal hazard information can assist in raising community awareness of current and future risk and promote a more resilient community.

ENVIRONMENTAL CONSIDERATIONS

The EPL Studies provide important information to assist in managing the impact of coastal processes in estuarine locations and ensure that future development does not adversely impact the natural environment and is not unduly impacted by coastal processes.

GOVERNANCE AND RISK CONSIDERATIONS

The EPL Studies, once adopted by Council, will help to manage the identified risks associated with coastal inundation hazards and sea level rise and will inform strategic land use planning provisions

as well as the new LEP and DCP that Council is obliged by statute to prepare and administer. This ensures that key actions related to managing risk outlined in the Environment and Climate Change Strategy, Local Strategic Planning Statement and Community Strategic Plan are implemented.

Building properties in accordance with estuarine hazard planning level requirements will reduce financial risk associated with coastal hazards for current and future property owners. Properties developed in accordance with controls will have improved resilience to climate change and natural hazards.

ITEM 11.2	PUBLIC EXHIBITION - GEOTECHNICAL REVIEW, GEOTECHNICAL PLANNING CONTROLS NORTHERN BEACHES COUNCIL
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2022/131804
ATTACHMENTS	1 🔗Geotechnical Review - Geotechnical Planning Controls - Northern Beaches Council (Included In Attachments Booklet) 2 🔗Northern Beaches Council Proposed Geotech Maps (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval to place the Geotechnical Review of Geotechnical Planning Controls report on public exhibition.

EXECUTIVE SUMMARY

To inform the development of a new Local Environmental Plan (LEP) and Development Control Plan (DCP) for the Northern Beaches, a number of studies have been prepared for Council, including the Geotechnical Review of Geotechnical Planning Controls report (the Review Report) (Attachment 1).

The Review Report is a technical study undertaken by engineering consulting firm Douglas Partners Pty Ltd that reviewed the existing geotechnical planning controls across the three former Councils (Manly, Warringah, Pittwater). The Review Report provides recommendations for updated mapping and controls to be incorporated into the Northern Beaches Council LEP and DCP.

The three former Councils assessed geotechnical risks differently and as such this study has been necessary to determine a single approach to planning controls having consideration of the previous methodologies and currently understood geotechnical data and practices.

None of the proposed Geotechnical LEP or DCP clauses would prohibit development from being carried out, so long as the development is feasible from an engineering perspective and complies with all other planning controls such as zoning requirements, height limitations etc. The recommended clauses are intended to ensure adequate due diligence and feasibility assessment is undertaken prior to lodging a development application.

The report and recommendations have been peer reviewed by another leading multi-disciplinary engineering company who have confirmed it is in general agreement with the proposed draft documents.

Public exhibition is proposed for a minimum of 28 days to coincide with the exhibition of the draft Conservation Zone review (this Conservation Zone review will be brought to Council for approval at an upcoming Council meeting). The community will be invited to participate in the review of the documents through YourSay in line with Council's Community Engagement Framework. Following the completion of the exhibition period the community's comments will be considered and amendments made to the draft report where appropriate. The community will also be consulted again on all planning controls including the Geotechnical Planning controls during the development of the harmonised Northern Beaches Council LEP and DCP.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

1. Council place the Geotechnical Review – Geotechnical Planning Controls report and associated mapping on public exhibition for a minimum of 28 days.
 2. The outcome of the public exhibition of the report and mapping be reported back to Council.
-

REPORT

BACKGROUND

To inform the development of a new Local Environmental Plan (LEP) and Development Control Plan (DCP) for the Northern Beaches, a number of studies have been prepared for Council, including the Geotechnical Review of Geotechnical Planning Controls report (the Review Report) (Attachment 1).

The Review Report is a technical study undertaken by engineering consulting firm Douglas Partners Pty Ltd that reviewed the existing planning controls across the three former Councils (Manly, Warringah, Pittwater). The Review Report provides recommendations for updated mapping and controls to be incorporated into a unified Northern Beaches Council LEP and DCP.

The three former Councils assessed geotechnical risks differently and as such this study has been necessary to determine a single approach to planning controls having consideration of the previous methodologies and currently understood geotechnical data and practices.

Analysis of Existing Controls and Recommendations

Douglas Partners Pty Ltd undertook an analysis of the existing controls and maps contained within the three former Councils' LEPs and DCPs with respect to geotechnical related planning clauses. Controls specifically pertaining to coastal hazards are excluded from this study with new controls being developed independent of this study.

Details of the analysis are contained within the Review Report with key recommendations referenced below:

- **Local Environment Plan (LEP)**

Clauses

- **Acid Sulphate Soils** – All existing LEP clauses are identical for the three former Councils with no changes proposed to the new harmonised clause.
- **Earthworks** – All existing LEP clauses for the three former Councils are similar. Minor amendments are proposed to harmonise the clause and clarify terminology.
- **Geotechnical Hazards (Landslip)** – Existing Pittwater and Manly clauses are similar in their wording and apply broadly to the general concepts and associated risks of Geotechnical / Landslip hazards whereas the Warringah clause concentrates solely on development on sloping land. All three clauses refer to mapping contained within the LEP. A renaming of the clause to "Geotechnical Planning" is proposed with the wording similar to the more general Pittwater and Manly clauses with the addition of referencing subsurface flows.
- **Maps** – The Pittwater LEP contains a geotechnical hazard map with two categories based on steepness and cut and fill. The Manly and Warringah LEPs contain mapping based on topography (i.e. sloping sites) to identify properties with an increased risk of landslide. The new LEP will not contain a map as the clause will apply to all land in the LGA. Mapping will instead be incorporated in the DCP to further identify the geotechnical due diligence requirements for specific development. Incorporating these maps into the DCP allow changes to be made more readily if any additional information becomes available whilst ensuring the objectives of the LEP are maintained.

- **Development Control Plan (DCP)**

Clauses

- **Site Stability (Landslip)** - The existing DCPs for the three former Councils each prescribe the requirements for when preliminary and or detailed geotechnical and hydrological reports are required. The requirements are currently based on the mapping contained within the respective LEPs and DCPs. Pittwater's requirements are based on a highly detailed standalone policy referenced in the DCP and contains forms to be submitted at various stages of development by suitably qualified geotechnical engineers or engineering geologists certifying the developments are feasible and safe.

The recommended new clause is generally based on the former Pittwater general DCP clause which has proven to be comprehensive yet simple for Council to assess due to the form submission requirements described above.

The recommended geotechnical reporting requirements have been made simpler to understand and simpler to determine by cross referencing certain development characteristics against newly defined geotechnical planning classes.

All existing Geotechnical DCP controls and policies of the former councils will be superseded and replaced with the recommended policy attached to this report should it be adopted by Council.

- **Earthworks** – The existing Manly and Warringah controls had an emphasis on visual impact whereas the existing Pittwater controls are aimed solely at avoiding adverse stability impacts due to excavation and filling. The recommended controls are based on the existing Pittwater clauses as visual impacts are considered separately.
- **Maps** – Mapping is recommended to be incorporated into the DCP. The mapping will identify the newly defined geotechnical planning classes attributed to all land in the LGA based on known combinations of the underlying geology and ground slope. Incorporating these maps into the DCP allow changes to be made more readily if any additional information becomes available whilst ensuring the objectives of the LEP are maintained.

Summary of outcomes/requirements for future Development Applications

The proposed new LEP and DCP clauses are based primarily on the existing Pittwater clauses which were the most comprehensive and procedural, however modifications have been suggested to incorporate some of the measures previously included in the Warringah and Manly clauses relating to other geotechnical issues.

The Geotechnical LEP clauses are proposed to apply to all land in the LGA rather than on specifically tagged properties on a specific Geotechnical Hazard map. This is to ensure that any development proposal takes into consideration geotechnical risks. This does not however result in every development application requiring a geotechnical report, and it is not anticipated that the proposed changes will result in significant changes to the geotechnical reporting requirements currently experienced by applicants.

Applicants would be required to lodge one of the following:

1. No Geotechnical Assessment
2. Preliminary Geotechnical Assessment
3. Detailed Geotechnical Report
4. Detailed Geotechnical Report and Hydrogeological Report

A detailed map is proposed to be contained within the DCP that tags all land into one of seven Geotechnical Planning Classes depending on the known underlying geology and topographic position (e.g. C1 – Hawkesbury Sandstone, Slopes < 5 degrees). A table is also provided containing development characteristics which are then cross referenced against the relevant Geotechnical Planning Class to determine which of items 1 to 4 described above are required with a development application.

If any of items 2-4 are required, the applicant is also required to submit forms with their development application signed by suitably qualified geotechnical engineers or engineering geologists certifying the assessments/reports have been carried out in accordance with the requirements stipulated within the DCP.

None of the proposed Geotechnical LEP or DCP clauses would prohibit development from being carried out, so long as the development is feasible from an engineering perspective and complies with all other planning controls such as zoning requirements, height limitations etc. The clauses are intended to ensure adequate due diligence and feasibility assessment is undertaken prior to lodging a development application.

CONSULTATION

The Review Report was prepared based on briefing documentation prepared by the Environment and Climate Change business unit in collaboration with the Strategic and Place Planning business unit.

Drafts of the report have been circulated to internal stakeholders within the following business units for review and comment including:

- Environment and Climate Change
- Strategic and Place Planning
- Development Assessment
- Capital Projects
- Transport and Civil Infrastructure
- Parks and Recreation
- Property
- Environmental Compliance

The Review Report and recommendations have been peer reviewed by another leading multi-disciplinary engineering company. The peer review confirmed the general agreement with the report and provided some additional minor recommendations for consideration which have generally been incorporated into the final report.

Public exhibition is proposed for a minimum period of 28 days to coincide with the exhibition of the draft Conservation Zone review which will be brought to Council for its consideration at a future Council meeting. The community will be invited to participate in the review of the documents through the following methods:

- Council's Your Say webpage, including frequently asked questions information and an online project feedback form.
- Council will provide more detailed information sessions by phone with interested community members.

- Known local geotechnical/geological consultants and planners will be directly targeted inviting their feedback.
- Other appropriate avenues in line with Council's Community Engagement Framework.

Following the completion of the exhibition period the community's comments will be considered and amendments made to the studies where appropriate. Further engagement during the development of the LEP and DCP will be also undertaken.

TIMING

All submissions made during the public exhibition period will be considered, after which the final document will be reported back to Council. Once finalised, the Review Report will be used to inform the clauses of the future Northern Beaches Council LEP and DCP which will in turn be exhibited and considered (expected within the next 6-12 months).

LINK TO STRATEGY

This report relates to the following Environment & Climate Change Strategy theme:

- Theme 8 Adaptation and Resilience - To build resilience in our community and our natural and built environments, so we are prepared for and can adapt to climate change and natural hazards.

This report relates to the Community Strategic Plan Outcome of:

- Protection of the environment - Goal 2 Our environment is resilient to natural hazards and climate change
- Housing, places and spaces - Goal 10 Our community has access to diverse and affordable housing options to meet their current and evolving needs
- Partnership and participation - Goal 21 Our community is engaged in decision making processes

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The recommendations contained within this report seek to inform part of a broader planning framework. The report focuses on due diligence with respect to geotechnical hazards and does not prevent permissible development from being carried out that would otherwise be feasible from an engineering perspective. The requirements on applicants to submit geotechnical reports is commensurate with the types of development being proposed and is not considered to be onerous or difficult to obtain resulting in no or minimal anticipated cost increase to applicants wishing to submit a development application compared to the current development application requirements

ENVIRONMENTAL CONSIDERATIONS

The recommendations of this report will ensure a harmonised robust approach is taken to ensure adequate due diligence is carried out prior to the approval of development applications affected by geotechnical hazards. This will reduce the risk of geotechnical incidents associated with development.

GOVERNANCE AND RISK CONSIDERATIONS

Geotechnical planning controls assist Council in managing the identified risks associated with these hazards and will inform the new LEP and DCP that Council is obliged by statute to prepare and administer. This ensures that key actions related to managing risk outlined in the Environment and Climate Strategy, the Local Strategic Planning Statement and Community Strategic Plan, are implemented.

ITEM 11.3	PUBLIC EXHIBITION OF THE DRAFT NORTHERN BEACHES STORMWATER MANAGEMENT STUDY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2022/375149
ATTACHMENTS	1 🔗Draft Northern Beaches Council Stormwater Management Study (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval to place the draft Northern Beaches Council Stormwater Management Study on public exhibition.

EXECUTIVE SUMMARY

To inform the development of a new Local Environmental Plan (LEP) and Development Control Plan (DCP) for the Northern Beaches, a number of studies have been prepared, including the draft Northern Beaches Council Stormwater Management Study (the Study).

The Study has developed an approach that results in draft targets for stormwater quality and quantity for each catchment in the Northern Beaches. These draft targets vary from avoiding any impact or increase in pollution from stormwater runoff to minimising the impact, or reducing the amount of stormwater pollution as outlined in our existing Water Management for Development Policy 2021.

The Study comprised a desktop review of previous assessments and existing data, consultation with technical staff, and the development of catchment case studies to understand the existing condition of the waterways and how they may be affected by current and future land development impacts.

The Study categorises the catchments in the LGA into four groups with specific stormwater management targets based on the existing condition of the waterways as well as current and future pressures on the values and uses of the waterways in each catchment. The Study includes a map of the Northern Beaches catchments showing the recommended stormwater management approach for each catchment that will inform planning controls for the Northern Beaches LEP and DCP.

The Study recommends more stringent stormwater quantity and quality targets for high priority catchments to protect creeks and/or downstream receiving waters with high ecological value. Council will work on creating controls that are straightforward for developers to comply with and are not too financially onerous for residential lots to implement. Developers in these catchments will need to demonstrate how they will treat and manage stormwater runoff to meet these controls using options such as onsite water sensitive urban design.

Development within these areas will need to consider the impacts of stormwater runoff on waterway health and the management of these impacts. Depending on the scale of development and the catchment, additional environmental assessments and stormwater control measures may be required as part of a development application to protect the receiving waters.

Community consultation will ensure that the values and priorities recommended in the Study are reflective of community desires, which will then help in developing more specific stormwater controls for future land development. A Yoursay page will be developed for people to view the Study and provide feedback in line with Council's Community Engagement Framework.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council:

1. Place the draft Northern Beaches Stormwater Management Study on public exhibition for a minimum of 28 days.
 2. Use the outcome of the public exhibition of the draft Northern Beaches Stormwater Management Study to inform the development of stormwater quality and quantity targets for the new Northern Beaches Local Environment Plan and Development Control Plan.
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REPORT

BACKGROUND

The Northern Beaches Local Government Area (LGA) has a mix of freshwater creeks, wetlands and groundwater ecosystems flowing into coastal lagoons, estuaries and iconic beaches including Manly Beach, Sydney Harbour, Hawkesbury River and Pittwater. They are highly valued natural assets, contributing to the lifestyle and economy of the local community. The Community Strategic Plan and the Northern Beaches Local Strategic Planning Statement - Towards 2040 (LSPS) provide a clear vision on how these assets are to be managed now and into the future.

To inform the development of a new Local Environmental Plan (LEP) and Development Control Plan (DCP) for the Northern Beaches, a number of studies have been prepared, including the draft Northern Beaches Council Stormwater Management Study (the Study).

Stormwater Management Study

Council aims to continue to manage the impact of new urban development and existing urban land use on the health of the creeks, lagoons, estuaries and beaches. The Study addresses the potential impacts of stormwater runoff on waterway health across the LGA, including both the quantity and quality of stormwater runoff generated from existing urban areas and future urban development.

The NSW Government has provided objectives to meet environmental values and long-term goals for waterway health. To guide councils in developing their own waterway objectives, a framework was developed which provides steps to prioritise catchments and determine management strategies (including stormwater management strategies) that meet waterway health outcomes and reflects the community environmental values and uses of the waterway.

The Study followed this framework for our waterways by:

- Identifying community environmental values (e.g. aquatic ecology and riparian habitat) and uses (e.g. recreational amenity such as swimming and fishing)
- Identifying the existing condition of the waterways as well as the future desired condition as outlined in the LSPS (e.g. to maintain or improve the existing condition)
- Identifying existing land use and potential future development within each waterway catchment over the next two decades.

The Study undertook a desktop review of previous assessments and existing data, consultation with Council staff, and the development of catchment case studies to understand the existing condition of the waterways and how they may be affected by current and future land development impacts.

This approach was used to develop draft targets for stormwater quality and quantity for each catchment. These draft targets vary from avoiding any impact or increase in pollution from stormwater runoff to minimising the impact or reducing the amount of stormwater pollution as outlined in the existing Water Management for Development Policy 2021.

Council must consider the risks of impacts of stormwater associated with development on our catchments and waterways prior to giving development consent. The three former Councils mapped and assessed stormwater impacts differently, and as such this Study is important for providing a consistent risk-based methodology across the LGA. Inclusion of an LGA wide stormwater management map outlining the recommended stormwater management targets is a key tool in addressing the risks of impacts of stormwater runoff.

Study Outcomes

The Study recommends:

- Categorisation of the catchments in the LGA into four groups with specific stormwater management targets based on the existing condition of the waterways as well as current and future pressures on the community environmental values and uses of the waterways. These are:
 - Group 1 and 2 catchments - more stringent stormwater quantity and quality targets are recommended to protect creeks and/or downstream receiving waters with high ecological value (targeting runoff volume, suspended solids, nutrients such as phosphorus and nitrogen, litter and coarse sediments) or high recreational values (such as swimming). This is referred to as neutral or beneficial effect on water quality.

Group 1 catchments include:

- creeks in National Parks and catchments with very low existing imperviousness and low development pressure in the future; or
- creeks with high ecological value but may be slightly disturbed in the catchment with existing imperviousness of approximately 10% or lower; with development pressure in the next 20 years likely to increase imperviousness closer to or above 10% (examples include McCarrs, Deep and Curl Curl Creek catchments).

Group 2 catchments include:

- creeks that are at the point where any increase in flows or pollutants from the catchment could result in significant deterioration; or
- creeks with highly disturbed reaches in urban and rural areas in catchments with existing imperviousness of 10-25% where an increase in flows or pollutants can further degrade downstream reaches and values (examples include Bare, Carroll and Mullet Creek catchments).

- Group 3 catchments have highly disturbed creeks and/or poor condition receiving waters that will have targets that aim to mitigate the impact of stormwater runoff to improve condition of the waterways (targeting the same pollutants and addressing quantity as for Group 1 and 2). This includes creeks that are highly disturbed located in catchments with existing imperviousness > 30% (examples are Manly, Brookvale and Careel Creeks).
- Group 4 catchments, discharging directly into well flushed permanently open estuaries or the ocean, will focus on managing discharge of litter and coarse sediments, as pollutants such as excessive levels of nutrients have little impact on open, well-circulated marine waters (examples includes catchments such as North Harbour, Dee Why Beach and Newport Beach catchments).

- A map outlining the draft stormwater management approach for each catchment for inclusion in the Northern Beaches Council planning controls. The map will allow landowners and developers to see where their property lies and what stormwater quality and quantity targets they will be required to meet.

Feedback from community consultation will help refine these broad qualitative targets to more specific quantitative stormwater targets that will guide future land development stormwater controls. Additional studies and field investigations are now underway to complete the remaining steps of the risk-based framework as part of the next phase of works.

CONSULTATION

Internal consultation has taken place with Council's Strategic and Place Planning business unit to ensure the information provided by this Study can be applied in the new LEP and DCP. The Stormwater and Floodplain Engineering team and Development, Engineering and Certification team, within the Environment and Climate Change business unit, have also been consulted to ensure consistency with stormwater related development controls.

Public exhibition is proposed for a minimum period of 28 days to coincide with the exhibition of the draft Conservation Zone review which will be brought to Council for its consideration at an upcoming Council meeting. The community will be invited to participate in the review of the documents through the following methods:

- Council's Have Your Say webpage, including frequently asked questions information and an online project feedback form.
- Council will undertake phone interviews with interested or affected community members.
- Other appropriate avenues in line with Council's Community Engagement Framework.

Following the completion of the exhibition period the community's comments will be considered and amendments made to the studies where appropriate. Further engagement during the development of the LEP and DCP will be also undertaken.

TIMING

The draft Stormwater Management Study is proposed to be publicly exhibited with the Conservation Zones Review material. The outcome of the public exhibition of will be reported to Council at a future meeting.

LINK TO STRATEGY

This report relates to Theme 2 of the Environment and Climate Change Strategy which states:

We are committed to:

- Protecting our receiving waters and riparian areas
- Protecting and improving the condition of creeks and riparian vegetation
- Minimising threats to aquatic ecosystems
- Reducing the impact of urban runoff on our waterways
- Actively working to keep single use plastics and other litter out of our network

This report relates to Priority 1 of the Local Strategic Planning Statement (Towards 2040):

- Priority 1: Healthy and valued coast and waterways.

Action 1.1: Prepare a stormwater quality management plan to guide implementation of the risk-based framework, identify stormwater quality target, and priorities public and private stormwater infrastructure needs.

This also report relates to the Community Strategic Plan Outcome of:

- Protection of the environment - Goal 1 Our bushland, coast and waterways are protected for their intrinsic value

FINANCIAL CONSIDERATIONS

Funding to support the public exhibition of the Study is included in the existing budget.

SOCIAL CONSIDERATIONS

The Study provides Council with a stormwater management strategy that outlines qualitative stormwater quality and quantity targets for each catchment in the LGA based on Council's waterway objectives and the community environmental values and uses of the waterways.

This will result in more stringent stormwater quantity and quality targets for Group 1 and 2 catchments to protect creeks and/or downstream receiving waters with high ecological value. Council will work on creating controls that are straightforward for developers to comply with and are not too onerous for residential lots to implement. Developers in these catchments will need to demonstrate how they will treat and manage stormwater runoff to meet these controls using options such as onsite water sensitive urban design, which may lead to higher costs for both the developer and landowner.

ENVIRONMENTAL CONSIDERATIONS

The Study outcomes and associated map will be included in the new Northern Beaches LEP and DCP to ensure land use policy responses and development controls manage the impact of new urban development and existing urban land uses on the health of creeks, lagoons, estuaries and beaches in the LGA.

The stricter targets identified in the Study seek to avoid serious or irreversible damage to the environment and ensure we maintain or enhance the health of our waterways for future generations. This will enable Council to help protect the community environmental values and uses of our waterways so that we can continue to swim, fish, and enjoy the natural amenity they provide, as well as protect the aquatic ecology and riparian habitat necessary to support our local fauna and flora.

GOVERNANCE AND RISK CONSIDERATIONS

In line with our planning harmonisation program, the Study has been developed across the entire LGA. The proposed objectives and targets will lead to improved ongoing environmental protections from future development in our catchments and will help us achieve objectives in both our Environment and Climate Change Strategy and Local Strategic Planning Statement (Towards 2040).

The addition of a map outlining the stormwater management approach for each catchment and its draft qualitative targets for stormwater quality and quantity will allow landowners and developers to see where their property lies and what stormwater targets they will be required to meet. It will also enable Council to assess development applications according to a risk-based methodology that has been applied across the LGA.

This will ensure that the health of creeks, lagoons, estuaries and beaches are protected and that we are reducing the impact from urban stormwater runoff and new developments.

ITEM 11.4	SELECTION OF TWO REPLACEMENT CITIES POWER PARTNERSHIP PLEDGES
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2022/272006
ATTACHMENTS	1 Cities Power Partnership Replacement Pledge Selection

SUMMARY

PURPOSE

Following the successful completion of two of the Climate Council's Cities Power Partnership (CPP) pledges this report is seeking Council endorsement of two replacement pledges.

EXECUTIVE SUMMARY

Northern Beaches Council joined the Climate Council's CPP in early 2018 in accordance with a Council resolution from 24 October 2017. CPP is a pledge-based program that is designed to support and promote energy saving and climate change mitigation initiatives in local councils across the country.

Participation supports the implementation of our environmental sustainability goals and strategies and promotes Council's efforts in mitigating and adapting to climate change. CPP is Australia's largest network of local councils leading the way to a net zero emissions future. Participation includes access to expert knowledge, collaboration and shared learnings with other councils and promotion on the CPP website and in the media.

Participation in the partnership requires Council to select five pledges, and progress towards achieving these pledges is captured via an annual survey. Since selecting our initial pledges in 2018 we have successfully met two of them and are therefore seeking to select replacements.

The current, completed and proposed new pledges are presented in Attachment 1. The proposed new pledges were selected to align with commitments and aspirations within Council's Environment and Climate Change Strategy.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council write to Cities Power Partnership advising:

1. That Council has completed the following existing pledges:
 - A. Work Together and Influence: Set city-level renewable energy or emissions reduction targets and sustainable energy policies to provide a common goal and shared expectations for local residents and businesses.
 - B. Renewable Energy: Provide council resources to educate and support the uptake of renewable energy, such as by hiring an internal renewable energy support officer or establishing an independent body (such as the Moreland and Yarra Energy Foundations).
2. That Council will now progress the following new pledges:
 - A. Work Together and Influence: Revise procurement documents, policies and procedures to ensure that suppliers align with Council's sustainability goals.
 - B. Renewable Energy: Provide incentive and/or remove barriers to encourage local businesses to take up solar power and battery storage.

REPORT

BACKGROUND

Northern Beaches Council joined the Climate Council's CPP in early 2018 in accordance with Council's resolution (141/17) at its meeting held 24 October 2017, as follows:

That Council joins the Climate Council's Cities Power Partnership (CPP) and advises CPP of its pledges by 30 April 2018.

CPP is a pledge-based program that is designed to support and promote energy saving and climate change mitigation initiatives in local councils across the country.

Participation supports the implementation of our environmental sustainability goals and strategies and promotes Council's efforts in mitigating and adapting to climate change. CPP is Australia's largest network of local councils leading the way to a net zero emissions future. Participation includes access to expert knowledge, collaboration and shared learnings with other councils and promotion on the CPP website and in the media.

Participation in the partnership requires Council to select five pledges, and progress towards achieving these pledges is captured via an annual survey. Since selecting our initial pledges in 2018 we have successfully met two of them and are therefore seeking to select replacements.

The initial pledges were chosen with consideration for the following:

- Community Strategic Plan (CSP) - relating directly to CSP Goals to ensure we are working to deliver actions that are supported by the community.
- Diversity - at least one pledge from each of the four different themes. The themes as identified by the Climate Council are Renewable Energy, Working Together and Influence, Sustainable Transport and Energy Efficiency. This increases the breadth of impact achieved.
- Impact - pledges which were predicted to deliver greater emission savings were selected.
- Comprehensiveness - the pledges selected were chosen as the most comprehensive for that theme.

The two new pledges were selected, again with consideration for the above criteria, with the additional consideration of aligning with the commitments and aspirations from the [Protect. Create. Live - Environment and Climate Change Strategy](#), which was adopted after first set of pledges were made.

The table in Attachment 1 presents the initial pledges, their current status and outlines actions completed to date. Using the selection criteria discussed and following engagement with internal staff and the Environment Strategic Reference Group, two new pledges are recommended. The full list of pledges can be viewed on the [CPP website](#). The two recommended replacement pledges are:

- Work Together and Influence: Revise procurement documents, policies and procedures to ensure that suppliers align with council's sustainability goals
- Renewable Energy: Provide incentive and/or remove barriers to encourage local businesses to take up solar power and battery storage

The replacement pledges have also been included in Attachment 1. Note that the wording in some has been amended slightly from the list provided by the Climate Council to improve relevance to Northern Beaches Council.

CONSULTATION

Council staff consulted with internal stakeholders and with the Environment Strategic Reference Group at its meeting of 31 March 2022 to identify the two preferred pledges.

TIMING

There are no formal timing requirements, however, adopting new pledges prior to the annual reporting timeframe (June-July) demonstrates Council's ongoing commitment to CPP.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Protection of the environment - Goal 3 Our community is well-supported in protecting and enhancing the environment to ensure safe and sustainable use
- Environmental sustainability - Goal 4 Our community is supported in the transition towards net zero emissions and a local circular economy

Further, the pledges align with commitments and aspirations, including those for net zero, within the Protect. Create. Live – Environment and Climate Change Strategy.

FINANCIAL CONSIDERATIONS

The selected pledges align with existing programs and activities being undertaken in accordance with the current Delivery Program.

SOCIAL CONSIDERATIONS

The two new proposed pledges will help support local businesses in our community to take up renewable energy, which can often result in financial savings over the longer term. Improving our procurement documents, policies and procedures will improve the impacts of our purchasing decisions, across the three pillars of sustainability, economic, social and environmental.

ENVIRONMENTAL CONSIDERATIONS

The proposed pledges will help Council and the community to reduce energy use, water use and waste production, in turn helping us work towards our net zero targets. Continued participation in the CPP program assists Council to quantify sustainability improvements and demonstrate our commitment to environmental sustainability.

GOVERNANCE AND RISK CONSIDERATIONS

It is expected that Council can successfully work towards delivering these pledges within the current budget and resourcing, avoiding any potential reputational risk from not progressing against them.

Attachment 1: Initial Cities Power Partnership Pledges and Potential Replacements

Initial Cities Power Partnership Pledges			
Theme	Pledge	Actions to Date	Progress
Renewable Energy	Provide council resources to educate and support the uptake of renewable energy, such as by hiring an internal renewable energy support officer or establishing an independent body (such as the Moreland and Yarra Energy Foundations).	<ul style="list-style-type: none"> Set a community solar target: <i>50% of suitable premises with solar panels installed by 2030.</i> Developed the Simplifying Solar program that includes: <ul style="list-style-type: none"> providing free renewable energy and energy efficiency advice to the community through Australian Energy Foundation. Over the last 4 years: <ul style="list-style-type: none"> 767 residential solar and/or battery quote requests have been received, leading to 70 installs; 148 energy efficiency quote requests; Over 1,294 attendees at information sessions; and Since commencing in July 2021, delivered over 100 solar conversations. providing free access to the SunSPoT tool. Simplifying Solar Expo held in June 2021 with over 350 attendees. Solar My School Pilot - three schools installed solar. Updated the website to include more practical information and expanded links. Partnered with Ausgrid to deliver the first community battery trial on the East Coast of Australia. The Beacon Hill battery provides connected customers greater value for their solar energy investments, earning them up to additional \$200/year without having to pay for their own battery at home. Provided grants to a number of local community groups to install solar. 	Complete

		<ul style="list-style-type: none"> Results show our community continues to install solar: <ul style="list-style-type: none"> 1134 installed in 18/19 1637 installed in 19/20 2,459 installed in 20/21 ~18% of suitable dwellings have installed solar 	
Energy Efficiency	Adopt best practice energy efficiency measures across all council buildings, and support community facilities to adopt these measures.	<ul style="list-style-type: none"> In 2019 Council completed energy efficiency audits at our 23 highest electricity using sites. Since then, we have completed 19 projects from the audit recommendations including 7 solar PV installations, 10 LED Lighting upgrades, 1 HVAC upgrade and installed 1 variable speed drive pool pump. These are resulting in annual savings of \$201,677 in electricity costs and are expected to provide \$1,136,211 in electricity cost savings over 10 years. Our solar installations are expected to provide \$2,405,549 in electricity costs and 12,454 tonnes of carbon emission savings over their 25-year life. Council intends to undertake an energy efficiency audit of the next priority sites in the 2022/23 financial year. 	In progress
Sustainable Transport	Encourage sustainable transport use (public transport, walking and cycling) through Council transport planning and design. Substantial savings in transport energy use can be achieved by designing more compact cities with access to high quality public and active transport services and facilities.	<ul style="list-style-type: none"> Adopted the Move: Northern Beaches Transport Strategy. Adopted the Walking Plan and Bike Plan to support the implementation of the Transport Strategy. Adopted the Shared Transport Policy. Implemented the NSW Taxi Council "Clean Air Taxi" electric vehicle initiative. From June 2020 electric taxi's started being trialled in Manly, Dee Why and Mona Vale. This scheme and the necessary signage and line marking was installed and managed by the NSW Taxi Council with the support of Northern Beaches Council. 	In progress

		<ul style="list-style-type: none"> • Adopted the Northern Beaches Electric Vehicle Charging Infrastructure Plan. • Partnered with Ausgrid and JOLT to deliver the first, free, GreenPowered, fast EV charger in Mona Vale. This initiative has been expanded to include five additional locations including Dee Why, Forestville and Freshwater with an additional two chargers soon to be installed in Mona Vale. • Continues to work to ensure new development will be EV ready in the review of the LEP and DCP. 	
Work Together & Influence Complete	Set city-level renewable energy or emissions reduction targets and sustainable energy policies to provide a common goal and shared expectations for local residents and businesses.	Council set targets to meet this pledge when it adopted the Protect. Create. Live – Northern Beaches Environment and Climate Change Strategy 2040 in December 2019. It has since supported this with development of the Climate Change Action Plan.	Complete
Work Together & Influence	Implement an education and behaviour change program to influence the behaviour of council officers, local residents and businesses within the municipality to drive the shift to renewable energy, energy efficiency and sustainable transport.	<ul style="list-style-type: none"> • Staff continue to facilitate the cross-departmental Energy and Water Efficiency Working Group. • Supporting local business collaboration and knowledge sharing with the Sustainable Business Network. There are currently over 100 business on the register. • Implemented the Swap for Good project: <ul style="list-style-type: none"> ○ 170 businesses aiming to reduce 1,056 cubic metres of single-use plastics. ○ 96% of businesses surveyed were interested in reducing single-use plastics in their business. 	In progress

		<ul style="list-style-type: none"> ○ 300 business representatives attended the Sustainable Solutions Expo. Post-event 83% said they would implement changes in their business. ○ 170 registered for the Plastic-Free School Canteens webinar. ○ The largest shopping centre on the Northern Beaches, as part of their Swap for Good action plan, installed 2 water refill stations, which will reduce the need for up to 12.4 million plastic water bottles. ○ Other quick wins include the elimination of 9,000 plastic straws per year from a beachside cafe, the uptake of 'swap & go' coffee systems at almost 30 cafes and elimination of 9,000 plastic cups per year at a water refill station. In addition, one local cafe converted 20% of their customers to their mug library, saving over \$7,000 a year in disposable coffee cups. ● Movie screening of '2040' on two occasions to over 165 people. ● Administering the Environment Strategic Reference Group to assist environmentally related strategic decision-making by Council. ● Updated web content to enhance sustainability, both to promote what Council is doing as well as provide information, tips and suggestions for community action. ● In 20/21 The Coastal Environment Centre: <ul style="list-style-type: none"> ○ educated over 9,100 students and 300 residents. ○ Community events included night walks at Warriewood Wetlands and Manly Dam, rock platform tours and screenings of the films Sustainable Solutions and 2040. ○ 15 pre-schools enjoyed the new Tank the Turtle program on protecting marine life from plastic pollution. 	
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		<ul style="list-style-type: none"> ○ 3 local high schools conducted citizen science field surveys to explore microplastics present along our shorelines. ○ The Manly Environment Centre has been temporarily re-located at Manly Library, and is fully accessible. Its resource collection is being digitised for greater public access. • Community workshops including beeswax wraps, clothes swaps, composting and worm farming, small electrical appliance fixing, solar for your home or business etc. • Progressing an application for Palm Beach Headland Urban Night Sky Place. The project aims to improve the lighting in the area, promote the night sky and showcase good lighting design. • Projects detailed in other pledges include: <ul style="list-style-type: none"> ○ Ausgrid community-based battery trial. ○ Ausgrid and Jolt fast EV Charging Stations. ○ NSW Taxi Council "Clean Air Taxi" electric vehicle initiative. ○ "Simplifying Solar" campaign, including solar expo. ○ Solar My Schools pilot. 	
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* Moreland Energy Foundation developed Our Energy Future which is now known as the Australian Energy Foundation, of which Council is a partner.

**SunSPOT is an online tool which the community can use to estimate the energy production and cost of a solar PV system installed on their rooftop.

Possible Cities Power Partnership Pledges for Selection	
Theme	Pledge
Renewable Energy	Provide incentives and/or remove barriers to encourage local businesses to take up solar power and battery storage.
Work Together & Influence	Revise procurement documents, policies and procedures to ensure that suppliers align with council's sustainability goals

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	OUTCOME OF PUBLIC EXHIBITION OF MY PLACE: AVALON - AVALON BEACH PLACE PLAN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2021/858676
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒ Spotlight on Avalon Document (Included In Attachments Booklet) 2 ⇒ Avalon Beach Place Plan for Adoption (Included In Attachments Booklet) 3 ⇒ Community Engagement Report Avalon Beach Place Plan 2022 (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of the report is to inform Council of the outcome of the public exhibition of the draft Avalon Place Plan and recommend that Council adopt the final Avalon Beach Place Plan (as amended).

EXECUTIVE SUMMARY

On 26 April 2017 Northern Beaches Council resolved that:

“Council work with local stakeholders to prepare a brief for a project plan and conduct a community engagement program and progress delivery of the Avalon Place Plan as an immediate priority.”

In May 2018 the Strategic and Place Planning team commenced the place planning process called My Place: Avalon as an approach to planning, design and management of the Avalon Beach Village. The approach centered on the community’s connection to their local area and inspired them to work collectively with Council to create a place people love and connect with.

Specific emphasis was placed on ensuring all members of the community had an opportunity to engage in the process and to share their ideas and thoughts on what is best for Avalon Beach both now and in the future. Community consultation included, the establishment of the Avalon Community Reference Group (Avalon CRG), visioning workshops, Care Factor Survey and Personal Experience (PX) Assessments, pop-up stalls, online surveys and the Avalon Pop-up Plaza event. The My Place: Avalon, Spotlight on Avalon (Attachment 1) - Snapshot and Community Engagement Summary, January 2019 (Spotlight on Avalon) was prepared highlighting the findings of the community engagement. Over 1,500 contributions and thousands of ideas were captured that reflect the aspirations, visions, values and priorities of this coastal community.

The extensive community consultation undertaken informed the preparation of the draft Avalon Beach Place Plan (the draft Place Plan). The draft Place Plan identified and considered the key features that make Avalon Beach a special and unique place now and into the future. It identified what the community values most and provides an action plan to allow changes that are aligned with the community’s current and future needs and aspirations.

The draft Place Plan focused on public domain improvements over a ten-year period, from quick wins such as Dunbar Park playground improvements, through to the longer term proposed redesign of the Old Barrenjoey Road and Avalon Parade intersection.

At its meeting on 15 December 2020 Council resolved to place the draft Place Plan on public exhibition for a period of three months, with the inclusion of the Avalon Beach Pedestrian Bike Path Alternative prepared by the Avalon Preservation Association (APA) into the draft Place Plan and to report back to Council on the outcome of the public exhibition.

The draft Avalon Beach Place Plan was placed on public exhibition from Monday 15 February 2021 until Sunday 16 May 2021. Community engagement activities included engagement via Council's Your Say webpage, Council's community engagement newsletter, four pop-up sessions, two half day sessions for business owners, community electronic direct mail distribution, online social media, print media and mail outs to residents and local businesses.

In total 736 submissions were received during the exhibition period. Key issues associated with the draft Place Plan and issues raised during the exhibition included:

- Improvements to the intersection of Old Barrenjoey Road and Avalon Parade
- Improvements to the streetscape
- Loss of carparking
- Tree/Vegetation removal and replanting
- Proposed cycleway
- Implementation and timeframe
- One-way south bound shared zone on Old Barrenjoey Road (north)
- Beach gateway bus stop design concept including terraced seating

Key amendments to the draft Place Plan following exhibition include:

- The proposed cycleway within the Avalon Beach Village will not proceed
- The proposed Avalon Beach Rock pool works will not proceed
- The proposed removal of Barrenjoey High School fence will not proceed
- The viewing platform at North Avalon Beach has been replaced with a small scale viewing deck and the number of seats and tables in Des Creagh Reserve have been reduced to two
- The proposed works and removal of the fence at the rear of the Avalon Recreation Centre will not proceed.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Note the outcomes of the public exhibition of the draft Avalon Beach Place Plan.
 2. Adopt the Avalon Beach Place Plan (as amended).
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REPORT

BACKGROUND

On 26 April 2017 Northern Beaches Council resolved that:

“Council work with local stakeholders to prepare a brief for a project plan and conduct a community engagement program and progress delivery of the Avalon Place Plan as an immediate priority.”

In May 2018 the Strategic and Place Planning team commenced the place planning process called My Place: Avalon as an approach to planning, design, and management of the Avalon Beach Village. The approach centered on the community’s connection to their local area and inspired them to work collectively with Council to create a place people love and connect with.

The approach focused on watching, listening, and asking questions of the people who live, work and relax in Avalon Beach; to discover their needs and aspirations for the area. My Place: Avalon (Attachment 2) focuses strongly on community participation and involvement during all aspects of the process allowing the development of a Place Plan that reflects the desires and aspirations of the community for their special place.

Specific emphasis was placed on ensuring all members of the community had an opportunity to engage in the process and to share their ideas and thoughts on what is best for Avalon Beach both now and in the future. Community consultation included, the establishment of the Avalon Community Reference Group (Avalon CRG), visioning workshops, Care Factor Survey and Personal Experience (PX) Assessments, pop-up stalls, online surveys, and the Avalon Pop-up Plaza event.

The extensive community consultation undertaken informed the preparation of the Place Plan. The Place Plan identifies and considers the features that make Avalon Beach a special and unique place now and into the future. It identifies what the community values most and provides an action plan to allow changes that are aligned with the community’s current and future needs and aspirations.

The Place Plan focuses on public domain improvements over a ten-year period, from quick wins such as Dunbar Park playground improvements, through to longer term actions such as the proposed redesign of the Old Barrenjoey Road and Avalon Parade intersection.

At its meeting on 15 December 2020 Council resolved as follows:

“That:

- 1. Minor amendments to the draft Avalon Beach Place Plan be made to facilitate the inclusion of the Avalon Beach Pedestrian Bike Path Alternative into the draft Avalon Beach Place Plan.*
- 2. Council place the draft Avalon Beach Place Plan on public exhibition for a period of three months.*
- 3. The outcomes of the public exhibition be reported back to Council.”*

My Place: Planning Approach

Northern Beaches Council is working to create great places that are vibrant, safe, inclusive and sustainable right across the Northern Beaches.

We initiated ‘My Place’, a place planning approach to planning, design and management of local town centres. The approach focused on people’s connection to their local area and encouraged them to work with Council. It required Council to watch, ask questions, and listen to the people who live, work and relax in a particular ‘place’ to discover their needs and their aspirations. Community

participation and involvement was essential during all aspects of My Place, so that we developed a Place Plan that reflects the community's expectations and aspirations.

Avalon Beach was the first centre to undergo the 'My Place' planning process.

The Place Plan identifies and considers the features that make Avalon Beach a special and unique place. It identifies what the community values the most and provides an action plan that aligns changes with the community's current and future needs and aspirations.

Place plans are not developed in isolation; they sit within a broader strategic planning framework that includes the Greater Sydney Region Plan, North District Plan, Towards 2040 - Local Strategic Planning Statement and other local policies such as local environmental plans and development control plans (see Figure 1).

The Avalon Beach Place Plan focusses on public domain improvements and programs that aim to support and build capacity within the local community. The Place Plan does not incorporate any changes to the current land use planning controls applying to the area in Pittwater Local Environmental Plan 2014 such as building heights, zonings, and density.



Figure 1. Strategic Planning Framework

Study Area

The Place Plan is focused on the area within 400 metres of Avalon Beach Village. However, a broader area of influence stretches northward to Palm Beach and encompasses the suburbs of Clareville and Bilgola Plateau (see Figure 2 and 3).



Figure 2 Map of Study Area



Figure 3 – Study Area of Influence Map

Initial Knowledge Exchange and Consultation Phase

Community consultation was recognised as a critical component of the My Place place planning process. A diverse range of engagement activities were undertaken with the Avalon Beach community to gain a clear understanding of their thoughts, passions and aspirations.

After the initial community consultation in May and August 2018, the *My Place: Avalon, Spotlight on Avalon - Snapshot and Community Engagement Summary*, January 2019 (Spotlight on Avalon) was prepared highlighting the findings of the community engagement. Over 1,500 contributions and thousands of ideas were captured that reflect the aspirations, visions, values and priorities of this coastal community.

Additional community engagement was undertaken which built on and further refined the initial data and information collected. The Avalon Community Reference Group (Avalon CRG) was established with representation from a broad cross section of the Avalon Beach community who hold an intimate understanding of the area. The Avalon CRG helped Council to further develop the key issues and actions for Avalon Beach. The Avalon CRG has been an integral part of the development of the Place Plan and has worked with Council for four years and ten meetings to refine and present a clear community vision for the future and a range of local solutions and actions to achieve the vision. Figure 4 below summarises the consultation activities undertaken.



Figure 4 My Place: Avalon Consultation Activities

Vision

The community vision was developed with local community input and further refined by the Avalon CRG. The community vision informed the development of the Place Plan and guided decision making.

The community's vision is that Avalon Beach in 2030 will be:

“A relaxed, peaceful and vibrant coastal village, embracing and nurturing the natural environment, celebrating creativity and community connection.”

Preparation of Avalon Beach Place Plan

The preparation and development of the Place Plan was guided by the community vision which informed all components of the Place Plan. Figure 5 details the preparation and development of the Place Plan.

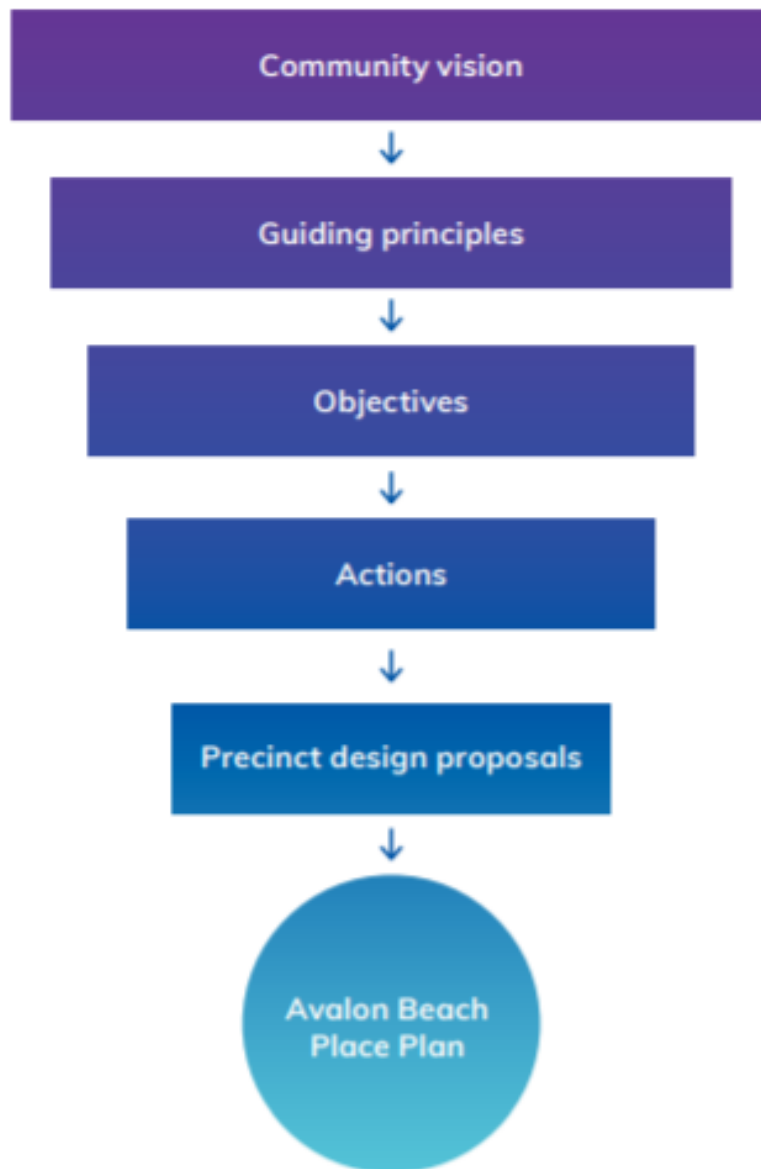


Figure 5 Preparation of Place Plan

The Place Plan is underpinned by guiding principles and values identified by the community and natural features of the area and includes short term, medium term and long-term actions.

Five interlinked key principles will guide the realisation of the community's vision. The guiding principles are underpinned by an integrated, sustainable planning approach that balances, economic, environment, social and cultural impacts and opportunities. The Guiding Principles are outlined below and shown in Figure 6.

- **Green and Clean:**
Stewardship of the natural environment that protects and enhances the unique local ecosystem.
- **Vibrant and Diverse Economy:**
Providing a vibrant and diverse local economy for growth and resilience that reflects the uniqueness of the area.
- **Improved Connections:**
Connecting the community through better links to and within Avalon Beach Village with a focus on sustainable modes of travel and linking bush to beach.

- **Community Culture and Creativity:**
Supporting a cohesive community connected through creativity and respecting cultural heritage.
- **Active and Distinctive Spaces:**
Creating flexible and distinctively unique public spaces that enhance community integration and experiences.



Figure 6 Guiding Principles

Avalon Beach Village was grouped into three distinctive place precincts based on existing and future activities. The precincts provide diverse opportunities for positive change aligned to the community vision and guiding principles. This includes enhancing community spaces and streetscapes, creating active and lively places for the community to meet, gather and relax, improving connections throughout the Village for pedestrians, cyclists and vehicles and providing new facilities for young people.

The place precincts are Coastal Fringe, Village Hub and Southern Gateway and shown in Figure 7a,7b & 7c.



Figure 7a Place Precincts – Coastal Fringe



Figure 7b Place Precincts – Village Hub



Figure 7c Place Precincts – Southern Gateway

Key Issues

During the preparation and development of the Place Plan the community and the Avalon CRG identified several critical issues to be addressed. The key issues are identified and discussed below.

- **Improvements to the Intersection of Old Barrenjoey Road and Avalon Parade**

The question of how to improve the operation, functionality and safety of the intersection of Old Barrenjoey Road and Avalon Parade for pedestrians, cyclists and vehicles is a hotly contested issue. Information gathered from the community over the past 25 years has consistently raised and identified safety concerns for both vehicles and pedestrians at this intersection.

Council worked with the Avalon CRG to develop three redesign options for the intersection, while APA prepared their own design. The design options were presented to the community to gain a broader community perspective on the intersection issue and provide feedback on the options presented at the Avalon Pop-up Plaza event on Saturday 27 July 2019. The event included the temporary closure of part of Old Barrenjoey Road (north) to allow the community the opportunity to use the temporary pedestrian space created

Overall, the community feedback received during the Pop-up Plaza event and subsequent online consultation in July and August 2019 supported a pedestrian plaza for this space, followed by a shared zone, shown in Figure 8. A full pedestrian plaza presents a number of traffic movement and distribution challenges for the broader road network. Given this, the preference is a one-way south bound shared zone (Figure 9).

Intersection improvements will achieve a greater balance between pedestrian and vehicle movement to create a safer pedestrian environment within a causal and laid-back village atmosphere.

In moving forward, a temporary one way south bound shared zone of Old Barrenjoey Road (north) (between Avalon Parade and the entrance to the Woolworths car park) will be established for a trial period (minimum of six months). This will allow the footpath to be widened and the street to be pedestrianised. The installation of street furniture and vegetation will also allow the community to use and experience the space in a new way. Council has been successful in securing funding from the Department of Planning and Environment under the Streets as Shared Spaces grant program to implement the temporary trial of the one way south bound shared zone.

The bus stop and layover in Old Barrenjoey Road (north) will need to be relocated and the 191 and 192 bus service routes altered as part of the temporary trial process. Council staff have liaised with Transport for NSW and the service provider to develop an alternative option to relocate the bus stop to Barrenjoey Road, north of the Shell service station. The relocation will improve connectivity between the local bus service loop and bus services that connect Avalon Beach to Mona Vale, Dee Why, Manly and the City. Figure 10 shows the relocation of the bus stop and layover and revised 191 and 192 bus service routes.

The trial will also provide the opportunity to test the street design concept in real-time so the community can voice their views and provide feedback before a permanent street design is endorsed.

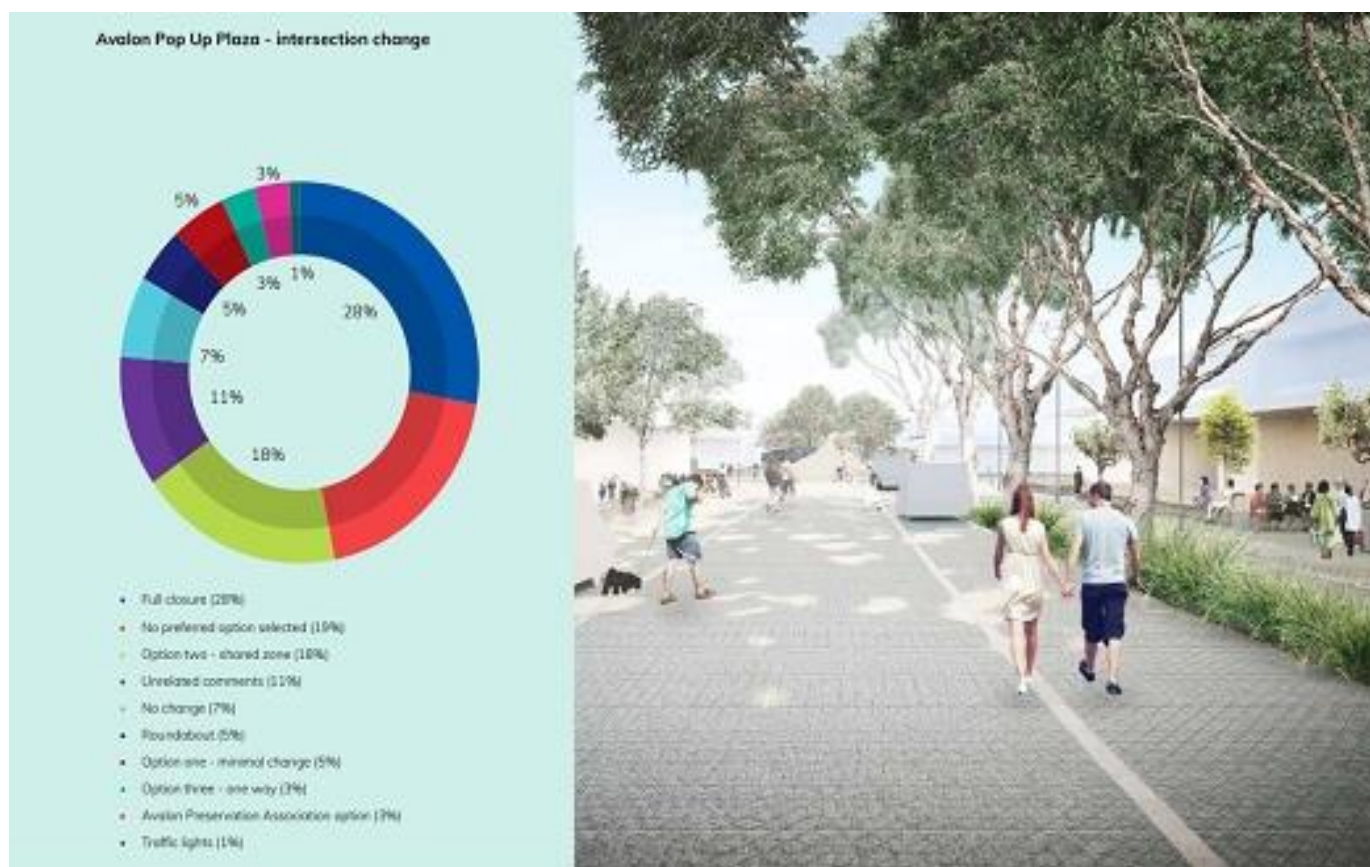


Figure 8 Community Outcome of Avalon Pop-up Plaza Event and Photomontage of Shared Zone



Figure 9 Old Barrenjoey Road One Way south bound Shared Zone



Figure 10 relocation of the Old Barrenjoey Road bus stop and layover and revised 191 and 192 bus service routes

• Streetscape

Avalon Beach streetscape is characterised by inconsistent footpath paving, street furniture and underutilised street width, especially in Old Barrenjoey Road (south). The community has identified the need to improve the aesthetics of the area and the general condition of footpaths and improve connections from surrounding residential areas to the village.

The Place Plan seeks to improve the streetscape by undertaking a range of improvements, including:

- Resurfacing footpaths and roads
- Street planting and landscaping
- Street furniture
- Art and performance spaces
- Cycleway

- Improved street and ambient lighting
- **Loss of Car Parking**

The community is generally concerned about the lack of car parking spaces provided throughout the village. Design proposals have been developed to ensure minimal loss of parking spaces.

There are a range of design proposals developed for the village, including the redesign of the Avalon Parade and Old Barrenjoey Road intersection and associated footpath widening and the trial one-way shared zone of Old Barrenjoey Road (north). Overall, in order to facilitate these design improvements, the design concepts result in a loss of eleven (11) parking spaces in Avalon Parade.

If the intersection of Old Barrenjoey Road and Avalon Parade was not redesigned and a 'no change' option was selected, there would be a need to remove eight (8) car parking spaces to ensure compliance with relevant Australian specifications in relation to the separation distance between parking spaces and the approaches to pedestrian crossings.

The Avalon Beach Parking Strategy (the Strategy) confirms that the current parking supply will be sufficient to cater for expected demand, outside summer peak, given the low population growth predicated for the Avalon Beach locality.

The Strategy contains a range of recommended actions to improve the parking supply, including:

1. Introduction of time restrictions to unrestricted spaces – maximise turnover of spaces
2. Prepare integrated signage plans (assist motorists to find car parking)
3. Increase parking supply near Avalon Beach to cater for beach users

On balance, having regard for the improvements to the public domain, compliance with Australian Standards and mitigation strategies, the proposed changes are supported.

- **Tree/Vegetation Removal and Replanting**

The natural environment is a high priority for the Avalon Beach community. Design proposals have been developed to minimise impacts on the environment and vegetation, specifically mature trees and every attempt will be made to protect and preserve mature trees during streetscape improvement works.

The only design proposal that requires the removal of vegetation is the beach gateway design, which incorporates terracing to the lower section of the slope adjoining Barrenjoey Road. In this location there are approximately five to six existing shrubs that require removal, as show in the photos contained in Figure 11. The loss of vegetation in this location will be offset with additional plantings in the locality along Avalon Parade.

Other Design proposals outlined in the Place Plan do not require the removal of trees, however during the detailed design phase a full investigation of the impact on root zone for all trees with be undertaken.

The Place Plan also details extensive vegetation planting in the concept design plans and action plan, including investigating opportunities to naturalise Careel Creek and other stormwater drainage systems.

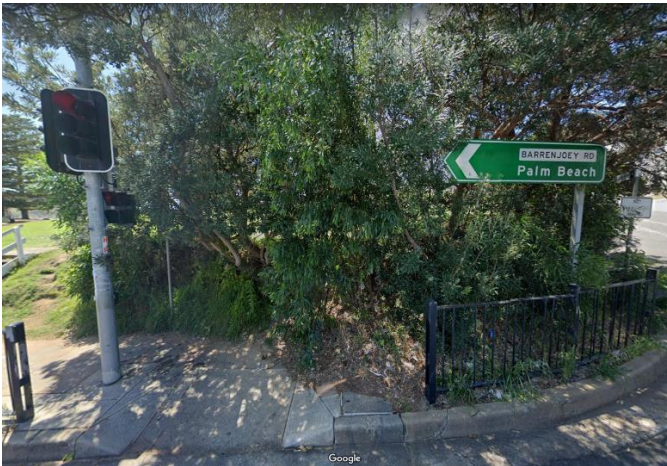


Figure 11 photographs of vegetation to be removed as part of the Beach Gateway design concept

- **Cycleway**

Cycling and active transport options was identified as a key opportunity for change during the early community engagement and aligns strongly with the community vision and key principles of green and clean and improved connections.

Cycling increases physical activity to promote and maintain good health, reduces greenhouse gas emissions and traffic congestion, helps improve traffic flow and reduces demand for car parking spaces.

The National Cycling Participation Survey (2018) indicated that 40% of Northern Beaches residents rode a bicycle in the past year, while 83% of residents who cycled, rode for recreation. Increasing active transport opportunities provides the community with greater transport choice so they can get around faster and more safely. Riding to the shops, work or to the beach maybe a more attractive option.

During the early community engagement activities cycleways were identified as a priority action and represented the highest theme for 'community ideas for change' at 27% of respondents wanting to promote active modes of transport – safer crossings, wider and well-maintained footpaths, pedestrian mall and bicycle paths, with suggestions *including "Many more walkways & cycleways linking waterways and surrounding suburbs to get people out of their cars and on foot or bikes."*

The cycleway design provided the local community, including people of all ages and abilities, a safe cycling route that links residential areas to Avalon Beach village and key destinations, including schools and the beach.

The Northern Beaches Bike Plan, 2020 (the Bike Plan) was adopted by Council in July 2020. The Bike Plan guides future infrastructure and programs that will encourage more people to consider riding a bicycle for transport more often and aims to create a safer environment for people cycling on both paths and roads. The Bike Plan data identified cycling as a popular mode of transport for school children in Avalon Beach.

The Bike Plan identifies a range of Directions and subsequent actions, with Direction 1 being relevant to the Place Plan.

Direction 1 – Expand, improve and maintain the Safe Cycling Network.

1.1 – Expand the Safe Cycling Network

Action 6 – Ensure proposed Safe Cycling Network is incorporated in future Place Plans Avalon Beach locality has two identified District routes, being:

D23 - Avalon local centre to Old Wharf

D24 - Avalon Beach to Careel Bay

Unfortunately, during the exhibition of the Place Plan there was some community confusion about what was being proposed and concerns regarding the cycleway design concept.

While these issues have been addressed and clarified in the Summary of Submissions, the proposed cycleway within the Avalon Beach Village will not proceed

Implementation and Timeframe

Some members of the Avalon CRG raised concerns with the timeframes for implementation of the Place Plan, expressing that the ten-year timeframe is too long. The Place Plan is a framework for community-led action and includes a range of precinct design proposals and actions formulated to achieve the community's vision and guiding principles.

The Place Plan will be implemented through a staged approach, with each action allocated an indicative timeframe for delivery. Indicative timeframes include:

- Quick wins <2 years (actions that can be implemented quickly and inexpensively)
- Short-term 1 - 3 years
- Medium-term 3 - 5 years
- Long-term 5 - 10 years

CONSULTATION

The draft Place Plan was placed on public exhibition on Monday 15 February 2021 until Sunday 16 May 2021 in-line with *Northern Beaches Community Participation Plan (CPP) and Community Engagement Plan*. Council received 736 submissions with the most contested aspect of the draft Place Plan being the proposed cycleway, the loss of parking and removal of trees. The Community Engagement Report and submissions are provided in Attachment 3.

Exhibited Materials

The following documents were exhibited via Councils Have Your Say Page:

- Draft Avalon Beach Place Plan
- Frequently Asked Questions

The following supporting documents were also included:

- *Alternate Avalon Bike Path Plan - Avalon Preservation Association (Nov 2020)*
- *Pedestrian Bike Paths: Alternative Connections - Avalon Preservation Association submission (Oct 2020)*
- *Avalon Town Centre Retail Analysis (2019).*
- *Spotlight on Avalon – Community Engagement Summary (2018)*
- *Northern Beaches – Avalon Demography Briefing and Community Profile (2019)*
- *Avalon Beach Parking Strategy (2019)*
- *Community Insights Report Avalon Town Centre (2018)*

Notification to Stakeholders

- 7,000 letters informing residents that the draft Place Plan was on public exhibition, including information on where to view the document and a link to Council's Have Your Say web page, were posted to residents within the 2107 postcode which includes the suburbs of Avalon Beach, Palm Beach, Bilgola Plateau, Clareville and Whale Beach on 8 February 2021
- Letters were posted to the following schools:
 - Avalon Beach Public School Principal
 - Maria Regina Primary School Principal
 - Barrenjoey High School Principal
- Letters were distributed to business owners in the Avalon Beach Town Centre on 12 February 2021
- Hard copies of the draft Place Plan were available at Avalon Community Library for community members to take and review
- The Avalon CRG members were notified of the public exhibition dates and provided a hard copy of the draft Place Plan
- Eight toblerone signs were placed throughout Avalon Beach Town Centre advertising the public exhibition of the draft Place Plan
- A notification and information signs were placed at the front of Avalon Beach Recreation Centre
- 1 online meeting with the Principal and Year five & six teachers from Avalon Beach Public School to discuss the Place Plan and confirm that Council would be happy for the Year five & six students to submit comments on the draft Place Plan
- Face to face meeting with the Principal and two Year five students of Avalon Beach Public School to handover student submissions on the draft Place Plan

Online Media

- Electronic copy of the draft Place Plan was placed on Councils Your Say Page (<https://yoursay.northernbeaches.nsw.gov.au/avalon>) including on-line submission form.
- Emails sent via Councils electronic direct mail contacts, targeting residents in Avalon Beach and surrounding suburbs

Information Sessions

- Scheduled 1:1 meetings for Avalon Beach businesses were held at Avalon Recreation Centre on:
 - Tuesday 9 March 2021 between 9:30 am and 1:30pm and
 - Thursday 18 March 2021 between 3:30pm and 7:30pm.
- Four pop-ups outside the Avalon Recreation Centre on:
 - Thursday 29 April 2021
 - Saturday 8 May 2021
 - Thursday 13 May 2021

- Saturday 15 May 2021

Overview of the Submissions Summary

During the public exhibition Council received 736 submissions on the draft Place Plan. A Summary of Submissions is provided in Table 1 to the Community Engagement Report (Attachment 3).

A summary of key issues raised, our response, and proposed changes to the draft Place Plan are provided below.

Issue – The Cycleway

- The concrete divide between the cycleway and the road would be a trip hazard
- Extending the cycleway across Barrenjoey Road would be dangerous for cyclists and motorists
- The cycleway will disrupt residents getting in and out of Old Barrenjoey Rd (south)
- Intermingling cyclists is a dangerous outcome, for the elderly and young pedestrians
- Oppose the bike path due to loss of trees
- The cycleway will result in the loss of 30 parking spaces
- A dedicated cycle path on Old Barrenjoey Rd would be a disaster and only cause high anxiety between the community and the Lycra brigade who travel at high speed
- The cycleway will divide the town centre
- Do not want a loss of parking as it will affect local businesses
- Bike ways are very much needed despite a few loud voices against some of the design
- Where cars, bikes and pedestrians are separated everyone is safer
- Some community support for the Alternate Avalon Bike Path Plan - Avalon Preservation Association that locates the cycleway in the laneways
- There are various proposed plans for bicycle traffic. None of the plans address what happens to cyclists when they reach Avalon Parade
- The main issue raised by the Year five & six students of Avalon Beach Public School was the cycleway. Concerns raised include loss of trees and car parking

Response

The cycleway concept design would have provided the local community, including people of all ages and abilities, a safe cycling route that links residential areas to Avalon Beach village and key destinations, including schools and the beach. The design was developed in response to upfront community engagement, where the community expressed a desire for active transport options, such as paths and cycle paths, to reduce reliance on vehicles. The cycleway also aligned and delivered the community vision, specifically around Green (Sustainable and Organic) and Connected and guiding principles '*Green and Clean*' and '*Improved Connections*' with the latter referencing sustainable modes of transport and increasing cycling opportunities.

The cycleway design didn't incorporate a long concrete divide between the cycleway and car parking spaces. There are many types of materials and structures that could be used to divide the cycle path from the road and there would have been breaks in the structure to allow for prams/wheelchairs and walkers to access the footpath from the road.

The cycleways did not continue across the road or intersections. It would have fed into crossings.

Currently people of all ages ride their bikes on the footpath through Avalon Beach village to access the local primary schools, the shops or the beach. This creates conflict between pedestrian and bike users, especially given the aging demographic of the locality and narrow footpath widths. Having a designated cycleway would have removed cyclist from the footpath and into a designated safe cycling route.

No parking spaces would have been lost as a direct consequence of the proposed cycleway and no disabled car parking spaces will be removed as part of the design concept. In total 11 parking spaces will be removed from Old Barrenjoey Road and Avalon Parade to cater for the intersection redesign and incorporated footpath widening

The Avalon Beach Pedestrian Bike Path – Alternative Connections design prepared by APA, specifically the approach to encourage cyclists to use the laneways is not supported by the two relevant reference documents outlining best practice design and guiding the planning and design of cycleways and cycling facilities, being Austroads Guide to Road Design Part 6A: Paths for walking and cycling, and Transport for NSW *Cycleway Design Toolbox, Designing for Cycling and Micromobility*.

Laneways are narrow and have been designed and designated predominately for the servicing requirements of businesses, including loading and unloading of goods, garbage collection, additional parking and in the case of Avalon Beach, providing vehicular access to residential units and secondary dwellings.

Incorporating cycleways into the laneways is considered unsafe due to the following:

- Narrow width of laneways, doesn't allow the required dimensions for a 2 way cycleway
- Conflict with vehicular traffic, especially delivery and garbage trucks and vehicles accessing residential properties
- Lack of natural surveillance

We recognise the local community is passionate about the environment and protection of trees and vegetation and the design of the cycleway was undertaken to minimise tree removal. However, as part of the design, six trees in the centre of the Old Barrenjoey Road (south) and three small trees along the western footpath edge need to be removed. As part of the Place Plan extensive additional planting would be undertaken throughout the village.

Amendment to the Place Plan

Notwithstanding the mitigation measures available, having regard for the concerns raised by the community, the proposed cycleway within the Avalon Beach Village will not proceed. Given the cycleway design did not contribute to loss of car parking spaces there will still be a total of 11 car parking spaces removed as part of the Place Plan design concepts, due to the intersection design, widening of footpaths and non-compliance associated with a recent change in Australian Road Guidelines relating to separation distance between pedestrian crossings and car parking spaces.

While the cycleway design has been removed from the Place Plan bicycle storage structures will still be provided in strategic locations throughout the village.

Issue – One-way south bound Shared Zone and Intersection Design

- The Old Barrenjoey Road and Avalon Parade intersection is dangerous and needs to be fixed. Too many crossings very confusing
- The intersection should be a roundabout or add lights

- One-way Shared zone on Old Barrenjoey Road (north) will cause more traffic problems and increase traffic congestion
- Do not want the Old Barrenjoey Road and Avalon Parade intersection changed
- Council's intersection design does not fix the problem
- Concerns were raised as to the 'No Right Turn' sign that prohibits cars travelling south along Barrenjoey Road turning right into Old Barrenjoey Road (south) between 7am and 9am
- Biggest concerns are the relocation of the bus stop on Old Barrenjoey Road (north) and buses turning into Avalon Parade and into Old Barrenjoey road in the shared vehicle and pedestrian zone

Response

The efficiency and safety of the Old Barrenjoey Road and Avalon Parade intersection is a strongly contested issue in the community which has been continuously discussed and researched over the past 25 years.

The placement of a roundabout or traffic lights at the intersection of Old Barrenjoey Road and Avalon Parade, is not supported by Transport for NSW (Roads and Maritime Services) due to the potential safety, queuing and congestion issues to Barrenjoey Road, which is a state road corridor.

During the early community engagement undertaken in 2018 a key community priority was to improve the safety and efficiency of the intersection. Council worked with the Avalon CRG to identify opportunities to redesign the intersection. The key focus of the redesign was to ensure that the village remained pedestrian focussed and the laid back vibe be maintained. The Avalon CRG and Council developed three design options for broader community feedback and APA designed their own option. The designs were exhibited at the Avalon Beach Pop up Plaza event held on Saturday 27 July 2019. The designs were also placed on Council's My Place: Avalon Your Say web page to provide additional opportunity for the community to review the designs online and provide feedback with submissions closing on 25 August 2019. Community feedback received during the consultation supported a pedestrian plaza followed by a shared zone.

It is proposed to initiate a six-month trial of the one-way south bound shared zone. The trial will allow the footpath to be widened and the street to be pedestrianised allowing the community to use and experience the space in a new way. Furthermore, the trial will provide the opportunity to test the street design concept in real-time, allowing the community to provide their views and feedback before a permanent street design is endorsed. Council has been successful in securing funding from the Department of Planning and Environment under the Streets as Shared Spaces grant program to undertake the trial.

Council is in discussion with Transport for NSW (Roads and Maritime Services) on how to manage the 'No Right Hand Turn' between 7am to 9am from Barrenjoey Road into Old Barrenjoey Rd (north).

Amendment to the Place Plan

No amendments are proposed for the Old Barrenjoey Road and Avalon Parade intersection design and the one-way south bound shared zone (Old Barrenjoey Road north) as shown in the exhibited Plan.

Issue – Beach Gateway Bus Stop Design Concept Including Terraced Seating

- Not supportive of the sculpture stone benches/ terracing of slope south of surf club
- Supportive of upgrade to seating, terracing and re-planting – remove disgusting wooden steps

- Move bus stop and shelter away from intersection, further north of current location
- Bus stop should be moved back from the traffic lights as proposed
- Bus stop needs to be moved off the footpath to provide room for the elderly and people with limited mobility to move through the area
- The bus stop and corner is an eyesore and dangerous for pedestrians who use the footpath
- The bus stop works well, no need for change

Response

- **Beach Gateway Bus Stop Design Concept Including Terraced Seating**

The entry to Avalon Beach village and beach does not celebrate the areas scenic beauty.

The slope of the hill presents a range of challenges to achieving suitable outcomes in the vicinity of the intersection and bus stop. The narrow width of the eastern footpath in front of the bus stop makes it difficult to design a suitable solution that improves connection between the beach and Avalon Beach village, while also providing bus patrons a safe waiting area.

The terracing of the area allows additional width to be achieved with the lower terraces being designed as breakout seating for people waiting to catch buses, which also supports social distancing requirements.

Some members of the community raised concerns with the design option developed and requested the bus stop be moved north of the current location to avoid the constraint of the hill which restricts footpath widening in this area. The option was considered and investigated however Transport for NSW did not support the proposal due to the requirements to cater for bus queuing and separation distance requirements from the vehicle entry to the Avalon Beach Surf Life Saving Club and beach parking.

The Beach Gateway design concept seeks to improve the functionality of the bus stop for bus patrons, improve pedestrian movement through the area, specifically linkages to the Village and the beach and beautify and celebrate the arrival into Avalon Beach.

The slope of the hill presents a range of challenges to achieving suitable outcomes in the vicinity of the intersection and bus stop. The narrow width of the eastern footpath in front of the bus stop makes it difficult to design a suitable solution that improves connection between the beach and Avalon Beach village, while also providing bus patrons a safe waiting area.

The terracing of the area allows additional width to be achieved with the lower terraces being designed as breakout seating for people waiting to catch buses, which supports social distancing requirements. Other options considered and investigated to achieve the desired outcomes for the area included:

- Cutting into the hill and securing with a retaining wall, up to two metres high
- Relocating the bus stop to the north – Transport for NSW did not support the proposal due to the requirements to cater for bus queuing and separation distance requirements from the vehicle entry to the Avalon Beach Surf Life Saving Club and beach parking.

Amendment to the Place Plan

No amendments are proposed to the beach gateway bus stop design.

Key Changes Following Exhibition

A range of amendments to the draft exhibited Place Plan have been undertaken to address issues raised during the public exhibition. Key amendments to the Place Plan are highlighted below in Table 1.

Key Amendments to the Place Plan	Rational for Amendment/Removal
Cycleway throughout the Avalon Beach village centre is removed	Notwithstanding the mitigation measures available, having regard for the concerns raised by the community, the cycleway through the Avalon Beach Village will be removed.
Avalon Beach Rock Pool works	Based on community feedback the proposed Avalon Beach Rock Pool works will not proceed.
Des Creagh Reserve/North Avalon carpark	The removal of Barrenjoey High School fence adjoining Des Creagh Reserve will not proceed due to concerns regarding school security. The proposed viewing platform at North Avalon Beach has been replaced by a small-scale deck and the number of tables and seats have been reduced to two.
Removal of the fence and any proposed works at the rear of the Avalon Recreation Centre	The removal of the fencing at the rear of the Avalon Recreation Centre (the Recreation Centre) is not supported as the area is heavily utilised by patrons as a breakout space. The fence therefore will remain in its current location and the area will continued to be used by patrons of the Recreation Centre.
Relocation of bus stop and layover on Old Barrenjoey Road (north) and revised bus route	Additional information on the relocation of the bus stop and layover on Old Barrenjoey Road (north) and revised bus route for 191 and 192 bus services has been inserted in the Place Plan.
New action included in Action Plan relating to development of a safe pedestrian environment along Barrenjoey Road.	The following action has been included in the short -term actions 'Provide a safety pedestrian environment along the Barrenjoey Road corridor to connect the Town Centre with the Surf Club and recreational facilities to the east. To connect the Village hub and Coastal Fringe Precincts safely, whilst acknowledging the requirement for traffic movements along Barrenjoey Road.'
Remove reference to Avalon Beach Pedestrian Bike Path – Alternative Connections	Based on community feedback and safety issues with establishing formal shared zones for bikes, pedestrians and vehicles in laneways, the Avalon Beach Pedestrian Bike Path – Alternative Connections, prepared by APA has been removed from the Place Plan.

Table 1: Key amendments to the exhibited draft Avalon Beach Place Plan.

TIMING

Upon Council adoption of the Place Plan formal implementation will commence, including the staging of capital works over the next 10 years. A number of the quick wins have already been undertaken and implemented, such as the redesign of Dunbar Park playground and Council has secured funding from the Department of Planning and Environment under the Streets as Shared Spaces grant program to implement the temporary trial of the one way south bound shared zone.

It is proposed to engage design consultants in the 2023/2024 financial year to commence the detail design of the area in proximity to the intersection of Old Barrenjoey Road and Avalon Parade as stage 1. Concurrently work will also commence on the design and installation of lighting in Dunbar

Park. Successive actions will be undertaken in line with the timeframes indicated in the Avalon Beach Place Action Plan.

It is proposed that Council's Economic and Place Team (place coordinators) will provide the Avalon CRG with quarterly updates on the delivery of action items over the life of the Plan.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Housing, places and spaces - Goal 10 Our community has access to diverse and affordable housing options to meet their current and evolving needs
- Housing, places and spaces - Goal 11 Our local centres are vibrant and healthy, catering for diverse economic and social needs
- Housing, places and spaces - Goal 12 Our community has access to spaces that enable healthy and active living and allow for a broad range of creative, sporting and recreational opportunities to be enjoyed

Furthermore, the report also relates to the following Council strategies:

Northern Beaches Local Strategic Planning Statement

Priority 17 Centres and neighbourhoods designed to reflect local character, lifestyle and demographic changes.

Action: 17.2 Implement place planning, starting with Avalon, Manly and Mona Vale, that applies a place-based approach to planning for local character and responds to the findings of the LEP studies; and develop a rolling program of place plans for areas undergoing change.

Priority 20 Sustainable local transport networks.

Action: 20.5 Prepare place plans that encourage active travel and use of emerging technology, such as public domain improvements and bike parking.

Northern Beaches Council Delivery Program 2021 – 2025

The Place Plan implementation is outlined in the Delivery Program 2021-2025.

FINANCIAL CONSIDERATIONS

As outlined above, Council has been successful in securing funding from the Department of Planning and Environment under the Streets as Shared Spaces grant program, to implement the temporary trial of the one way south bound shared zone.

Further to this, there is money allocated to the implementation of the Avalon Beach Place Plan in the recently adopted budget as follows:

Capital - new

		2022/23	2023/24	2024/25	2025/26
CSP	Projects	\$'000	\$'000	\$'000	\$'000
Town and village centre activations					
G12	Avalon Place Plan implementation	77	1,679	800	

Beyond the above, until such time as there is an adopted Place Plan in place, it is difficult to budget into outer years.

SOCIAL CONSIDERATIONS

Community participation and involvement was a fundamental component of the My Place: Avalon place planning process and has allowed the preparation of a Place Plan that reflects the community expectations and aspirations. Specific emphasis has been placed on ensuring all members of the community have an opportunity to engage with the process and to share their ideas and thoughts about what is best for Avalon Beach now and in the future. The place planning process has been inclusive and sought to encourage all members of the community to work collectively with Council to shape the future of their 'place' and develop local solutions to local problems.

ENVIRONMENTAL CONSIDERATIONS

The Avalon Beach community is passionate about the natural environment and scenic quality of the locality. During all community engagement activities, the natural environment and sustainability was identified as a high priority which is reflected in the community vision and guiding principles that informed the development of the Place Plan.

The design concepts outlined in the Place Plan have been designed to enhance the unique local ecosystem by managing, protecting and enhancing the natural environment and biodiversity of the area, increasing the urban tree canopy, creating quality green streets and public spaces and empowering the community to embrace waste avoidance, reduction and re-use.

GOVERNANCE AND RISK CONSIDERATIONS

There has been extensive upfront community consultation and engagement and an extended public exhibition period to provide the community with multiple opportunities to participate in the preparation of the Place Plan. This has allowed for appropriate opportunities to consider the risks and community concerns associated with the Place Plan. These issues have been explored and unpacked in detail above.

15.0 NOTICES OF MOTION

ITEM 15.1	NOTICE OF MOTION NO 23/2022 - HOP SKIP & JUMP
TRIM FILE REF	2022/406685
ATTACHMENTS	NIL

Submitted by Councillors: Candy Bingham, Sarah Grattan, Georgia Ryburn

Note: Deferred from 28 June meeting

MOTION

1. That: Council undertake a Cost/Benefit Analysis and review of the Hop, Skip & Jump Community Bus Service with the aim of finding how the service can become cost neutral to council.

This could include:

- A. Applying to the State Government for Council to become an Authorised Provider which would enable fares to be charged with appropriate discounts for pensioners and students.
 - B. Exploring how the existing service could be stream-lined or updated based on popularity of routes and the existing timetable.
 - C. Exploring whether the service could be expanded.
 - D. Examining whether an alternative transport provider could be a cost-effective solution and looking at sponsorship and advertising options.
2. That progress reports be brought back to Councillors at briefings and a final report be brought back to Council by March 2023 for a decision in time for the 23/24 budget.

BACKGROUND

The Hop Skip and Jump community bus started in 2006 as a condition of the DA for the Stocklands Shopping Centre at Balgowlah. The service became extremely well used and when Stocklands no longer agreed to fund it, its operation was taken over by Manly Council.

The provision of this service was a major consideration in the expansion of the Andrew 'Boy' Charlton Aquatic Centre given the lack of parking at the site.

Northern Beaches Council continues the community bus service through the suburbs of Manly, Fairlight, Balgowlah, Balgowlah Heights, Clontarf and Seaforth. Four routes operate Monday to Friday and three routes on weekends. It operates in many areas not serviced by public transport and provides an important link to Manly Wharf/CBD and the Manly Swim Centre, local parks, sportsgrounds, clubs, schools and shopping centres, gyms and medical services.

While passengers are encouraged to make a gold coin donation when they travel, since COVID fewer people carry coins, so passengers usually ride for free.

Manly is a highly dense, hilly area with 90% of residents living in apartments. The service is extensively used by the elderly, disabled, kids going to school, grandparents with grandchildren and those wanting to keep cars off the road.

At its peak in 2018/19 the average number of passengers per trip were:

Route 1 – Manly Clockwise via the Swim Centre – 25 passengers

Route 2 – Manly/Fairy Bower/Kenneth Road alternative – 13 passengers

Route 3 – Seaforth Balgowlah alternative route – 10 passengers

An extensive survey of users is being undertaken by the Good for Manly community association, and the results will be tabled at the meeting.

ITEM 15.2**NOTICE OF MOTION NO 24/2022 - COUNCIL
APPRENTICESHIPS STRATEGY AND TARGETS****TRIM FILE REF****2022/406699****ATTACHMENTS****NIL**

Submitted by Councillors: Kristyn Glanville; Stuart Sprott

Note: Deferred from 28 June meeting

MOTION

That staff provide a report to Council within three months, addressing the following:

1. Identify any existing formal strategies, informal practices, or targets already in place promoting hiring of apprentices and trainees by Council.
2. If such targets or strategies exist, whether they are currently being met, and if not, reasons why.
3. Are there any teams/operations within Council that currently has staff with appropriate trade skills able to train an apprentice in that trade?
4. Are there any teams/operations within Council that are currently outsourced, but if brought in house, would then have staff with appropriate trade skills able to train an apprentice in that trade?
5. What are the barriers to Council hiring more apprentices/trainees, and how might those barriers be overcome?
6. If no targets exist, what would be an achievable target for apprentices hired by Council each year?
7. Does Council impose any KPIs on its trade contractors relating to whether those contractors hire apprentices? Would it be feasible for Council to impose such a KPI? What would a reasonable KPI be?
8. When requesting tenders from contractors for trade work, does Council ask tenderers to provide any information about whether they hire apprentices? If so, what weight is given to this information? If not, would it be feasible to require this information be provided by tenderers moving forward?
9. Identify any state or federal incentives or grants which Council could apply for to offset the costs of hiring apprentices.

BACKGROUND FROM COUNCILLOR KRISTYN GLANVILLE; STUART SPROTT

Australia currently has a shortage of workers qualified and skilled in a number of trades, including many trades relevant to Council's operations and assets, such as arborists, electricians, landscape gardeners, plumbers, and stonemasons. The state and Federal governments offer various forms of financial support or incentives for employers of apprentices.

Conversely, many young people on the Northern Beaches are very keen to find an apprenticeship to begin a trade career, particularly young men. It is not uncommon to see on local discussion boards postings by young people or their families, eagerly looking for apprenticeship opportunities. Apprenticeships offer young people important skills, mentoring, and personal development, and operate as a launching pad for young people to have a success trade career or run their own

business. Apprenticeships offer more experienced staff the rewarding experience of mentoring a young person and can allow them to delegate part of their workload.

Council does currently offer a limited number of traineeships, which operate similarly to apprenticeships, but for non-trade careers.

There is a reasonable community expectation that, as a significant local employer of approximately 1800 staff, Council should also offer apprenticeships for trade skills to our young people. Apprenticeships ensure that our community has a steady pipeline of local people with trade skills necessary to keep our community flourishing.

ITEM 15.3	NOTICE OF MOTION NO 25/2022 - SAFETY CONCERNS AT OXFORD FALLS GRAMMAR SCHOOL
TRIM FILE REF	2022/429333
ATTACHMENTS	NIL

Submitted by: Councillors Ruth Robins; Vincent De Luca OAM; Bianca Crvelin

MOTION

That Council:

1. Note with concern safety issues raised by parents at Oxford Falls Grammar School (OFGS) and residents along Dreadnought and Oxford Falls Road.
2. Request the Chief Executive Officer to ensure staff undertake a pedestrian safety and vehicle assessment of the area and report the findings to Council within three months.
3. Request the Chief Executive Officer explore funding options to carry out works to ensure safety of the area and report to Council within three months.

BACKGROUND FROM COUNCILLOR RUTH ROBINS; VINCENT DE LUCA OAM; BIANCA CRVELIN

Narrabeen Ward Councillors have received numerous complaints from Oxford Falls residents and parents of OFGS students regarding safety issues for parents and students along Dreadnought Road and Oxford Falls Road.

Whilst we have been informed that Council's Road Safety Officer will be/has been in contact with the school to commence the process to have the area placed on the Safer Schools future works program and that Council is working with Transport for NSW on some limited safety improvements around the Oxford Falls Grammar School precinct the OFGS parents and local residents are anxious for the matter to be resolved as soon as possible given the safety issues.

ITEM 15.4	NOTICE OF MOTION NO 26/2022 - DR MAURINE GOLDSTON-MORRIS OAM
TRIM FILE REF	2022/441271
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

MOTION

Tribute to former Fairlight resident, Dr Maurine Goldston-Morris OAM.

2.11.1923 to 7.7.2022

1. That Council note:
 - A. The recent passing of the eminent local academic and female trail blazer, Dr Maurine Goldston-Morris, 98 years.
 - B. Maurine was a proud 5th generation Australian and noted historian, writing papers and lecturing on Captain Arthur Phillip across the world.
 - C. Maurine was a President of the Arthur Phillip Society, The Women's Pioneer Society and The Women's Club amongst many others as well as being the sponsor of the Geography Teachers Association(NSW) Arthur Phillip Fieldwork Citizenship and Teachers Awards.
 - D. In honour of her outstanding contribution to society in 1990 she was conferred the Freedom of the City of London Award, 1991 the Medal of the Order of Australia and in 1993 appointed a Lazo Dame Order Isabel Catolica.
 2. That Council acknowledge and commend the outstanding contribution of Dr Maureen Goldston-Morris and extends its sympathy to her family on their loss.
-

16.0 QUESTIONS WITH NOTICE

ITEM 16.1	QUESTION WITH NOTICE NO 8/2022 - STAFF BULLYING AND OR HARASSMENT CLAIMS SINCE AMALGAMATION
TRIM FILE REF	2022/436108
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. Since amalgamation how many bullying and or harassment claims have been made by Council staff?
2. Of those complaints, how many were referred to Council's Internal General Counsel or external lawyers for review/defence?
3. How many matters has Council been involved in before the Industrial Relations Commission, ADB, HREOC, FairWork Australia or other Authority?
4. Is there an independent path for a staff member to make allegations of bullying and harassment if they are in fear of retribution, if so what is that?
5. What is done by Council to support victims of bullying and or harassment and how many staff have exited the organisation within one year of making a bullying and or harassment allegation?

17.0 RESPONSES TO QUESTIONS WITH NOTICE

ITEM 17.1	RESPONSE TO QUESTION TAKEN ON NOTICE NO 3/2022 - TREES PLANTED BY COUNCIL SINCE 2018
TRIM FILE REF	2022/399162
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 28 June 2022 from: Councillor Stuart Sprott

QUESTION

How many trees has this Council planted since 2018? Can we get a rough estimate?

RESPONSE

27,771 trees have been planted between 2018 and June 2022. Breakdown per year provided below.

	Total
2018/19	4,061
2019/20	6,304
2020/21	8,706
2021/22	8,700

ITEM 17.2

**RESPONSE TO QUESTION TAKEN ON NOTICE NO 4/2022 -
ESTIMATE OF CHANGE IN TREE NUMBERS SINCE 2018
FROM TREE CANOPY**

TRIM FILE REF

2022/399207

ATTACHMENTS

NIL

Taken on notice at the Council meeting on 28 June 2022 from: Councillor Miranda Korzy

QUESTION

Do you have an estimate of how many trees have been lost since 2018 from the tree canopy?

RESPONSE

Estimate of Change in Tree Numbers since 2018

Type	Net Gain/Loss
2,678 private tree permits issued *	-1,607
19,650 tree removals approved through DA's (includes exempt species which are offset through the conditioning of the replanting of 17,097 trees)	-2,553
6,474 public trees approved for removal (offset through planting of 27,771 trees in public managed land).	+21,297
Total	+17,137**

*Residents are requested to plant replacement trees when approval to remove trees are granted (estimated 40% replanted)

**This does not take into consideration the additional number of trees planted by private residents without the need for approval

ITEM 17.3	RESPONSE TO QUESTION TAKEN ON NOTICE NO 5/2022 - RATE INCREASES SINCE AMALGAMATION
TRIM FILE REF	2022/399256
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 28 June 2022 from: Councillor Vincent De Luca OAM

QUESTION

In relation to rate increases, is the total rate increase percentage since amalgamation 12.9%?

(I want the percentage for the amalgamated Council, how much it has gone up each year, then the total)

RESPONSE

Prior to 1 July 2021, Northern Beaches Council was required to maintain separate rating structures for each former Council area. The rating structure was based on the rates path of each former Council. For this reason, the percentage increases differ for each former Council area. As such, we have presented the increases in the table below.

Table 1 Rates changes 2016/17 to 2021/22

	IPART Rate Peg	Former Manly	Former Warringah	Former Pittwater	Northern Beaches
2016/17	1.8%	1.8%	3.0% **	1.8%	
2017/18	1.5%	-0.5% *	9.4% **	1.5%	
2018/19	2.3%	2.3%	2.3%	2.3%	
2019/20	2.7%	2.7%	2.7%	2.7%	
2020/21	2.6%	2.6%	2.6%	2.6%	
2021/22	2.0%				2.0% ***

* Manly Council established a 10-year temporary Special Rate Variation (SRV) in 2007/08 which provided an additional 2.0% rates income each year until this expired in 2017/18 under Northern Beaches Council. The former Manly Council's Long Term Financial Plan exhibited for 2016/17 indicated that it would be renewed in 2017/18.

Under the NSW Government's Rate Freeze Legislation this was not possible as it was not included in the approved rate path at the time of amalgamation.

** Warringah Council established a permanent SRV which was implemented across four financial years from 2014/15 to 2017/18, resulting in increases above the rate peg of 2014/15 - 0.8%, 2015/16 - 0.6%, 2016/17 - 1.2%, 2017/18 - 7.9%.

*** Council was required by the NSW Government to maintain the rates paths of the former Councils for a number of years following the amalgamation of the former Pittwater, Warringah and Manly Councils. The Northern Beaches rating structure commenced on 1 July 2021, following the harmonisation of the rating structures of the former Manly, Pittwater and Warringah Councils.

ITEM 17.4	RESPONSE TO QUESTION TAKEN ON NOTICE NO 6/2022 - INTERNAL AUDIT COMPLAINTS AND RESOLUTION UNIT AND CODE OF CONDUCT EXTERNAL INVESTIGATIONS COSTS
TRIM FILE REF	2022/399278
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 28 June 2022 from: Councillor Vincent De Luca OAM

QUESTION

I note that the Internal Audit Complaints and Resolution Unit costs \$3.2 million and yet Code of Conduct external investigations cost us in excess of \$380,000?

RESPONSE

Over the 6 year period from 12 May 2016 to 30 June 2022 the estimate cost is:

- Office of Internal Audit and Complaints Resolution salaries - \$3.2 million
- Code of Conduct Reviewers / Investigators - \$379,811

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 Approval for Undertaking Additional Works on Private Land at 21-47 Condoover Street, 6-12 Birrima Street and Condoover Reserve North Balgowlah 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 works on private land and a public reserve. 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 2022/029 - Design & Construct Fern Creek Pedestrian Bridge 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 2022/037 - Lease, Licence and Fitout of Café at Long Reef Beach 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 RFT 2021/234 - Construction Services for Porter Reserve Clubhouse Changespace 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.

- E. Item 18.5 RFT 2022/046 - Lease of the Cafe at the Andrew Boy Charlton Aquatic Centre on the basis that it involves the receipt and discussion of commercial

information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning 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.

- F. Item 18.6 RFT 2022/047 - Construction Services for the NSW Rural Fire Service Building at Duffys Forest 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.

- G. Item 18.7 RFT 2022/072 Turf Wicket and Sports Field Maintenance 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.

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.



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