

AGENDA

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

Tuesday 23 August 2016

Beginning at 6:30pm for the purpose of considering and determining matters included in this agenda.



Mark Ferguson
General Manager

Issued: 18/08/2016

OUR VALUES

Respect

Empowerment

Service

Wellbeing

Equity



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 23 August 2016
at the Civic Centre, Dee Why
Commencing at 6:30pm**

OPENING PRAYER / ACKNOWLEDGEMENT OF COUNTRY

1.0 APOLOGIES

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 Minutes of Ordinary Council Meeting held 9 August 2016

3.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

4.0 PUBLIC FORUM

5.0 ADMINISTRATOR'S MINUTES

Nil

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	Nil	
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2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 9 AUGUST 2016

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 9 August 2016, are hereby confirmed as a true and correct record of the proceedings of that meeting.

6.0 GENERAL MANAGER'S REPORTS

ITEM 6.1	OUTCOMES OF THE MANLY OVAL AND WHISTLER STREET CARPARKS REVIEW
REPORTING MANAGER	DEPUTY GENERAL MANAGER CORPORATE SERVICES
TRIM FILE REF	2016/271336
ATTACHMENTS	NIL

REPORT

PURPOSE

To seek Council approval of the recommendations contained within the independent reviews that have been conducted into the viability of the Manly Oval and Whistler Street Carparks.

REPORT

On 12 April 2016, at an Extraordinary Meeting of Council, the former Manly Council met in closed session to award the letting of contracts for (a) the construction of a carpark beneath Manly Oval (to Abergeldie Constructions), and (b) a 99 year lease of the Whistler Street Carpark and adjacent Library site (to Athas and Built Group).

At the first Council Meeting of the newly formed Northern Beaches Council on 19 May 2016, the Administrator gave an undertaking to conduct a review of the Manly Oval and Whistler Street Carparks – items (a) and (b) above (herein called ‘the Project’). This undertaking was given in response to several adverse community comments in relation to viability of the Project.

Deputy General Manager Corporate Services was requested to facilitate an independent review of the Project. The following firms were subsequently engaged to conduct the review in a collaborative manner – Value Network (VN), and Ernst & Young (EY).

These reviews are now complete, and are presented to Council in Confidential Report 15.3 on the Confidential Agenda for consideration and decision on how to proceed. The independent review reports are to be considered in confidential session due to the commercially sensitive nature of their findings and recommendations, pursuant to Section 10A(2) of the Local Government Act.

It is proposed to publicly release the two independent review reports as soon as possible.

FINANCIAL IMPACT

The financial impacts are contained within the Confidential Report at Report No 15.3 of the Confidential Agenda.

ENVIRONMENTAL IMPACT

Nil

SOCIAL IMPACT

Nil

RECOMMENDATION OF GENERAL MANAGER

That Council accepts the recommendations contained within the Confidential Report for the Manly Oval and Whistler Street Carparks Review, at Report No 15.3 of the Confidential Agenda.

7.0 CORPORATE SERVICES DIVISION REPORTS

ITEM 7.1	MONTHLY INVESTMENT REPORT - JULY 2016
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2016/259878
ATTACHMENTS	NIL

EXECUTIVE 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.

SUMMARY

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

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

The Investment Report shows that Council has total cash and Investments of \$215,990,303 comprising:

- Trading Accounts \$5,465,233
- Investments \$210,525,070

Performance over the period from 13 May 2016 to date was strong having exceeded the benchmark: 2.91%pa vs. 2.10%pa.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

FINANCIAL IMPACT

Actual investment income for the period from 13 May 2016 to date was \$1,307,779 compared to budgeted income of \$1,016,651, a positive variance of \$291,128.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER CORPORATE SERVICES

That Council note the Investment Report as at 31 July 2016 including the certification by the Responsible Accounting Officer be received and noted.

REPORT

INVESTMENT BALANCES

INVESTMENT BALANCES - CONSOLIDATED				
As at 31-Jul-2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,787,792		1.85%
National Australia Bank Ltd	A1+	1,023,340		1.75%
Commonwealth Bank of Australia Ltd	A1+	320,833		0.40%
Commonwealth Bank of Australia Ltd	A1+	471,757		1.60%
		3,603,722		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	3,180,391	At Call	1.80%
AMP	A1	2,618,580	At Call	2.30%
Macquarie Bank	A1	62,589	At Call	1.90%
National Australia Bank Ltd	A1+	2,000,000	At Call	2.25%
Commonwealth Bank of Australia Ltd	A1+	3,325,664	At Call	1.70%
		11,187,223		
Mortgage Backed Securities				
Weighted Avg Life *				
Emerald Series 2006-1 Class A	AAA	1,039,068	22-Aug-22	2.445%
		1,039,068		
Term Deposits				
Members Equity Bank Ltd	A2	1,000,000	01-Aug-16	3.00%
Bankwest	A1+	1,000,000	02-Aug-16	3.00%
Newcastle Permanent	A2	1,000,000	02-Aug-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	02-Aug-16	3.05%
Bankwest	A1+	1,000,000	03-Aug-16	2.95%
Bankwest	A1+	1,000,000	03-Aug-16	2.85%
Bankwest	A1+	1,000,000	03-Aug-16	2.85%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	03-Aug-16	2.95%
ANZ	A1+	1,000,000	04-Aug-16	2.80%
ANZ	A1+	1,000,000	04-Aug-16	2.80%
ANZ	A1+	1,000,000	04-Aug-16	2.80%
ANZ	A1+	1,000,000	04-Aug-16	2.80%
Beyond Bank	A2	1,000,000	04-Aug-16	3.10%
Bankwest	A1+	1,000,000	08-Aug-16	3.00%
Newcastle Permanent	A2	1,000,000	08-Aug-16	3.00%
Bendigo & Adelaide Bank Ltd	A2	235,335	09-Aug-16	2.85%
Members Equity Bank Ltd	A2	500,000	09-Aug-16	3.07%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	10-Aug-16	2.90%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	12-Aug-16	2.95%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	12-Aug-16	2.92%
Suncorp-Metway Ltd	A1	1,000,000	15-Aug-16	3.10%
Bankwest	A1+	1,000,000	15-Aug-16	2.95%
Newcastle Permanent	A2	1,000,000	15-Aug-16	3.00%
Bank of Queensland Ltd	A2	1,000,000	16-Aug-16	3.05%
AMP	A1	1,000,000	17-Aug-16	3.00%
AMP	A1	1,000,000	17-Aug-16	3.00%
Westpac	A1+	1,000,000	18-Aug-16	3.04%
Westpac	A1+	1,000,000	18-Aug-16	3.04%
Westpac	A1+	1,000,000	18-Aug-16	3.04%

INVESTMENT BALANCES - CONSOLIDATED				
As at 31-Jul-2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Members Equity Bank Ltd	A2	1,000,000	22-Aug-16	3.05%
Members Equity Bank Ltd	A2	1,000,000	22-Aug-16	3.05%
Suncorp-Metway Ltd	A1	1,000,000	22-Aug-16	3.03%
Suncorp-Metway Ltd	A1	1,000,000	22-Aug-16	3.03%
Newcastle Permanent	A2	1,000,000	22-Aug-16	3.00%
Newcastle Permanent	A2	750,000	22-Aug-16	2.85%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Aug-16	2.95%
ING Bank Australia Limited	A2	1,000,000	29-Aug-16	2.97%
Rural Bank	A2	1,000,000	30-Aug-16	3.05%
Rural Bank	A2	1,000,000	30-Aug-16	3.05%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Sep-16	2.85%
ANZ	A1+	1,000,000	02-Sep-16	2.80%
ANZ	A1+	1,000,000	02-Sep-16	2.80%
ANZ	A1+	1,000,000	02-Sep-16	2.80%
ANZ	A1+	1,000,000	02-Sep-16	2.80%
Suncorp-Metway Ltd	A1	1,000,000	05-Sep-16	3.10%
ING Bank Australia Limited	A2	1,000,000	05-Sep-16	3.00%
Bank of Queensland Ltd	A2	1,000,000	06-Sep-16	2.95%
Newcastle Permanent	A2	1,000,000	12-Sep-16	2.85%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	12-Sep-16	2.72%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	12-Sep-16	2.91%
Newcastle Permanent	A2	1,000,000	19-Sep-16	2.80%
National Australia Bank Ltd	A1+	500,000	19-Sep-16	2.92%
Bank of Queensland Ltd	A2	1,000,000	19-Sep-16	3.00%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Sep-16	2.95%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	22-Sep-16	2.94%
IMB Society	A2	1,000,000	26-Sep-16	3.00%
Newcastle Permanent	A2	1,000,000	26-Sep-16	2.80%
Bank of Queensland Ltd	A2	1,000,000	26-Sep-16	3.00%
ANZ	A1+	1,000,000	03-Oct-16	2.80%
ANZ	A1+	1,000,000	03-Oct-16	2.80%
ANZ	A1+	1,000,000	03-Oct-16	2.80%
ANZ	A1+	1,000,000	03-Oct-16	2.80%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	3.00%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	04-Oct-16	2.72%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	2.85%
Bank of Queensland Ltd	A2	1,000,000	04-Oct-16	2.80%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	3.00%
Bank of Queensland Ltd	A2	1,000,000	07-Oct-16	3.10%
Suncorp-Metway Ltd	A1	1,000,000	10-Oct-16	2.95%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	10-Oct-16	2.73%
National Australia Bank Ltd	A1+	1,000,000	10-Oct-16	3.08%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	17-Oct-16	2.72%
National Australia Bank Ltd	A1+	1,000,000	17-Oct-16	2.93%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	18-Oct-16	2.94%

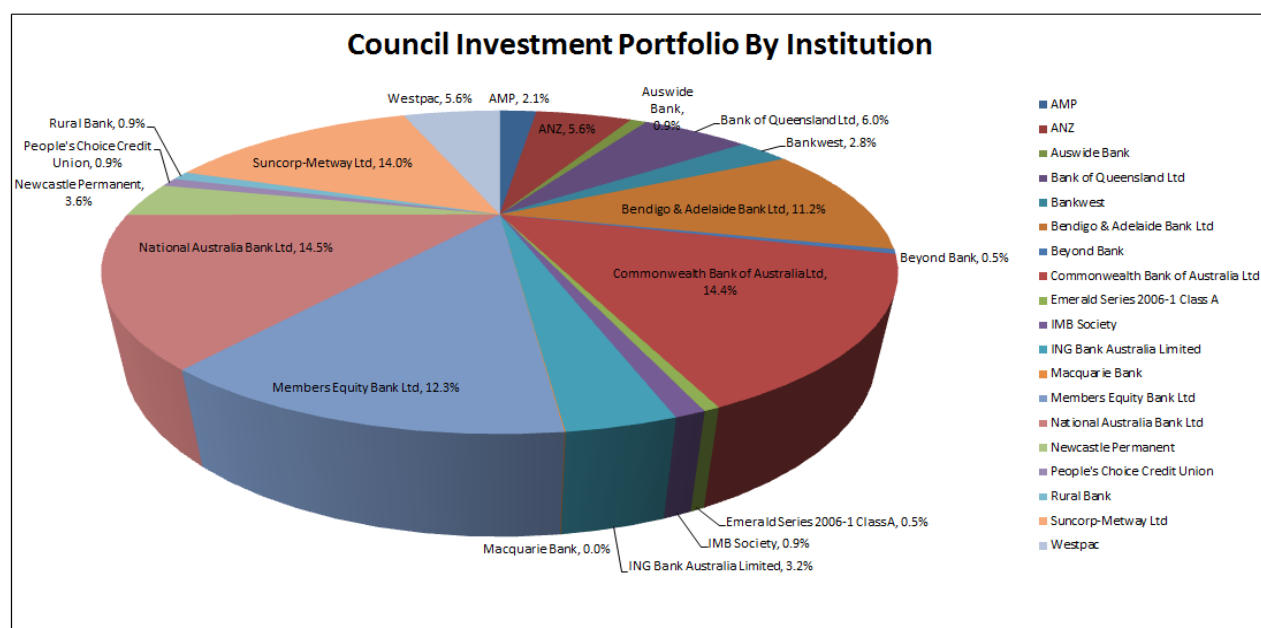
INVESTMENT BALANCES - CONSOLIDATED				
As at 31-Jul-2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
IMB Society	A2	1,000,000	24-Oct-16	2.90%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	25-Oct-16	2.95%
Members Equity Bank Ltd	A2	1,000,000	28-Oct-16	3.10%
Auswide Bank	A2	1,000,000	31-Oct-16	3.12%
Suncorp-Metway Ltd	A1	1,000,000	31-Oct-16	2.95%
National Australia Bank Ltd	A1+	1,000,000	01-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	01-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	01-Nov-16	3.00%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Nov-16	2.91%
Bank of Queensland Ltd	A2	1,000,000	02-Nov-16	2.95%
Bank of Queensland Ltd	A2	1,000,000	02-Nov-16	2.95%
Westpac	A1+	1,000,000	04-Nov-16	2.74%
National Australia Bank Ltd	A1+	1,000,000	04-Nov-16	3.10%
Suncorp-Metway Ltd	A1	500,000	07-Nov-16	2.83%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	09-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	14-Nov-16	2.92%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	15-Nov-16	2.93%
Bank of Queensland Ltd	A2	1,000,000	18-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	21-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	21-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	21-Nov-16	3.00%
Suncorp-Metway Ltd	A1	1,000,000	21-Nov-16	2.95%
National Australia Bank Ltd	A1+	1,000,000	21-Nov-16	2.85%
Suncorp-Metway Ltd	A1	1,000,000	28-Nov-16	3.00%
Bank of Queensland Ltd	A2	1,000,000	28-Nov-16	3.00%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	30-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	05-Dec-16	2.95%
Bank of Queensland Ltd	A2	2,000,000	05-Dec-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	09-Dec-16	3.06%
ING Bank Australia Limited	A2	1,000,000	12-Dec-16	2.90%
Suncorp-Metway Ltd	A1	750,000	12-Dec-16	2.75%
National Australia Bank Ltd	A1+	1,000,000	13-Dec-16	2.95%
National Australia Bank Ltd	A1+	1,000,000	16-Dec-16	3.08%
ING Bank Australia Limited	A2	1,000,000	19-Dec-16	2.90%
ING Bank Australia Limited	A2	1,000,000	19-Dec-16	2.90%
Members Equity Bank Ltd	A2	1,000,000	19-Dec-16	3.00%
Members Equity Bank Ltd	A2	1,000,000	20-Dec-16	2.90%
ING Bank Australia Limited	A2	1,000,000	03-Jan-17	2.90%
National Australia Bank Ltd	A1+	1,000,000	05-Jan-17	3.08%
National Australia Bank Ltd	A1+	719,877	07-Jan-17	2.95%
Suncorp-Metway Ltd	A1	1,000,000	09-Jan-17	3.00%
Suncorp-Metway Ltd	A1	1,000,000	10-Jan-17	3.03%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	16-Jan-17	3.09%
Bank of Queensland Ltd	A2	1,000,000	20-Jan-17	3.00%
Members Equity Bank Ltd	A2	1,000,000	24-Jan-17	3.10%
Suncorp-Metway Ltd	A1	3,000,000	24-Jan-17	3.00%
Members Equity Bank Ltd	A2	1,000,000	30-Jan-17	3.00%

INVESTMENT BALANCES - CONSOLIDATED				
As at 31-Jul-2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Members Equity Bank Ltd	A2	2,000,000	07-Feb-17	3.05%
Members Equity Bank Ltd	A2	2,000,000	13-Feb-17	3.10%
Members Equity Bank Ltd	A2	1,000,000	21-Feb-17	3.10%
ING Bank Australia Limited	A2	1,000,000	27-Feb-17	3.10%
Suncorp-Metway Ltd	A1	2,000,000	28-Feb-17	2.95%
Suncorp-Metway Ltd	A1	2,000,000	03-Mar-17	2.95%
Members Equity Bank Ltd	A2	1,000,000	07-Mar-17	3.12%
Suncorp-Metway Ltd	A1	1,000,000	13-Mar-17	2.95%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	21-Mar-17	3.10%
Members Equity Bank Ltd	A2	1,000,000	31-Mar-17	3.12%
Suncorp-Metway Ltd	A1	2,000,000	04-Apr-17	2.91%
Members Equity Bank Ltd	A2	1,000,000	12-Apr-17	3.12%
Suncorp-Metway Ltd	A1	1,000,000	28-Apr-17	2.90%
Members Equity Bank Ltd	A2	2,000,000	02-May-17	3.20%
Suncorp-Metway Ltd	A1	1,000,000	02-May-17	2.90%
Auswide Bank	A2	1,000,000	04-May-17	3.12%
Members Equity Bank Ltd	A2	1,000,000	05-May-17	3.00%
Members Equity Bank Ltd	A2	1,000,000	05-May-17	3.00%
People's Choice Credit Union	A2	1,000,000	05-May-17	3.10%
People's Choice Credit Union	A2	1,000,000	05-May-17	3.10%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	16-May-17	3.00%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	30-May-17	3.00%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	05-Jun-17	3.00%
		159,955,212		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A2	1,861,511		1.15%
		1,861,511		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A2	4,221,606	At Call	1.35%
		4,221,606		
Term Deposits				
Westpac	A1+	8,121,960	10-Aug-16	2.75%
Commonwealth Bank of Australia Ltd	A2	1,000,000	17-Jan-17	2.79%
		9,121,960		
New Council Implementation Fund				
Term Deposits				
Members Equity Bank Ltd	A2	2,000,000	15-Sep-16	3.00%
Members Equity Bank Ltd	A2	2,000,000	17-Oct-16	3.00%
Members Equity Bank Ltd	A2	2,000,000	14-Nov-16	3.00%
Suncorp-Metway Ltd	A1	1,000,000	14-Dec-16	2.98%
Suncorp-Metway Ltd	A1	1,000,000	13-Jan-17	3.00%
Suncorp-Metway Ltd	A1	1,000,000	14-Mar-17	2.95%
Suncorp-Metway Ltd	A1	1,000,000	15-May-17	2.93%
		10,000,000		

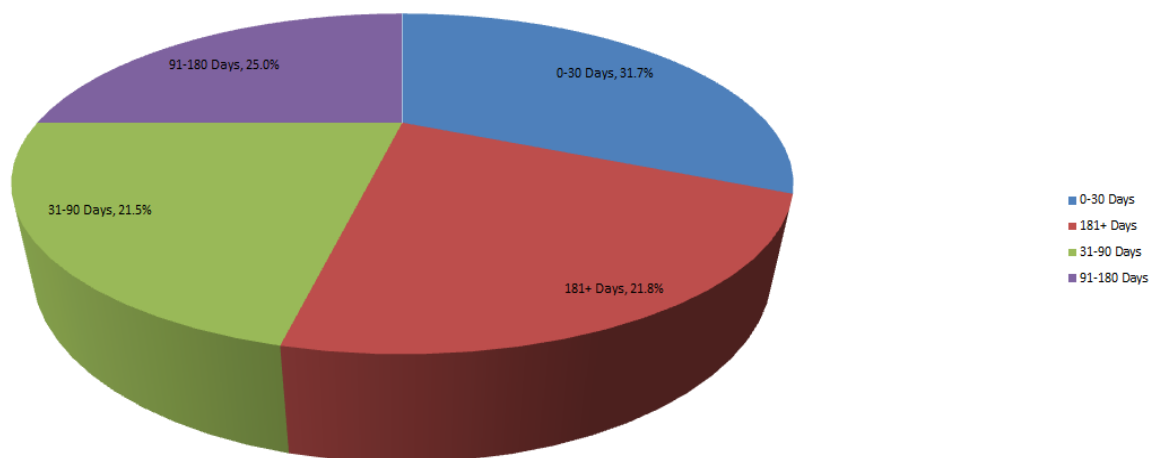
INVESTMENT BALANCES - CONSOLIDATED				
As at 31-Jul-2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Stronger Communities Fund				
Term Deposits				
National Australia Bank Ltd	A1+	3,000,000	14-Dec-16	2.95%
National Australia Bank Ltd	A1+	2,000,000	13-Feb-17	2.91%
Suncorp-Metway Ltd	A1	3,000,000	13-Apr-17	2.95%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	16-Jun-17	2.95%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	18-Dec-17	3.00%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	17-Jan-18	3.00%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	16-Feb-18	3.00%
		15,000,000		
Total Cash and Investments		215,990,303		

* Weighted Average Life is the anticipated date of repayment of Council's full principal in mortgage backed securities based upon the expected repayment of a critical balance of underlying mortgages. It is calculated by professional actuaries and its use is market convention for securities such as these. Council's investment policy recognises Weighted Average Life dates as appropriate maturity dates for these securities.

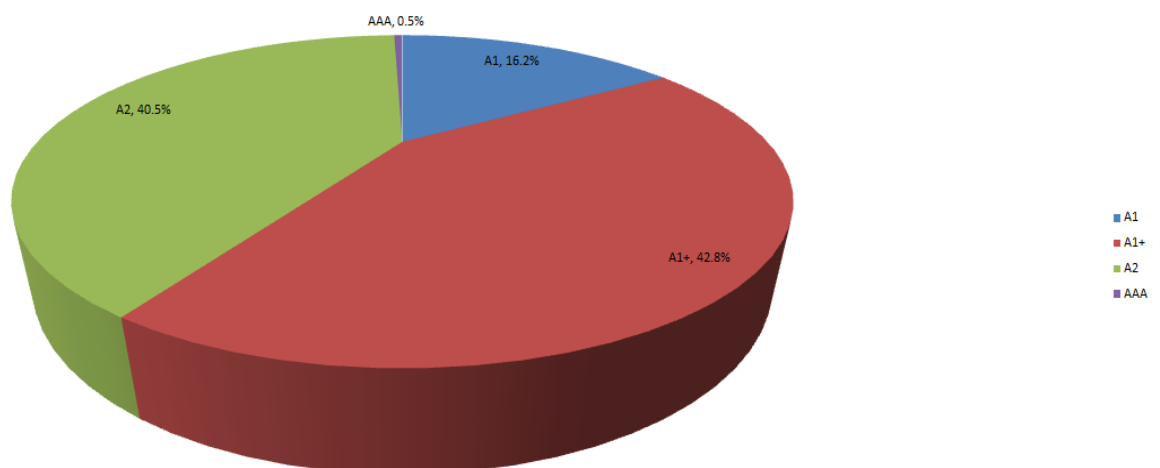
PORTFOLIO ANALYSIS

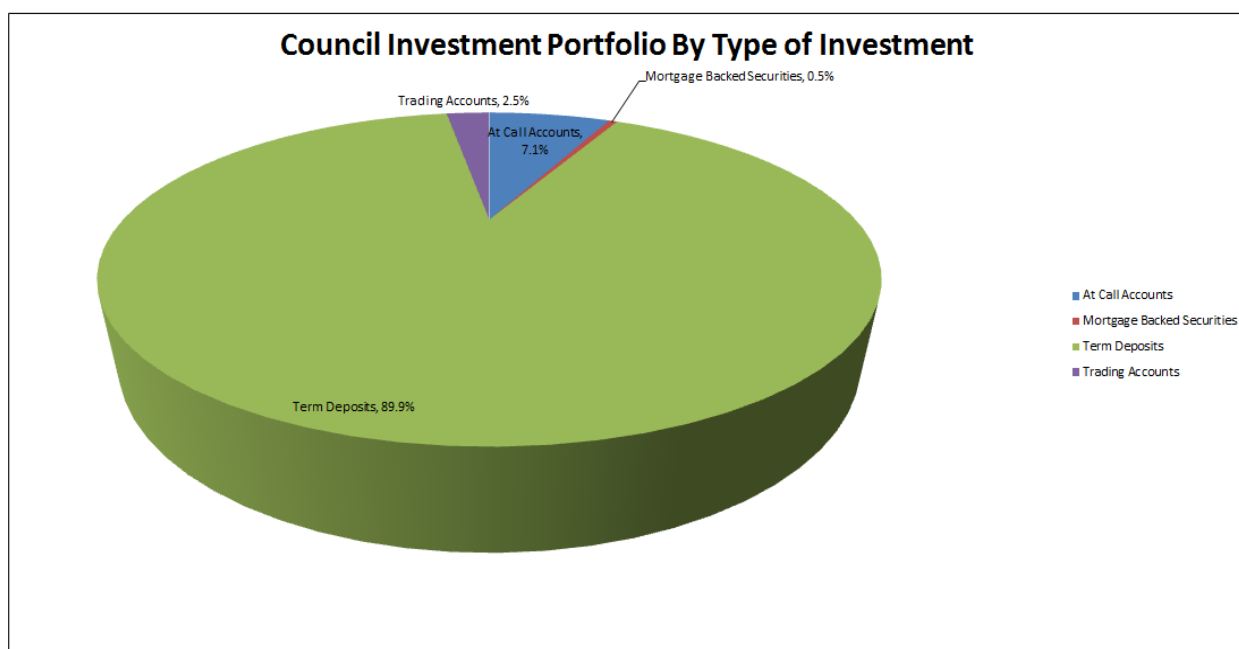


Council Investment Portfolio By Term to Maturity



Council Investment Portfolio By Institution Rating





INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	2.91%	2.24%	1.75%
3 Months	2.91%	2.10%	1.83%
6 Months	N/A	N/A	N/A
FYTD	2.91%	2.10%	1.83%
12 Months	N/A	N/A	N/A

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

MONTHLY INVESTMENT INCOME* VS. BUDGET

	31 Jul 16 \$	Year to Date \$
Investment Income	531,571	1,331,599
Adjustment for Fair Value	(27,353)	(23,820)
Total Investment Income	504,218	1,307,779
Budgeted Income	382,675	1,016,651

*Includes all cash and investment holdings

ECONOMIC NOTES

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

Slow-paced global economic growth with little sign of inflation pressure continued through July. US economic readings were a touch firmer on balance whereas economic readings out of China, Europe and Australia were mixed-strength. Global financial markets recovered quickly from Britain's referendum decision to leave the EU assisted by a smoother and quicker change of British Prime Minister than expected. Financial market sentiment has been boosted by a growing belief that central banks will continue to ease policy to try and boost economic growth. In the case of the US Federal Reserve, the view is that it will not lift its funds rate at either its July policy meeting this week or the one after in late September. In Australia, the RBA cut the cash rate to a record low of 1.5% at its August meeting amid wave of global disinflation.

In the United States economic growth according to the final revision of Q1 GDP softened to 1.1% annualised pace from 1.4% in Q4 2015. May and June US economic readings, although still mixed-strength, are consistent with accelerating economic growth in Q2. Monthly nonfarm payrolls, after quite soft increases in both April and May, lifted sharply by 287,000 in June and weekly initial jobless claims through the first half of July tracked down to their lowest (strongest) readings since the data series began more than 40 years ago. The firm US labour market, together with growing US household wealth are helping to prime US retail spending, up 0.6% in June, after lifting by 0.2% in May and a more than 1.0% gain in April.

In China, annual GDP growth in Q2 at 6.7% year on year matched growth in Q1, but the quality of growth is in doubt with a greater proportion of spending coming from government sources. The influence of government spending was especially pronounced in the June reading of urban fixed investment spending which rose by a softer-than-expected 9.0% year on year and with private spending up only 2.8% year on year. June industrial production lifted to 6.2% year on year from 6.0% in May while retail sales improved to 10.6% year on year from 10.0% in May, both readings providing some hope that annual GDP growth can continue to stabilise.

In Europe, Q2 GDP growth is due later this week and on consensus forecasts annual growth may slip slightly to 1.5% year on year from 1.7% year on year in Q1 2016. Just as European monthly economic readings took a better turn through the northern spring and early summer Europe has suffered a series of confidence sapping events including strain on the European Union from Britain's vote to leave and continuing issues dealing with the movement of large numbers of refugees from the Syrian conflict overlaid by terrorist attacks in France and Germany. The ZEW Europe economic sentiment survey for July, responding to these various events, showed a marked fall to -14.7 from +20.2 in June. Neither the July policy meetings of the Bank of England nor the European Central Bank decided to adjust monetary policy settings although the statements after both meetings implied they would respond to any signs of economic weakness by easing policy further.

In Australia, the Federal election returned the Government and international credit rating agencies took a view that the Government may face greater difficulty legislating budget saving measures and placed Australia's AAA sovereign credit rating on negative watch. Economic readings released in July pointed to fading strength in retail sales (up only 0.2% in May after rising 0.1% in April), still quite firm but moderating housing indicators in May (home building approvals down 5.3% and housing finance commitments down 1.0%) and modest employment growth, up 7,900 in June after a revised 19,200 gain in May. Much of the data illustrates the development of a two-speed economy with New South Wales and Victoria growing well, but on the back of robust housing activity, while other states are showing flat or declining economic activity.

The investment portfolio return over the period 13 May to 31 July was 2.91% versus the Ausbond bank bill index return of 2.10%.

ITEM 7.2	JUNEE SHIRE COUNCIL - FEASIBILITY STUDY INTO INFORMATION TECHNOLOGY PLATFORM PROPOSAL
REPORTING MANAGER	DEPUTY GENERAL MANAGER CORPORATE SERVICES
TRIM FILE REF	2016/260564
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To report back to Council following Council Resolution 297/15 regarding the feasibility of Warringah Council hosting Junee Shire Council on its Information Technology Platform.

SUMMARY

On 15 December 2015, a report on the feasibility for Warringah Council to provide a hosted IT solution to Junee Shire Council (and potentially other Councils on the same model) was presented to Council. The report concluded that:

“Cost will be a significant factor as it will be an impost on council(s) from a dollars perspective to facilitate access to this solution under all three models. Whilst this cloud model is deemed to be the most cost effective it will impact Junee financially, significantly more than council is currently outlaying for their existing on premise solution.”

Council resolved that the report and proposal be revisited within six months. During this time, the factors relating to cost have not changed and the conclusion remains the same.

RECOMMENDATION OF DEPUTY GENERAL MANAGER CORPORATE SERVICES

That Council note the update on the Junee Shire Council feasibility study on its Information Technology Platform Proposal.

REPORT

BACKGROUND

In early 2013 the General Manager of Junee Shire Council, Mr James Davies visited Warringah Council. In discussions with Council staff, they investigated various ways Warringah Council could assist Junee Shire Council in the development of IT and systems information structures and to forge a close relationship between our Councils. In October 2013, Mayor Regan met the Mayor of Junee Shire Council, Ms Lola Cummins to discuss the issue further.

On 17 December 2013, Warringah Council resolved to explore funding opportunities with the State Government to conduct a feasibility study for Warringah Council to host / provide IT systems to Junee Shire Council (and potentially other Councils).

On 25 August 2014, Warringah Council engaged iPlatinum to conduct a feasibility study for Warringah Council providing a hosted IT solution to Junee Shire Council (and potentially other Councils on the same model).

iPlatinum investigated three deployment models as below:

- New Council installation on infrastructure at Junee
- Junee system installed on-premise at Warringah Council
- Cloud Solution

On 15 December 2015, a report on the feasibility for Warringah Council to provide a hosted IT solution to Junee Shire Council (and potentially other Councils on the same model) was presented to Council. The report concluded that:

“Cost will be a significant factor as it will be an impost on council(s) from a dollars perspective to facilitate access to this solution under all three models. Whilst this cloud model is deemed to be the most cost effective it will impact Junee financially, significantly more than council is currently outlaying for their existing on premise solution.”

It was resolved that Council note the Junee Shire Council feasibility study on its Information Technology Platform Proposal and revisit the proposal within six months.

A review of the report indicates that the factors relating to cost have not changed and the conclusion remains the same.

CONSULTATION

Nil

TIMING

Nil

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

ITEM 7.3	RFT 2016/077 WATER PLAYGROUND FOR WARRINGAH AQUATIC CENTRE
REPORTING MANAGER	GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION
TRIM FILE REF	2016/271658
ATTACHMENTS	NIL

REPORT

PURPOSE

To seek Council's approval to accept the lump sum tender for design and construction of a water playground at the Warringah Aquatic Centre (WAC).

REPORT

Council has been working to revitalise the Warringah Aquatic Centre (WAC) over recent years, recently using a creative/innovative approach to deliver an activated outdoor area to the north comprising of attractive landscaped gardens with BBQ facilities and children's play areas. Further, Council officers are in the process of changing the existing kiosk to an integrated café that will service the garden area, the indoor pool area and the adjacent reserve.

These strategies are part of an overall plan developed by the former Council aiming to improve visitation numbers and customer experience, thereby increasing income and average length of stay at the centre.

However, the revitalisation is not complete and as it stands the improvements so far are mostly attractive to adult visitors. In previous studies it was identified that "leisure water" activities for children and families are a driver of visitation in modern aquatic centres, and these facilities are not present at the WAC. As such the priority is to further maximise the work done so far through including an interactive children's water playground in the toddler pool area, consisting of features which could include water slides, water cannons, water dumping buckets and sprays.

The works involve design and construction of a fully commissioned interactive children's water playground in the existing toddler pool area, utilising as much of the existing infrastructure as possible. The target age bracket for users of the playground is three to fourteen years.

The Request for Tender (RFT) was prepared by the Building Assets team in consultation with Procurement and the WAC management, to obtain the best value for money tender to undertake the works to the required quality, standards and timeframe.

The Tender was released on Tenderlink as a public notice on 15 July 2016 and publicly advertised in the Manly Daily on 16 July 2016 and in the Sydney Morning Herald on 19 July 2016.

FINANCIAL IMPACT

The project is in Council's adopted Capital Works Program for 2016/17 and the recommended tender submission is within this budget.

ENVIRONMENTAL IMPACT

Nil

SOCIAL IMPACT

These works provide additional recreational facilities and therefore provide a positive social impact to the Northern Beaches community.

RECOMMENDATION OF DEPUTY GENERAL MANAGER CORPORATE SERVICES

That Council resolve to accept the recommendation contained in the confidential report for Corporate Services, Report No. 15.1.

ITEM 7.4	RESPONSE TO PUBLIC FORUM QUESTIONS REGARDING MANLY ANDREW BOY CHARLTON POOL
REPORTING MANAGER	DEPUTY GENERAL MANAGER CORPORATE SERVICES
TRIM FILE REF	2016/273547
ATTACHMENTS	NIL

REPORT

PURPOSE

To provide a response to questions raised in public forum about the financial position of the Manly Andrew Boy Charlton pool.

REPORT

At the Council Meeting on 7 July 2016, three questions were asked in public forum by Mr Bruce Kitson in relation to the funding of the Manly Andrew Boy Charlton Pool. Council undertook to provide answers to these questions and they are set out and answered below in detail.

1. How much did the project cost all up? Including all payments relating to the project (and not limited to the head contractor); architects fees, remediation of gas works material, roadworks and parking costs in Kenneth Road, costs for the preparation of the DA process. The original budget in the CSP was \$18.035m.

Answer:

The total cost of the project is \$27,356,250. This includes construction of the swim centre, LM Graham Reserve amenities, associated civil works such as car parks and the co-generation plant, site preparation including latent conditions, architects fees, DA fees and Kenneth Road roadworks.

2. The State Government provided a subsidised loan for \$15 million. How was the extra cost funded?

Answer:

The total cost of the project was funded from the following sources

Amount	Source
\$15,000,000	Low Interest Rate funding (LIRS). This loan was sourced from a commercial bank at 5.56%. The NSW government subsidises 4% of these interest payments so that the effective rate is 1.56%
\$4,500,000	Section 94 funding
\$7,654,000	Working capital
\$202,250	Grant funding from RMS– for Kenneth Road, roadworks.
\$27,356,250	Total

3. Is the project financially self-sufficient? I note the Northern Beaches Council proposes a fee increase to cover costs. Will the forecast fee income be sufficient to pay all operating costs and all interest and loan repayments? If not, what will this mean in terms of reductions in other areas to offset this?

Answer:

The current budget for income for 2016/2017 is \$3,825,000. The current budget for expenses for 2016/2017 is \$3,911,288, which includes loan interest payments but not principal. The shortfall between income and expenditure is \$86,288 for 2016/2017. It should be noted that these figures were budgeted on the basis of a full year of income and expenditure from 1 July 2016 to 30 June 2017. Due to delays in construction the MABC pool opened for its first day of business on 14 August 2016 therefore it is likely that total year revenue will be reduced by a proportional amount in the order of \$410,000. This is a one off reduction and it is forecast that the shortfall will be \$165,100 in 2019/2020.

The Northern Beaches Council will monitor the performance of the MABC pool closely to see if it does perform in accordance with the budget. If budget changes are required these will be made transparently by decision of council as part of the quarterly review budget process.

RECOMMENDATION OF DEPUTY GENERAL MANAGER CORPORATE SERVICES

That the response to the financial position of the Manly Andrew Boy Charlton Pool be noted.

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

ITEM 8.1	MINUTES OF WARRINGAH PITTWATER BUSH FIRE MANAGEMENT COMMITTEE MEETING HELD 1 MARCH 2016
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2016/240509
ATTACHMENTS	1 ↓ Minutes of the Rural Fire Service - Warringah Pittwater Bush Fire Management Committee Meeting (BFMC) - held 1 March 2016

EXECUTIVE SUMMARY

PURPOSE

To report the Minutes of the Warringah Pittwater Bush Fire Management Committee (WPBFMC) meeting held 1 March 2016.

SUMMARY

An Ordinary Meeting of the WPBFMC was held at the Terrey Hills Rural Fire Service (RFS) Headquarters on 1 March 2016, the Minutes of which were confirmed at the meeting of 7 June 2016.

Matters discussed at the meeting relevant to Council included the following:

- Election of Chair of the Committee
- Meeting Dates for 2016
- 2016 Hazard Reduction Program
- Risk Management Plan
- Neighbourhood Safer Places
- Update on Emergency Operations Centre & Fire Control Centre
- Council Amalgamations
- Community Protection Planning
- General Business

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council note the Minutes of the Warringah Pittwater Bush Fire Management Committee Meeting held on 1 March 2016.

REPORT

BACKGROUND

The WPBFMC area comprises 27,456ha, of which Northern Beaches Council has care, control and management of approximately 16% of bushland with the remainder managed as National Park, private tenure, or by other government agencies.

Under the *Rural Fires Act 1997* each land owner is responsible for managing bush fire risk on their land. The WPBFMC is responsible for coordinating bush fire management on all land in the former Warringah and Pittwater Council LGAs. This Committee consists of a range of agencies and stakeholders such as the fire authorities, land management agencies and community organisations, and meetings are held quarterly.

DISCUSSION

Matters discussed at the meeting relevant to Council included the following:

Election of Chair of the Committee

Due to the amalgamation process and the potential for a new Council to be proclaimed with an Administrator, it was agreed not to elect a Council representative until June 2016.

Meeting Dates for 2016/17

BFMC meetings will be held at the Emergency Operations Centre, Terrey Hills commencing at 10am:

- Tuesday, 7 June 2016
- Tuesday, 6 September 2016
- Tuesday, 6 December 2016 (11am Start)
- Tuesday, 7 March 2017

2016 Hazard Reduction Program

At the time of the meeting, twenty hazard reductions (HR) covering 226 hectares had been completed within the former Warringah and Pittwater LGAs. Many HRs will be rolled over into next year however these will be reviewed in conjunction with the new Risk Management Plan.

Risk Management Plan

The Bush Fire Risk Management Plan is to be started soon and the RFS will lead this process and will form a Sub-Committee. The Risk Management Plan will be exhibited to the public and should be completed by the next fire season.

Neighbourhood Safer Places

A number of sites have been removed or relocated due to access difficulties and new sites have been added.

Update on Emergency Operations Centre & Fire Control Centre

The Emergency Operations Centre & Fire Control Centre Project is progressing with design work underway.

Council Amalgamations

The RFS boundaries are not linked to Council LGAs and the former Manly Council has not been part of the RFS District. As part of the amalgamation process, service level agreements and boundaries are being reviewed.

Community Protection Plans (CPP)

The RFS are currently 3 years into a 5 year plan. Cromer/Oxford Falls/Beacon Hill CPP is ready for sign off. Terrey Hills/Duffys Forest and Bayview/Ingleside/Elanora Heights CCPs have already been completed. Belrose/Davidson and Forestville/Killarney Heights CCPs is being worked on.

General Business

The RFS would like to thank both Councils for their interest and support over the years.

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

**MINUTES OF MEETING OF WARRINGAH PITTWATER BUSH FIRE MANAGEMENT COMMITTEE
HELD TUESDAY 1 March 2016 AT TERREY HILLS**

Meeting start: 10:00

Participants:	Present	Apology	Absent
Sue Heins – Warringah Council (Chairperson)	X		
Emma Griffen – Pittwater Council	X		
Karin Nippard – Pittwater Council	X		
Scott Crosweller – RFS	X		
Warren Cree – RFS	X		
Nick Skelton – NCC/MALC	X		
David Menzies-Jackson – NPWS	X		
Tim Heslop – DPI Lands	X		
James Brisebois – Warringah Council	X		
Luke Arthurs – NSW Police – Northern Beaches LAC	X		
David Ryan – Warringah Council	X		
Alex Muir – Warringah Council	X		
Alex McTaggart – Pittwater Council	X		
George Sheppard – RFS	X		
Lee De Gail - NPWS	X		
Chris Buckley – Manly Dam	X		
Todd Dickinson – Warringah Council		X	
Craig Geddes – RFS – Executive Officer	X		
Observers/Guests/Alternate:			
Sarah Kemble - RFS	X		
Jodi Cree – RFS (Minutes)	X		

Item		Action
1	Welcome	Craig Geddes welcomed everyone to the meeting.
2	Apologies	Apologies as listed
3	Confirmation of minutes of previous meeting	Acceptance of meeting minutes from 1 December 2015. Moved: Luke Arthurs Seconded: Alex McTaggart Carried
4	Business arising from the previous minutes	Covered in Agenda items
5	Correspondence In	- 4/2/2016 – Neighbourhood Safer Places in the Warringah & Pittwater Local Government Area
6	Correspondence Out	- 22/2/2016 – Minutes – BFMC Meeting held 1 December 2015
	Agenda Items	
7		Election of BFMC Chairperson for 2016-17 The Rural Fires Act states who is eligible to stand for Chairperson. Generally this position is held by Council Representatives in the Warringah Pittwater BFMC. New Council/s will be proclaimed 1 July 2016. All councillors will be terminated at this time. Suggest an administrator will be appointed. Suggest we wait until we receive clarification.

Item		Action
	<p>Motion – Hold off appointing a new Chairperson until the next BFMC Meeting? Moved – Warren Cree Seconded – Sue Heins Carried</p>	
8	<p>Meeting Dates for 2016-17</p> <p>BFMC meetings will be held at the Emergency Operations Centre, Terrey Hills commencing at 10am</p> <ul style="list-style-type: none"> - Tuesday, 7 June 2016 - Tuesday, 6 September 2016 - Tuesday, 6 December 2016 (11am Start) - Tuesday, 7 March 2017 	
9	<p>Update on the 2016-2016 Hazard Reduction Program</p> <p>Across the state we are behind with Hazard Reductions, this is being closely monitored by the Government. The only reason for not conducting HR's is weather. No other excuse will be accepted. Resources will be made available from anywhere in the state to ensure the program is completed. We are taking advantage of the current weather to get results.</p> <p>We have completed 20 HR's covering 226 hectares. We were able to burn last Sunday as it is starting to dry out. Will meet with NPWS, FRNSW & RFS after this meeting to discuss HR's this weekend.</p> <p>The next week to 10 days will see temps of 30 degrees. Politically difficult as the prediction is heatwave conditions however there will be coastal breezes.</p> <p>Friday</p> <ul style="list-style-type: none"> - looking at the Heath Trail – 160 hectares. Hoping to add Jessica Gardens however there are a few issues with Hornsby. Must be conducted on the weekend or outside of school hours. <p>Saturday</p> <ul style="list-style-type: none"> - Manly Dam off Southern Cross Way at Allambie Heights - Heath Trail. 36-48 hours with aerial incendiaries 	

Item	Action
	<p>- Towlers Bay HR - 310 hectares – will continue into Sunday</p> <p>- Elizabeth Park – Scotland Island</p> <p>Monday</p> <p>- Continue with Towlers Bay. West Head Road to be closed for the day. HR will protect Coasters Retreat, The Basin & Towlers Bay</p> <p>Weather is changing day by day so we will continue to monitor.</p> <p>Long term we are looking at average to above average rainfall with el Niño breaking.</p>
10	<p>2016-17 HR Program</p> <p>Due to a series of poor years, HRs have been rolling over each year. It is now time to review the whole program. The sub-committee will meet in the next month to review. Priorities will need to be reviewed in line with the Risk Management Plan.</p> <p>Condoval reserve has been on the program for some time. Are RFS able to assist FRNSW to complete? Yes, we will discuss however land managers will need to speak to FRNSW as well.</p>
11	<p>Fire Trail Register</p> <p>Reminder to all agencies to have Fire Trails on the Register by the end of April ready for funding allocation 1 May.</p> <p>NPWS – can we get the Basin Trail on the register? Already on there however it is not recognised as a fire trail.</p> <p>Lands – Suggest you apply through HR funding as it is mainly an access trail.</p> <p>Comes down to priority use. As this trail is used by garbage trucks it is considered access, not fire trail. Should also include the spur to the Dam that supplies water to the basin.</p> <p>Sub-committee will meet to discuss other major trails such as the Perimeter Trail.</p>

Item	Action
	<p>Trails are finally open as they are dry enough. Volunteers are conducting inspections. Priorities will be confirmed at the June meeting.</p>
12	<p>Risk Management Plan</p> <p>There will be a meeting of the sub-committee in a couple of weeks. Need to go through a public consultation process. Not many changes, template has not changed. Hope to hold public meetings in April to come back to the June meeting for sign off to the BFCC.</p> <p>Will probably need to redo in the next 2 years once the new plan/format has been released.</p> <p>There is no excuse for expired plans. Must be updated now and signed off by the fire season.</p>
13	<p>Section 52</p> <p>The operations plan expires on 17 July 2016. Contact details need to be updated for all agencies. A copy of the plan will be distributed.</p>
14	<p>Neighbourhood Safer Places (NSPs)</p> <p>Confirmation has been received regarding NSPs in Warringah and Pittwater (letter distributed)</p> <p>Sites removed due to afterhour's access issues – Mona Vale Bowling Club, Mona Vale Public School, Royal Prince Alfred Yacht Club and Royal Motor Yacht Club.</p> <p>Sites relocated – Newport Bowling Club relocated across the road as there were 2 next to each other. Avalon RSL to Dunbar Park due to afterhour's access.</p> <p>New sites in Warringah – Turman Reserve Cromer, Passmore Reserve Manly Vale, Miller Reserve Manly Vale and Killarney Heights Oval Killarney Heights.</p> <p>Terrigal Reserve in Terrey Hills is to be added and we are looking for a site in Cottage Point.</p>

Item	Action
15	<p>Update of the EOC and FCC Progressing. Still holding talks with Warringah Council regarding Design – how can they design a building that fits on this site considering all the current constraints? Consultants have been re engaged for Stage 2. Hopefully it will be seamless and continuing.</p>
16	<p>Council Amalgamations How does this affect RFS? RFS are waiting until the final decision is made. RFS boundaries are not linked to local government areas. If councils split, all infrastructure will be in the Northern Council area. This could affect the joint committee and funding arrangements. Currently there is approximately a 50/50 split. We have spoken to a number of council staff and providing funding and volunteers are treated equally it will be ok. Business as usual for now. Warringah has concern for those in the south. Manly have not contributed previously as they are not currently part of RFS District. Funding and Contributions is legislated by state government. Council staff positions have been guaranteed for 3 years. There will be work to do with Service Level Agreements (SLA). SLA's are a standard document across the state with indefinite times. Alex McTaggart suggests a submission for funding is made if renegotiation costs come from the local budget.</p>
17	<p>Community Protection Planning Sarah Kemble – Customer Service Centre – Glendenning presented. We are currently 3 years into a 5 year plan. Cromer/Oxford Falls/Beacon Hill is ready for sign off. Terrey Hills/Duffys Forest and Bayview/Ingleside/Elanora Heights have already been completed. Belrose/Davidson and Forestville/Killarney Heights is being worked on. We held a number of community engagement sessions with 191 participants from 140 residences. Scott Molenaar visited a number of retirement villages.</p>

Item	Action
	<p>CPP is made up of 3 maps. First map identified level of threat. Residents find their property on the map and can see their risk by the colours on their property. The map includes bushfire threat.</p> <p>Second map is the preparation map. This identified APZ's, SFAZ's and proposed HR's. There is a comprehensive HR plan in Warringah Pittwater which makes it easy. Table of works is also included.</p> <p>Third map is the operational brigade map. This shows fire history, fire trails and at risk properties. Brigade owns this map so we can provide any information they like.</p> <p>CPP works well as an awareness raising campaign.</p> <p>Once approved they will be available for display within the community. They will also be available on the website (there are a couple of issues currently being worked on). We are hoping for an App one day that will show all CPP's.</p> <p>Pittwater - This information could be included in Rental Packages for Tourists in the area or in a folder/flyer on the ferries.</p> <p>Could be included on Council websites and Facebook pages.</p> <p>Motion - Warringah Pittwater BFMC Committee to endorse the Community Protection Plans. Moved - Warren Cree Seconded - Karin Nippard Carried</p>
<p>18 General Business</p>	<p>HR s this weekend</p> <p>Pittwater Council – if there are HRs going ahead this weekend, could we confirm by Thursday to ensure we are able to advise on the website?</p> <p>Will be listed on the RFS page and will also appear on Fires Near Me.</p> <p>RFS Trail Bikes</p> <p>Nick Skelton – have the RFS trail bikes been successful?</p> <p>State mitigation has 8 trail bikes. The idea is to have fast access into fire trails. Also trialling air powered canisters for initial attack. They are based in the Blue Mountains and Gosford. Quite effective to minimise the spread of fire. They are only for rapid response.</p>

Item	Action
	<p>Drones</p> <p>Does the RFS use drones?</p> <p>Sometimes for spotting, not extinguishing. They are a major issue for RFS as drones can affect airspace. They are regulated by AMSA and CASA.</p> <p>Developing some ultrasonic laser type things to remove them. This will jam the signal so they fall out of the sky.</p> <p>We assisted in a test with spotting in a scenario using Hazardous Materials – very effective. FRNSW are also trialling for use in house fires.</p> <p>Drones are being used to check power lines and by Surf Life Saving.</p> <p>Looking at Military ones that can be used in all conditions.</p> <p>Tasmania Fires</p> <p>Since January RFS, NPWS, FRNSW, Forests NSW, QLD, VIC, SA and Ambulance have been providing crews to assist with the fires in Tasmania.</p> <p>RFS have 20 trucks, 20 personnel carriers and 10 specialist units there with rotating crews. 800 members have transitioned through.</p> <p>Most of the fires are in remote areas so fire fighters are arduous or Raft (winch capable).</p> <p>It is winding down with changes in weather. We have started coordinating the return of people and equipment.</p> <p>There are lots of learning outcomes such as the capabilities of local services.</p> <p>The RFS Base Camp was well established and well liked. Good experience for all who were able to assist with a lot of respect for each agency involved. It has shown the capabilities of each service and the ability to work together.</p> <p>We also had crews deployed to Western Australia along with NPWS.</p> <p>RMS Notice Boards</p> <p>Service Level Agreement with RMS – it is impossible to get signs changed at short notice to inform the public of a problem. Can this be escalated through this forum?</p>

Item		Action
	<p>This has been escalated via the State Duty Officer.</p> <p>Crown Lands</p> <p>Completed APZ works across the district. Second works, some new APZ's, majority was maintenance.</p> <p>Still have John Colet outstanding. Perentie is finished. Sandy to NPWS gate and most around Cromer – Cromer Trail now completed. Some upgrades to Cromer to Northcott have been effective. Just finished concrete down to Academy of Sport from the Cromer North trails at aprox \$70K however a really good result.</p> <p>The only outstanding item is the Weemala Trail. Will be put on for next year.</p> <p>Still waiting on funds for Wakehurst link to the Cromer trail. All trails in Cromer are currently dead end, this would create through trails. Still liaising with Friends of Narrabeen. Will take approx \$275k to complete including \$60k for access management from Wakehurst Parkway.</p> <p>We received more funding his year that ever before. Very good outcome.</p> <p>Councillors</p> <p>Thank you to both Councils for your interest and support over the years.</p>	
Date of next meeting	Tuesday, 7 June 2016, commencing at 1000 hours	

Meeting finish: 11:27

TASK REGISTER

No	Task Item	Current Detail (including status, outstanding issues and planned actions):	Expected Completion Date

ITEM 8.2	MINUTES OF THE SYDNEY COASTAL COUNCILS GROUP ORDINARY MEETING HELD ON 18 JUNE 2016
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE
TRIM FILE REF	2016/266936
ATTACHMENTS	1 ↓ Minutes of the Sydney Coastal Group Meeting held 18 June 2016

REPORT

PURPOSE

To advise Council of the Minutes of the Sydney Coastal Councils Group (SCCG) Full Group Ordinary Meeting held on 18 June 2016 and hosted by City of Sydney.

REPORT

The SCCG is a regional organisation of councils covering most of the Sydney metropolitan coastal zone from Broken Bay to Port Hacking. In accordance with its mission statement the SCCG assists its member councils by leading sustainable management of the coast through collaboration, capacity building, advocacy and research. As the meeting was the first one in which the SCCG has had to accommodate two newly amalgamated councils, Item 4.2 considered the impact on membership contributions and representation under the SCCG Constitution. A guest presentation was provided from the Policy and Law Reform Director of EDO NSW on the NSW Government's proposed legislative changes to the management for native vegetation, wildlife and biodiversity.

FINANCIAL IMPACT

Northern Beaches Council is a member of the SCCG and pays an annual membership fee. As a result of the amalgamations to date SCCG has now twelve Member Councils, including two new Member Councils: Northern Beaches Council and Inner West Council. In March 2016 the SCCG resolved it will formally review membership contributions in September 2016 at the SCCG Annual General Meeting. The change from fourteen to seven Member Councils will require a change in the calculation of the fees.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

The SCCG continues to advocate on behalf of its member councils to address environmental issues relating to the sustainable use and management of the Sydney urban coastal zone.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That the Minutes of the Sydney Coastal Councils Full Group Ordinary Meeting of 18 June 2016 be noted.

**SYDNEY COASTAL COUNCILS GROUP Inc.
MINUTES FOR THE ORDINARY MEETING
HELD ON SATURDAY 18 JUNE 2016
HOSTED BY CITY OF SYDNEY AT
SYDNEY TOWN HALL - 12.00 PM**

FG2-16 Minutes

IN ATTENDANCE

Cr. Brian Troy	City of Botany Bay Council
Cr. Mark Castle	City of Botany Bay Council
Cr. John Mant	City of Sydney Council
Mr Frank Breen	Inner West Council (representing the Administrator)
Mr. Peter Massey	North Sydney Council
Mr. Paul Hardie	Northern Beaches Council
Cr. Lindsay Shurey	Randwick City Council
Cr. Greg Moore	Randwick City Council
Mr. David Dekel	Rockdale Council
Cr. Peter Towel	Sutherland Shire Council
Cr. Leon Goltsman	Waverley Council
Cr. Bill Mouroukas	Waverley Council
Cr. Lynne Saville	Willoughby Council
Cr. Wendy Norton	Willoughby Council
Cr. Greg Levenston	Woollahra Council
Mr. Phil Colman	Honorary Member
Mr. George Cotis	Honorary Member
Ms. Wendy McMurdo	Honorary Member
Ms. Belinda Atkins	SCCG (PPM)
Ms. Katherine Howard	SCCG (CPO)
Ms. Fiona Shadbolt	SCCG (PM-BR)
Mr. Geoff Withycombe	SCCG (EO)
Ms Rachel Walmsley	EDO NSW (for presentation)

ITEM 1 - OPENING

1.1 OPENING AND ACKNOWLEDGEMENT OF COUNTRY

The meeting opened at 12.35pm.

The Chair, Cr. Lynne Saville opened the meeting and thanked City of Sydney for hosting the meeting. The Chair provided an acknowledgement of country and welcomed representatives of two new councils: Inner West Council and Northern Beaches Council.

1.2 APOLOGIES

Cr. Irene Doutney	City of Sydney Council
Cr. Linda Scott	City of Sydney Council
Mr. Jon Stiebel	Inner West Council
Ms. Kylie Ferguson	Northern Beaches Council
Mr. Dick Persson	Northern Beaches Council
Cr. Sally Betts	Waverley Council
Dr. Judy Lambert AM	Honorary Member
Emeritus Professor Bruce Thom AM	Honorary Member

Councils not represented at the meeting:
Mosman Council

1.3 DECLARATION OF PECUNIARY INTERESTS

No declarations were made.

Minutes of the SCCG Full Group Ordinary Meeting held on Saturday 18 June 2016, hosted by City of Sydney

RESOLUTIONS

- 1.1 Apologies were received and noted.
- 1.2 No notifications of pecuniary interests were received.

ITEM 2 - GUEST PRESENTATION

The Chairperson, Cr. Lynne Saville welcomed and introduced:

Rachel Walmsley, Policy and Law Reform Director, [EDO NSW](#)

The NSW Government is proposing major changes to the regulatory environment for the management of native vegetation, wildlife and biodiversity.

A new *Biodiversity Conservation Bill 2016* has been proposed to replace the existing *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995*, *Nature Conservation Trust Act 2001* and parts of the *National Parks and Wildlife Act 1974*. A new *Local Land Services Amendment Bill 2016* has also been proposed. The two draft Bills and various supporting documents, a total of 657 pages, are available here: <https://www.landmanagement.nsw.gov.au/have-your-say/>

Rachel presented a comprehensive summary of the proposed changes and their implication for vegetation management across NSW, with particular attention to the ramifications for the greater Sydney region, and also how this review intersects with other ongoing legislative reform in NSW (e.g. Coastal Management reforms, the Planning and Environment Act review, Crown Land and Local Government reforms).

The Regulations to the Biodiversity Conservation Act, State Environmental Planning Policy (SEPP) and model Development Control Plan have not yet been released. The expected timeline is that the NSW Government will try to pass the two bills in 2016 and then release the regulations, SEPP, model DCP and Native Vegetation Regulation Map. The SEPP at least will be the subject of a separate public consultation.

A copy of the presentation is provided as Attachment 2.1 to these minutes.

Additional information is available via the EDO NSW website: http://www.edonsw.org.au/biodiversity_legislation_review

Comment on a draft SCCG submission to the reforms has been sought from the SCCG Full Group and Technical Committee.

Submissions to the NSW Biodiversity Reforms are due by 5pm 28 June 2016.

RESOLUTION

- 2.1 That Ms Walmsley be thanked for her attendance and presentation on the NSW Biodiversity Reforms.

(Saville / Levenston)
Carried

Minutes of the SCCG Full Group Ordinary Meeting held on Saturday 18 June 2016, hosted by City of Sydney

ITEM 3 - ADMINISTRATIVE MATTERS

3.1 CONFIRMATION OF MINUTES

- 3.1 (a) *Minutes from the Ordinary Meeting of the Full Group on 19 March 2016*
- 3.1 (b) *Minutes from the Executive Committee Meeting of 8 March 2016*
- 3.1 (c) *Minutes from the Executive Committee Meeting of 17 May 2016*
- 3.1 (d) *Minutes from the Technical Committee Meeting on 21 April 2016*

3.2 BUSINESS ARISING *(from the Ordinary Meeting of 19 March 2016)*

Actions arising from the Ordinary Meeting of the SCCG held on 19 March 2016 were reviewed.

3.3 ANNUAL SURVEY 2016

Members who have not yet completed the survey online were asked to complete a hard copy of the survey during the meeting. Annual survey responses are requested by 30 June.

3.4 CORRESPONDENCE REPORT

Correspondence sent and received since the last meeting was reported at Attachment 3.4 of the business papers and circulated in hard copy at the meeting.

RESOLUTIONS

R3.2.a	The Minutes of the Ordinary Meeting of 19 March 2016 hosted by Leichhardt Municipal Council were confirmed.	(Levenston / Goltsman) Carried
R3.2.b	The Minutes of the Executive Committee meeting on 8 March 2016 were received and noted.	(Levenston / Goltsman) Carried
R3.2.c	The Minutes of the Executive Committee meeting on 17 May 2016 were received and noted.	(Levenston/Towell) Carried
R3.2d	The Minutes of the Technical Committee Meeting hosted by Rockdale Council on 21 April 2016 were received and noted.	(Dekel / Massey) Carried
R3.2	Representatives discussed and made any necessary recommendations and resolutions relating to Business Arising. Business Arising was noted.	(Shurey / Norton) Carried
R3.4	The circulated "sent" and "received" correspondence was received and noted.	(Shurey / Dekel) Carried

Minutes of the SCCG Full Group Ordinary Meeting held on Saturday 18 June 2016, hosted by City of Sydney

ITEM 4 – DISCUSSION ITEMS

4.1 SEWER OVERFLOWS ACTION PLAN

The draft SCCG Sewer Overflows Action Plan was presented for consideration by the Full Group.

The Manager Programs and Projects outlined the process for finalising the Action Plan. Full Group delegates provided comments and gap analysis to the draft Action Plan. The draft will also be referred to the Technical Committee for additional consideration, and then the SCCG Secretariat will meet with Sydney Water to discuss proposed actions, prior to finalisation of the Action Plan.

RESOLUTION

R4.1 The draft Sewer Overflows Action Plan was received and noted and comments provided to the Secretariat.

(Towell/ Shurey)
Carried

4.2 LOCAL GOVERNMENT AMALGAMATIONS

A brief update was given on the current status of the Member Council amalgamations.

The SCCG has continued to supply support and services to Member Councils during the difficult and uncertain period of amalgamations.

As a result of the amalgamations to date, SCCG has now twelve Member Councils, including two new Member Councils: Inner West Council and Northern Beaches Council. The former SCCG Member Councils of Leichhardt, Manly, Pittwater and Warringah no longer exist. It has been assumed that 'membership' of the SCCG is considered an 'asset' of the former councils (as defined in the [Local Government \(Council Amalgamations\) Proclamation 2016 under the Local Government Act 1993](#), and there is therefore no need to formally invite new councils to become SCCG Members.

Pending the outcomes of further proposed amalgamations, SCCG membership may go down to seven Member Councils. The EO noted that this will not affect our legal entity status as an Incorporated Association under the Incorporated Associations Act 2009, which requires a minimum of five members.

In March 2016 the Executive resolved that SSCG will formally review membership contributions in September 2016 following the outcomes of Council amalgamations. At present, membership fees include a base rate for each member of \$25,000 plus a nominal fee based on population size \$20/1000 residents. The change from fourteen to seven Member Councils will require a change in the calculation of the fees. At the September 2016 SCCG Annual General Meeting any required changes to the membership contribution formula will be considered.

At the AGM minor changes to the SCCG Constitution will also be recommended including changes to Member Council names made.

The SCCG is seeking meetings with the General Managers and Administrators of the two new Member Councils to discuss relevant issues and the finalisation of delegate representation on the SCCG Full Group and Technical Committee.

The EO noted that the Administrators of the new councils has the functions of the council and the Mayor of the council via Section 12(3) of the Proclamation and therefore eligible to represent their councils on the SCCG Full Group. The SCCG Constitution allows for up to 3 delegates with such delegates being elected members and/or staff as determined by the individual member council (Clause 4.1.1).

Minutes of the SCCG Full Group Ordinary Meeting held on Saturday 18 June 2016, hosted by City of Sydney

Both the Administrators for Northern Beaches Council and Inner West Council have indicated that representatives from their new Council Advisory Committees will be representing them at SCCG meetings.

A delegate raised perceived issues regarding the ability of these former councillors to represent the new council at SCCG noting they are no longer councillors, nor potentially considered staff.

The EO noted that the new Council Administrators have nominated these representatives to represent them at the meeting and referred to Clause 4.1.5 of the SCCG Constitution which allows for a proxy (an Alternate delegate) to represent the Council when the delegate of Council is unable to attend.

Other SCCG delegates highlighted that former SCCG Full Group representatives have knowledge of the SCCG and a strong interest in coastal management issues.

The EO noted it is still not clear whether members of the new Council Advisory Committees could be considered as 'staff' of the new councils as they are being renumeralated. The EO further noted that the new representatives were only nominated in the last few days and that it was great to have representation at very short notice from these new council entities.

A delegate questioned potential issues of presence of a quorum at the meeting with the perceived doubts around formality of these delegates representation.

The only attendee at this meeting whose delegate status is in doubt stated that he was happy to take a non-voting, observer role for today's meeting until the matter can be resolved.

There is a concern that if the new Member Councils choose to send only one representative to the Technical Committee, that staff member may find it difficult to adequately represent the views and provide the expertise of the new, much larger, area that they represent during the transition period.

A suggestion was made that the SCCG may need to make transitional arrangements to continue to operate during the transition period of the amalgamations, to ensure adequate representation from the new Member Councils and the entire area that they represent, and that the transitional arrangements may need to be reflected by changes to the Constitution.

The EO noted that to change the Constitution requires a 'special meeting with a minimum of 21 days' notice and the support of $\frac{3}{4}$ of the membership.

The EO noted that he would also talk to the Department of Fair trading, the Department of Local Government and review relevant legal advice from other ROCs on these types of issues and seek other advice as required, and will report back to the Executive Committee as soon as possible.

It was decided that there is no need to make additional changes to the Constitution to provide for transitional arrangements at this time, with any necessary amendments to be considered as part of the SCCG AGM to be held in September.

RESOLUTIONS

- 4.1 The SCCG EO will seek clarification from the Department of Fair Trading and/or the Department of Local Government regarding the ability of Full Group delegates to appoint a proxy when they are unable to attend a meeting; and whether that proxy delegate also needs to be an elected member or staff member of a Member Council. Any relevant advice received to be provided to the Executive for consideration within two weeks of this meeting.
- 4.2 The SCCG EO will contact the Administrators of the new Member Councils and inform them of discussions and seek their responses.
- 4.3 Mr Frank Breen will seek clarification as to whether he is considered a staff member of Inner West Council.

Minutes of the SCCG Full Group Ordinary Meeting held on Saturday 18 June 2016, hosted by City of Sydney

(Goltsman / Norton)
Carried

ITEM 5 – MEMBER COUNCIL ROUNDTABLE

Delegates provided updates on council activities and discussed issues and needs where relevant. The updates are provided in Attachment 5.1.

RESOLUTION

5.1 The member updates were received and noted.

(Dekel / Shurey)
Carried

ITEM 6 - QUARTERLY ACTIVITIES REPORT (APRIL – JUNE 2016)

6.1 COLLABORATION

- *Internal and External Committees, Events, Workshops, Presentations*
- *Sydney Water Partnership*
- *Flying Fox Management*
- *Waterway Pollution Response Interagency Meeting*

An update on all Secretariat Collaboration activities was included at Item 6.1 in the Agenda Papers. The CPO provided a short update on the outcomes and feedback from the Sydney Regional Flying Fox Forum. Other items taken as read.

6.2 CAPACITY BUILDING

- *SCCG Grant Applications*
- *SCCG Grants Committee*
- *Healthy Waterways Workshop*

An update on all Secretariat Capacity Building activities was included at Item 6.2 in the Agenda Papers.

The EO reported on recent grant applications prepared by the Secretariat and partners. Three grant applications were made to the Environmental Trust Research Program and one to the Environmental Trust Education Program this year. All were unsuccessful and the Secretariat has sort feedback on our applications.

The MPP gave an update on the Healthy Waterways Workshop on 3 May, one of the items under the MoU with Sydney Water. This workshop focused particularly on pollution incident response and notification protocols. Sydney Water is working on an outcomes report from the workshop. SCCG is planning to work with Sydney Water on a joint protocol of pollution incident notification and response, another activity under the MoU.

Other items taken as read.

6.3 ADVOCACY

An update on all recent and upcoming Secretariat advocacy activity was included at Item 6.3 in the Agenda Papers.

Hawkesbury Shelf Multi-Use Marine Park

A draft background paper on a proposed resolution for SCCG to support a multi-use marine park for the Hawkesbury Shelf Bioregion was circulated with the agenda for the Full Group's consideration. The proposed resolution was to follow up the SCCG's previously stated support for effective spatial management of the bioregion via a multi-use marine park for the bioregion, not purely focused on Sydney.

RESOLUTION

- | | | |
|-----|---|--------------------------------|
| 6.1 | The SCCG follow up the submission to the MEMA Hawkesbury Shelf Marine Bioregion Assessment by writing to the Premier for NSW and the Ministers for Primary Industries, Planning and the Environment, stating SCCG Member Council support for a multi-use marine park for the Hawkesbury Shelf Marine Bioregion. | |
| | | (Dekel / Levenston)
Carried |

Submissions recently completed:

- o [Draft Joint Management Agreement for the Shark Meshing Program](#)
- o [Hawkesbury Shelf Marine Bioregion Assessment](#)
- o [Natural Resource Commission – Pest Animal Management Review](#)

Submissions upcoming:

- o [Biodiversity Legislation Reform](#)
- o [NSW State Environmental Planning Policies](#)

Other items taken as read.

Federal Election – SCCG Policy Document

Five key coastal management issues were selected with Full Group and Technical Committee input for the [SCCG's policy recommendations document for the 2016 Federal Election](#). The policy recommendations document was sent to ten major parties. Responses received will be collated into a report and circulated to the Full Group, Technical Committee and other coastal stakeholders.

NSW Coastal Reforms Update

SCCG have received confirmation that the proposed Coastal Management State Environmental Planning Policy will be exhibited for public comment, as the SCCG and other stakeholders requested. The SCCG will continue to engage with the Coastal Reforms process with the assistance of the SCCG Coastal Reforms Advisory Committee.

Other items taken as read.

6.4 RESEARCH

Delegates referred to the report in the business papers providing details of recent SCCG research activities including:

- *NCCARF Partnership Contracts*
- *Estimating Coastal Values Using Multi-Criteria and Valuation Methods*
- *April Storms – Cost Analysis*

The EO and MPP gave an update on the April Storms Research Project to quantify all money spent by member councils during the April 2015 East Coast Low 'super' storm. Only 5 council responses were received creating difficulties in undertaking the planned regional analysis. The Secretariat will meet with consultant group Risk Frontiers to determine an alternative approach. It was noted that most councils gave reasons for not supplying their data including a lack of available resources.

The EO noted that this is an ongoing issue and it remains important. It is important to determine what natural disasters are costing our councils.

Other items taken as read.

6.5 PROJECTS

The PM-BR gave an update on the SCCG Sydney Salty Communities Program which is progressing well and has been granted an extension until December 2016. Supplementary Round projects are halfway through. Four Special Projects have been decided on.

RESOLUTION

5.1 The Secretariat's update on key activities were received and noted.

ITEM 7 FINANCES

FINANCIAL STATEMENTS 1 JULY 2015 – 31 MARCH 2016

Financial statements for the period were tabled and discussed, and will be provided with the Minutes as Attachment 7.1.

RESOLUTIONS

R7.1	The Financial Statements for period 1 July 2015 to 31 March 2016 were received and adopted.	(Dekel / Levenston) Carried
R7.2	The SCCG Draft Budget for 2016/17 was received and adopted.	(Levenston / Towell) Carried
R7.3	The Full Group moved to thank the Secretariat staff for continuing to operate under a tight budget.	(Towell / Dekel) Carried

ITEM 8 GENERAL BUSINESS

The Chair mentioned that she would be attending the Crown Land Summit at Parliament House on 22 June. Parliament will vote on 23 June regarding holding an inquiry into Crown Land.

Cr. Norton reported that a memorial has been erected to the former Mayor of Willoughby, Cr. Patrick Reilly in place at the Willoughby Concourse Centre.

The EO stated that we understand that the next few weeks will be a challenging time for all local councils facing amalgamations. He thanked all Full Group members for their representation and contributions to ensure the success of the SCCG.

2016 MEETING DATES / NEXT MEETING

The next meeting of the Full Group will be on 17 September 2016, this will also be the Annual General Meeting. Delegates are asked to suggest Agenda items for the AGM.

Date	Location
<ul style="list-style-type: none"> • Saturday 17 September (AGM) 2016 at 12 noon • Saturday 10 December 2016 at 12 noon 	<p>(Member Council - TBC)</p> <p>(City of Sydney)</p>

RESOLUTION	
R8.1	A Member Council will host the next SCCG Full Group Meeting to be held on 17 September 2016 (pending confirmation).
R8.2	Delegates to suggest additional agenda items including presentations for the next SCCG meeting to be held on 17 September 2016.

ITEM 9 EXTERNAL REPORTS **(for information only)**

9.1 BEACHWATCH REPORT (February – April 2016)

9.2 GREATER SYDNEY LOCAL LAND SERVICES UPDATE

The meeting closed at 4.10pm.

Confirmation of Minutes:

/ /

ITEM 8.3	MONA VALE GOLF COURSE LEASE RENEWAL
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE
TRIM FILE REF	2016/209093
ATTACHMENTS	<p>1 Proposed Lease for Lots 2 and 4 in DP 251053 (Included In Attachments Booklet)</p> <p>2 Proposed Lease for Lot 7092 in DP 1051073 (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To seek council's approval to enter into the two proposed consolidated Mona Vale Golf Course Leases and notify the outcomes of the public exhibition of the leases from November 2015.

SUMMARY

Council and the Club have negotiated the following lease terms for the proposed two consolidated leases;

- Lease Term: 5 years
- Commencement annual rent: As per valuation at \$76,500 excluding GST
- Investment by the Club and Council into a public walkway

The proposed Mona Vale Golf leases were exhibited from 30 November 2015 to 27 December 2015. During this period, two submissions were received.

This report recommends Council adopt the proposed Mona Golf Club leases.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- Subject to the consent of the Crown Lands Department, as the Reserve Trust Manager enters into a new lease agreement with Mona Vale Golf Club Ltd for the Crown Land Lot 7092 in DP 1051073.
 - Enters into a new lease agreement with Mona Vale Golf Club for Council owned land Lots 2 and 4 in DP 251053, and Lot 1 DP 1033971.
 - Delegate authority to the General Manager or his delegate to execute all documentation necessary in order to give effect to this resolution.
-

REPORT

BACKGROUND

At its meeting of 16 November 2015, the former Pittwater Council resolved the following;

- “1. That the two proposed leases of Mona Vale Golf Course comprising of four lots (Lot 7092 DP 1051073, Lots 2 and 4 in DP 251053 and Lot 1 DP 1033971) be placed on public notice for 28 days.*
- 2. That a further report be brought back to Council with the outcomes of the public notice period and necessary Ministerial Consent.”*

The three Mona Vale Golf Course leases expired on 31 October 2015 and Mona Vale Golf Club is seeking to renew two consolidated leases in place of the previous three leases.

The proposed lease agreements were exhibited from 30 November to 27 December 2015. During this period, two submissions were received. A summary of the two submissions received and Council's response is shown later on in this report, along with a location map of Lot 1 DP1033971 which forms the subject of many of the submission concerns.

The proposed leases have been updated with the below minor housekeeping amendments to Schedule 3 of the leases and are as follows;

- Special Condition 1 both leases have been expanded to specifically address the issue of Workers Compensation insurance.
- Special Condition 2 and 3 of the Crown lease has been amended and covered in Special Condition 2 only, regarding the provision of a public safety pathway.
- Three other Special Conditions have been added as follows to both leases:
 - Membership of Lessee (outlining provisions for membership).
 - Playing Rights and Rules (specified for further clarify on conduct and responsibilities of players).
 - Youth Development (provision of community benefit)

CONSULTATION

The proposed Mona Vale Golf Course leases were on public exhibition for 28 days from 30 November to 27 December 2015.

In accordance with former Pittwater Council's Community Engagement Policy, a public notice was placed in the Manly Daily on the community notice board on 30 November 2015. The proposed Mona Vale Golf Course lease agreements documents were also made available electronically on former Pittwater Council's website and in hard copy at Mona Vale and Avalon Customer Service Centre's and libraries.

A total of 370 letters of Public Notice were posted to adjoining residents of the subject site on 26 November 2015.

FINANCIAL IMPACT

The two leases attract an income of approximately \$400,000 for a period of five years. It has been negotiated with the Club that the first years rent of \$76,500 excluding GST be invested in the pathway project to improve public safety adjacent to the 17th hole and the walkway connecting Golf Ave and Mona Vale Hospital.

SOCIAL IMPACT

The proposed leases are consistent with the objectives in the Plan of Management for Mona Vale Golf Course, enabling the provision of a quality sporting facility within the Council area. The provision of a high quality golf facility to the community encourages community connection and cohesion through recreational enjoyment.

ENVIRONMENTAL IMPACT

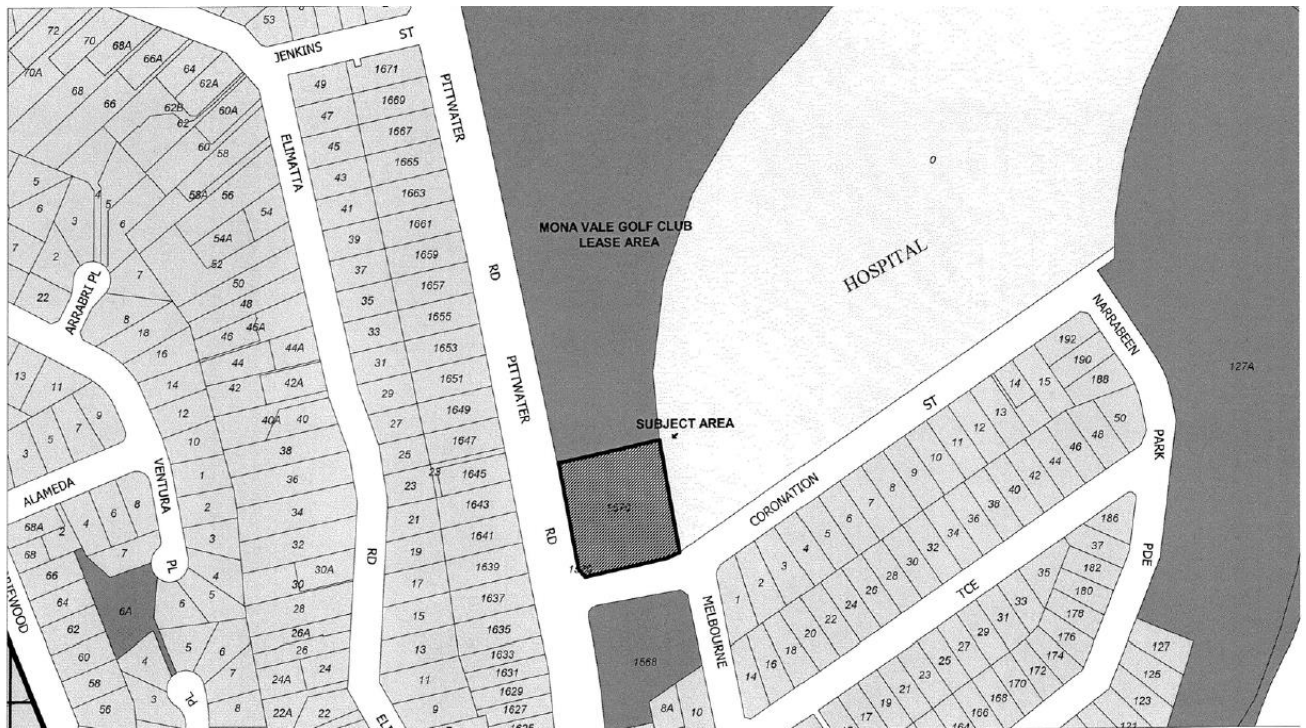
There will be no impact on the natural environment arising from the lease of the subject land for the use as a golf course.

SUBMISSION SUMMARY AND RESPONSE TABLE

Submission	Point of Concern	Response
Mona Vale Residents Association	The association is concerned about the natural environment within Lot 1 DP 1033971 and believes the proposed lease does not protect the land which in its opinion comprises Remnant Swamp Oak/Swamp Plain Forest.	The lease requirements do protect the natural environment. In particular: <ul style="list-style-type: none"> ○ Clause 52 and 55 of the proposed lease over Lot 1 DP 1033971 requires the Club to strictly comply with relevant Environmental Laws. ○ Further, Clause 24, 25, 27, 31, 32 and 33 are in place to deal with the concerns raised. It should be noted the subject land is roughly square in shape measuring approximately 70m x 75m and occurs on low-lying flat and swampy land. A large Sydney Water service pit for sewerage and/or storm water exists in the southern part of the subject site.
	It is believed in 2002, the Club proposed to construct a fairway on Lot 1 DP 1033971 which has not been completed.	The Club intended to lodge a development application in October 2002. This development has not been progressed by the Club.
	Lot 1 DP 1033971 has not been maintained well by the Club, weeds have grown.	The General Manager of the Club has agreed to improve the maintenance of the land by engaging a bush regeneration contractor to spray the weeds in this Lot.
	Seek Lot 1 DP 1033971 be restored by volunteer bush regenerators and build a pathway on the land.	See above re weeds. Council is currently supporting the construction of a pathway on the Eastern side of Mona Vale Golf Course and will be the priority at this time.
	Request to add a clause to the proposed lease to further protect the biodiversity of Lot 1 DP 1033971.	The current clauses within the proposed address protection of biodiversity.
P. C. Walker	Request the proposed leases fit into Council policy, strategy, objectives and plans including providing a sustainable natural environment	The leases with Mona Vale Golf Club provide a sustainable natural environment fit into current Council policy.
	Mentioned the Community Strategy Plan Objectives is to provide a broad range of quality natural and built assets.	Noted.

	Raised concerns over the Public Space and Recreation Strategy which states Council will investigate with equitable use of golf courses and bowling clubs against the benefit of the wider community.	Noted.
	Made comments to the Public Space Needs Study which shows a shortage of active open space, ovals and tennis courts.	Noted. Council has committed to introduce a Place Management Plan for Mona Vale. The Draft Plan has been on public notice.
	The Wildlife Corridor Mapping mentioned that Lot 1 DP1033971 is a wildlife corridor with the potential for habitat improvement.	Lot 1 DP1033971 is not subject at this stage for development by the club. The Club is required to obtain Owner's Consent and is required to notify Council prior any development on the site.
	Seeking the Club to be informed with the review and production of the Place Management Plan, further is prepared for any changes to the land use which may occur in the future.	Noted.
	Asked Council to provide circular walk way, cycle ways around the Golf Course and Kitchener Park similar to the Narrabeen Lagoon.	Noted. Council has provided an Active Transport Network Plan which forms part of the Mona Vale Place Plan. A pathway is currently being built at the Eastern side of the course to provide safe access to the public.
	Annual rent appears in different figures in the Council Report 16 November 2015 and in the Public Notice.	Each of the proposed leases has an annual rental amount of \$38,250 excluding GST which equals \$76,500 (excluding GST) annual rental.
	Understands Lot 1 DP 439092 is owned by the Department of Health and this is not a Council related matter. However, he prefers the land to be returned to the Hospital for its own use.	Noted. This is considered as a separate matter.
	Concerns over Lot 1 DP 1033971 and the previous DA submitted on this land.	The club has not advised these works are progressing and the DA has now expired.
	Concerns over the protection of the natural environment in Lot 1 DP 1033971.	A bush regeneration contractor will be engaged by the club to spray the weeds in this Lot.
	Concerns the club has dumped spoil and rubbish beside Pittwater road introducing new weeds to the area.	This concern will be reviewed by the bush regeneration contractor as mentioned previously. Northern Beaches Council will discuss contractors' findings.
	Part V Assessment regarding Swamp Oak Forest.	There are no current plans to remove the swamp oak forest in Lot 1 DP 1033971.
	Mitigation Measures	This is a continuation on similar terms as the existing leases no further mitigation measures are required.

MAP INDICATING LOT 1 DP 1033971



ITEM 8.4	IMPROVED MANAGEMENT OF SPORTING FACILITIES AND REVISED SPORTSGROUND FEES
REPORTING MANAGER	ASSET MANAGEMENT MANAGER
TRIM FILE REF	2016/246235
ATTACHMENTS	1 ↓ Draft Guiding Principles for a Memorandum of Understanding between Council and Manly Warringah Pittwater Sporting Union - 11 August 2016

EXECUTIVE SUMMARY

PURPOSE

To seek approval for an agreement with the Manly Warringah Pittwater Sporting Union regarding the planning and management of sportsgrounds and facilities and to publicly exhibit revised fees for seasonal sportsground users.

BACKGROUND

Prior to the formation of the Northern Beaches Council the 150 sporting grounds and facilities of the Northern Beaches were managed in varying ways by the former Councils. A focus since the formation of the new Council in May 2016 has been to improve services to the community by putting in place a single approach to the management and long term planning of sporting facilities.

Local sports groups, including the Manly Warringah Pittwater Sporting Union (MWPSU), have approached Council about cooperative relationships and a coordinated approach to planning and management of sports facilities. Priorities have included a single process for sportsground allocation, a single seasonal sportsground fee and long term sports facility planning.

Council in conjunction with Clubs, Associations and the MWPSU has already:

- Implemented a single process for sportsground allocations in June 2016 for the summer sports season 2016/17.
- Reviewed the seasonal sportsground fees of the three former Councils and is proposing a single equalised fee of \$12.40 for junior players and \$16.80 for senior players as outlined in this report.
- Begun work on a long term sports facility plan. This plan will guide development of sportsgrounds and facilities on the Northern Beaches and will be established in partnership with local sports, the Sporting Union and our community.

The Sporting Union, on behalf of its local sports group members, has also approached Council about a partnership for planning and managing sportsgrounds. Following discussions with the Sporting Union it is proposed to formalise a partnership in a Memorandum of Understanding. Draft principles have now been developed which will form the basis of this agreement.

Partnerships and cooperative relationships with the Sporting Union as well as with local sports groups and other users are essential for successful, sustainable planning and management of our sports facilities to create more opportunities to be active; to encourage participation in sport; and to strengthen our local sport and recreation sector.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That:

- A. Council note the significant work to date to implement a single coordinated approach for the planning and management of sporting facilities.
 - B. The General Manager be given the authority to enter into an agreement, based on the Draft Principles (11 August 2016), with the Manly Warringah Pittwater Sporting Union regarding the planning and management of the Northern Beaches Council sportsgrounds and facilities.
 - C. Council place the revised Northern Beaches seasonal sportsground user fees, which have been equalised across the LGA to be \$12.40 for junior players and \$16.80 for senior players, on public exhibition for a period of 28 days from August 2016 until September 2016.
-

REPORT

BACKGROUND

Prior to the formation of the Northern Beaches Council the 150 sporting grounds and facilities of the Northern Beaches were managed in varying ways by the former Councils. A focus since the formation of the new Council in May 2016 has been to improve services to the community by putting in place a single approach to the management and long term planning of sporting facilities.

Local sports groups, including the Manly Warringah Pittwater Sporting Union (Sporting Union), have approached Council about cooperative relationships and a coordinated approach to planning and management of sports facilities. Priorities have included a single process for sportsground allocation, a single seasonal sportsground fee and long term sports facility planning. In response Council has:

- Implemented a single process for sportsground allocations in June 2016 for the summer sports season 2016/17.
- Reviewed the seasonal sportsground fees of the three former Councils and is proposing a single equalised fee of \$12.40 for junior players and \$16.80 for senior players as outlined in this report.
- Begun work on a long term sports facility plan. This plan will guide development of sportsgrounds and facilities on the Northern Beaches and will be established in partnership with local sports, the Sporting Union and our community.

PARTNERSHIP WITH THE SPORTING UNION

The Sporting Union, on behalf of its local sports group members, has approached Council about a partnership for planning and managing sportsgrounds. The Sporting Union's members include sports associations that use Council's sportsgrounds.

Since its formation, in 1964, the Sporting Union has had a variety of roles in the development and management of sportsgrounds on the Northern Beaches. The Sporting Union had different arrangements with the former Pittwater, Warringah and Manly Councils for management of their sportsgrounds. In July 2010, the former Pittwater Council took over the Sporting Union roles of sportsground allocation and collection of fees. In September 2013, the former Warringah Council rescinded delegations with the Union and entered into an agreement for sustainable management and use of sportsgrounds and associated facilities. The former Manly Council retained a partnership with the Union for sportsground allocation and collection of fees.

Following a review of the arrangements of the three former councils and discussions with the Sporting Union it is proposed to formalise a partnership for planning and managing sportsgrounds in a Memorandum of Understanding. Draft guiding principles, have now been developed which will form the basis of this agreement.

Partnerships and cooperative relationships with the Sporting Union as well as with local sports groups and other users are essential for successful, sustainable planning and management of our sports facilities to create more opportunities to be active; to encourage participation in sport; and to strengthen our local sport and recreation sector.

SEASONAL SPORTSGROUND FEES

Council at its meeting 7 July 2016 approved the following fees for seasonal sportsground users.

Former local government area	Junior player	Senior player
Pittwater	\$15	\$22
Warringah	\$12.30	\$16

No seasonal sportsground user fees were included for the former Manly local government area as these were levied by the Sporting Union and paid to Council.

Sportsground user fees of the three former councils were applied in the same manner, though rates differed. Income from these fees partially offset costs of provision and maintenance of sportsgrounds. The former councils had aimed to recover 15% of these costs.

Representations have been received from the local sports groups, including the Sporting Union, requesting a single fee across the Northern Beaches. A single fee across the Northern Beaches would be more equitable compared to the current fee structure based on former local government areas.

A revised seasonal sportsground fee of \$12.40 for junior players and \$16.80 for senior players is proposed for the 2016/17 summer and 2017 winter sports seasons. Estimated income from these fees will meet the forecast 2016/17 budget and ensures that sports groups across the three former council areas pay the same fees for allocated sportsgrounds.

In accordance with section 610F of the Local Government Act 1993, changes to the Northern Beaches Council sportsground user fees need to be publicly exhibited for a minimum of 28 days. Public exhibition is planned to be undertaken from August to September 2016. During this time direct contact will be made with sports groups affected. Analysis of submissions received will be the subject of a future Council report.

CONSULTATION

Council worked with the Sporting Union, who in turn consulted with the Sporting Associations, to agree these proposed fees. The Sporting Union has confirmed it considers these fees appropriate.

The revised Northern Beaches seasonal sportsground user fees, \$12.40 for junior players and \$16.80 for senior players, will be placed on public exhibition for a period of 28 days from August 2016 until September 2016. During this time direct contact will be made with sports groups affected.

FINANCIAL IMPACT

This approach will seek to maximise the effectiveness of Council funds for the management and planning of sporting facilities. Income expected from the revised fees for seasonal sportsground users will meet budget estimates as the approach taken has been to break even with expected estimates under the fees already accepted by Council.

ENVIRONMENTAL IMPACT

Nil

SOCIAL IMPACT

This approach is planning for a positive social outcome with more efficient management of sporting facilities, fees and ground allocations for Clubs, Associations and the Sporting Union. The revised

seasonal sportsground user fees ensure that sports across the three former council areas pay the same fees for allocated sportsgrounds.

NORTHERN BEACHES COUNCIL

MANAGING OUR SPORTING FACILITIES FOR THE FUTURE

Guiding Principles for a Memorandum of Understanding between Northern Beaches Council and the Manly Warringah Pittwater Sporting Union

1. Rationale

Prior to the formation of the Northern Beaches Council the 150 sporting grounds and facilities of the Northern Beaches were managed in varying ways by the former Councils. A focus since the formation of the new Council in May 2016 has been to improve services to the community by putting in place a single approach to the management and long term planning of sporting facilities.

On 1 June 2016, Council's Administrator, together with the General Manager and Deputy General Manager Environment and Infrastructure met with representatives from the Manly Warringah Pittwater Sporting Union. In this meeting, discussions were held about future planning and management of sportsgrounds with a view to building a strong working relationship with the new Northern Beaches Council.

Following further discussions between Council and the Manly Warringah Pittwater Sporting Union it was agreed to formalise a partnership in a Memorandum of Understanding outlining how the two entities would work together for the future planning and management of sportsgrounds and facilities across the Northern Beaches Council Local Government Area for the benefit of all Northern Beaches residents. Draft guiding principles have been developed as the basis of this partnership.

2. Goals and objectives

Build a strong working relationship between Council and the Manly Warringah Pittwater Sporting Union for the future planning and management of sportsgrounds and facilities across the Northern Beaches Council Local Government Area for the benefit of all Northern Beaches residents.

3. Partner Organisations

The Memorandum of Understanding will be between:

- Northern Beaches Council (Council) and
- Manly Warringah Pittwater Sporting Union (MWPSU)

4. Guiding Principles, Roles and Responsibilities

Proposed guiding principles, roles and responsibilities:

- 4.1. Council is responsible for planning, development and management (including equitable access) of sportsgrounds and facilities under Council's ownership, care, control and management. This includes sportsgrounds, aquatic facilities, indoor facilities and other outdoor facilities including BMX, mountain bike and equestrian trails.
- 4.2. Council, in consultation with stakeholders and the MWPSU, will determine capital works programs, including those which are to be funded by Council, MWPSU, Sports Associations and or Clubs where appropriate

- 4.3. MWPSU will advocate for improvements in sports facilities. This may include assisting Sports Associations in lobbying and applying for grant funding and working with Council regarding funding partnerships.
- 4.4. MWPSU will work with and advise Council on the planning, development and management of sportsgrounds and facilities for the benefit of all Northern Beaches residents.
- 4.5. All stakeholders including the community will be engaged in the planning, development and management of sportsgrounds and facilities based on Council's adopted engagement framework. Primary stakeholders are Sports Associations, clubs, and other user groups and sportsground and facility users including the local community.
- 4.6. The seasonal allocation of sports on sportsgrounds and related facilities (including maintenance programs) will be determined by Council, working with Sports Associations, Clubs and users and consulting with the MWPSU.
- 4.7. MWPSU will act as an advisory body where associations may raise equity concerns regarding seasonal sportsground allocations.
- 4.8. Where multiple applications are received for sportsground allocations Council with advice from the MWPSU will seek to resolve a mutual outcome one week prior to the draft allocation document being released.
- 4.9. Council will manage and collect fees and charges related to use of sportsgrounds and facilities directly from sportsground users, Clubs or Sports Associations on a sport by sport basis depending on what is most efficient.
- 4.10. MWPSU and Council will seek to develop and maintain a strong working relationship with stakeholders for the benefit of all Northern Beaches residents.
- 4.11. Council will form and manage an advisory forum consisting of the MWPSU, Sports Associations, Clubs and other users to consider Council wide sportsground and facility issues and priorities.
- 4.12. Initial priorities for Council include:
 - Implementing a single sportsground allocation process across Council.
 - Development of a long term sports facility strategy setting out future plans and collective funding for upgrades and any new facilities.
 - Working towards a single system for fees, bookings and consistent communication strategy during periods of wet weather.

5. Reporting and Review

Council will report on the outcomes of the MOU partnership annually.

Council and the MWPSU will review the MOU annually to determine whether the partnership is meeting its objectives.

6. Term

The term of this MOU is to be determined following negotiation with the MWPSU.

ITEM 8.5	KIMBRIKI RESOURCE RECOVERY PROJECT
REPORTING MANAGER	EXECUTIVE LEGAL COUNSEL
TRIM FILE REF	2016/256487
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To update Council that Kimbriki Environmental Enterprises Pty Ltd (KEE) will issue an invitation to tender for the resource recovery facility (RRF), the first stage of the Kimbriki Resource Recovery Project (KRRP), and seek approval of the proposed RRF tender evaluation criteria and the procurement process.

SUMMARY

In 2009, Warringah, Pittwater, Manly and Mosman Municipal Councils (former Councils) established KEE to operate a resource recovery centre at Kimbriki Rd, Terrey Hills (Kimbriki). The former Councils were shareholders of KEE. KEE's shareholders are now Northern Beaches Council and Mosman Municipal Council (collectively, the Councils) following the amalgamation of Pittwater, Manly and Warringah Councils and the establishment of Northern Beaches Council.

A key aim of the former Councils in establishing KEE was to manage waste locally in a sustainable manner. The development of alternate waste technology (AWT) for putrescible waste at Kimbriki could achieve this aim and as a result of KEE's investigations into AWT, KEE proposed the KRRP. The KRRP involves the construction and operation of the RRF and a materials recovery facility (MRF) at Kimbriki. The RRF is the first stage of the KRRP. Once operational, these facilities could allow for the region's household waste to be processed at Kimbriki.

The RRF is expected to provide significant benefits for the community including less waste to landfill, increased overall resource recovery, reduced transportation, local waste treatment, job creation and more certainty of waste management costs.

In April 2012, each of the former Councils resolved to proceed with the KRRP as a public-private partnership (PPP) under the *Local Government Act* 1993. Since then, KEE and the Councils have been working to finalise the arrangements required for KEE to invite tenders. However whilst the former Councils endeavoured to work together to finalise this project, gaining final agreement was challenging.

With the formation of the Northern Beaches Council the final details of the project have been agreed and it can now proceed to tender

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. endorses Kimbriki Environmental Enterprises Pty Ltd (KEE) issuing an invitation to tender (ITT) for the resource recovery facility (RRF) as soon as possible and approves the Kimbriki Resource Recovery Project (KRRP) including the variations made to the KRRP since 2012;
 - B. endorses, to enable the issue of an ITT for the RRF by KEE:
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- a) the legal documents and governance structure for the RRF;
 - b) the tender evaluation criteria for the RRF (comprising the 'Completeness Criteria', 'Conforming Criteria', 'Headline Criteria' and sub-criteria);
 - c) the establishment of a project steering committee (PSC) for the RRF comprising senior representatives of Northern Beaches Council and Mosman Municipal Council (Councils) and KEE;
 - d) the establishment of a tender evaluation panel (TEP) for the RRF including the appointment of Paul Howlett of Wright Corporate Strategy Pty Ltd as Chair and the Councils' representative;
 - e) the amendment of the legal documents and the governance structure (including the TEP and its members) for the RRF, as required prior to and during the procurement phase; and
 - f) deferral of the ITT for the materials recovery facility (MRF) to allow further assessment of the MRF given recent changes to market conditions;
- C. does all things necessary to progress the KRRP as a public-private partnership under the *Local Government Act 1993*, including:
1. preparing and submitting all necessary documentation to the Office of Local Government (OLG) and its project review committee, including:
 - liaising with the OLG on the variations to the KRRP since 2012;
 - providing this report to the OLG, as required; and
 - as required for the purpose of section 2.4 and Appendix 9 of the OLG's Guidelines on the Procedures and Processes to be followed by Local Government in Public-Private Partnerships dated 1 September 2005; and
 2. complying with any requirements of the OLG;
- D. resolves, pursuant to section 55(3)(i) of the *Local Government Act 1993*, that a satisfactory result would not be achieved by inviting tenders for the provision of technical adequacy advisor services and tender evaluation services to Council in relation to the KRRP because of extenuating circumstances by reason of the following:
1. Aecom Australia Pty Ltd (Aecom) in respect of technical adequacy advisor services and Wright Corporate Strategy Pty Ltd (Wright) in respect of tender evaluation services, are familiar with the issues associated with KEE, the KRRP and the Kimbriki site, having previously been engaged by KEE;
 2. Aecom and Wright have the experience and breadth of expertise to deal with the various issues raised by the KRRP; and
 3. Council has an immediate and critical need to obtain technical adequacy advisor services and tender evaluation services in relation to the KRRP;
- E. resolves to enter into contracts in relation to the KRRP with each of Aecom and Wright for technical adequacy advisor services and tender evaluation services, respectively, without inviting tenders;
- F. pursuant to section 377(1) of the *Local Government Act 1993*, delegates to the General Manager the functions of the Council to give effect to the above and execute any documents to give effect to the above, including the authority to:
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1. submit all requisite documents to the OLG and PRC;
 2. negotiate, finalise and execute all relevant documents including contracts; and
 3. disclose information to advise the community about the progress of the KRRP; and
- G resolves that confidential report for Environment and Infrastructure, Report No 15.2 of the Confidential Agenda, and the attachments and documents it refers to, are to be treated as confidential because they are commercial in confidence and relate to matters specified in section 10A(2) of the *Local Government Act 1993*.
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REPORT

BACKGROUND

General

Until 2009, a “Recycling and Waste Disposal Centre” at Kimbriki Road, Terrey Hills (Kimbriki) had been operated as an unincorporated joint venture by Warringah, Pittwater, Manly, Mosman Councils (former Councils) under a series of deeds.

In 2009, the former Councils formed Kimbriki Environmental Enterprises Pty Ltd (KEE) to operate a business at Kimbriki, with each Council becoming a shareholder in KEE in the following proportions: Mosman Municipal Council - 3.84%, Manly Council - 10.71%, Pittwater Council - 34.45% and Warringah Council - 51%. KEE commenced operations on 1 July 2009.

Following the amalgamation of Pittwater, Manly and Warringah Councils and the establishment of Northern Beaches Council (Council) on 12 May 2016, KEE’s shareholders are now Council and Mosman Municipal Council (MMC). Council owns 96.16% of KEE’s shares and MMC owns 3.84% of KEE’s shares.

Under the arrangements with KEE, each of the Councils entered into a ‘Waste Service Agreement’ with KEE under which it supplies certain waste materials to KEE and pays a fee for KEE to receive and treat that waste at the existing Kimbriki facilities.

Under its landfill licence, Kimbriki is unable to accept putrescible waste. Historically, each of the former Councils delivered its putrescible waste to the former Waste Service NSW landfill site at Belrose and the putrescible waste was disposed of to the Belrose landfill. The arrangements to dispose of putrescible waste to Belrose landfill ended in 2014 when the Belrose landfill closed. Since then, putrescible waste has been delivered to the Belrose transfer station operated by SITA Australia Pty Ltd (now trading as SUEZ Environment) and transported to Eastern Creek for landfilling. Unless a local alternative is found, the need for putrescible waste from the Councils to be transported long distances for disposal (eg, to Goulburn or Eastern Creek) will continue. By investment in alternate waste technology (AWT) to treat putrescible waste and render it inert to allow it to be deposited into the landfill, Kimbriki could be in a position to accept the region’s household waste.

A key aim of the former Councils in establishing KEE was to manage waste locally in a sustainable manner. The development of AWT for putrescible waste at Kimbriki could achieve this aim and the arrangements establishing KEE require KEE to investigate the viability of options for AWT. Since its establishment, KEE has been investigating the implementation of AWT at Kimbriki.

KRRP

As a result of KEE’s investigations into AWT, KEE proposed the Kimbriki Resource Recovery Project (KRRP). The KRRP involves the construction and operation of a resource recovery facility (RRF) that would use in-vessel composting technologies to process kerbside collected mixed residual waste and kerbside collected food and garden wastes and a materials recovery facility (MRF) that would process kerbside collected dry recyclables. These facilities could also process waste and recyclables from sources other than the Councils. Ancillary infrastructure including roads, weighbridge, amenities and parking is also proposed. KEE has obtained planning approvals for the KRRP under the former Part 3A of the *Environmental Planning and Assessment Act 1979*. The former Councils have agreed to the introduction of a new kerbside waste collection system to facilitate the project.

The first stage of the KRRP is the RRF. KEE wishes to identify private partners (Project Contractor/s) to fund, design, build, own and operate the RRF.

The Project Contractor will have a concession period for 20 years after the RRF is completed to operate it under a Project Deed. The Project Deed governs both the design and construction phase and the operations phase. The Councils will have step-in rights under a Side Deed in the event that KEE becomes insolvent or defaults on the contract.

The RRF is approved to process up to 100,000 tonnes per annum of putrescible waste and food and garden waste. The proposed date of practical completion is financial year 2020. At the end of the 20 year term the Project Contractor will hand over the asset to KEE at no cost.

The expected environmental outcomes and social benefits of the RRF include:

- less waste to landfill;
- increase in overall resource recovery;
- reduced waste transportation;
- abating 200,000 tonnes CO₂e;
- state of the art processing technology;
- job creation;
- local waste treatment within the region;
- best practice waste collection system to suit the facility.

Based on projected estimates, the RRF may mean a potential \$2 increase in the domestic waste management charge per property per week, compared to not building the facility, for a standard service from financial year 2020. This estimate is based on projections and is subject to the tender outcome.

The project provides more certainty of waste management costs for a 20 year period in a time of diminishing landfill space.

Developments since 2012

In April 2012, each of the former Councils resolved to proceed with the KRRP as a public-private partnership (PPP) under the *Local Government Act 1993 (Act)*.

In 2012, the former Councils lodged submissions with the Office of Local Government (OLG) in relation to the PPP. In November 2012, the former Councils received feedback on the KRRP from the project review committee (PRC) established by the OLG under the Act. Since then, KEE and the Councils have taken steps to address the PRC's feedback (including the preparation of a risk register) and have been finalising the arrangements required for KEE to invite tenders for the KRRP. Representatives from each of the former Councils and KEE were meeting regularly as a working group (Working Group) to progress the KRRP. Since the establishment of Council, Council and MMC (Councils) have been progressing the KRRP with KEE.

To assist with this work:

- Herbert Smith Freehills has been jointly appointed by the Councils to provide legal assistance on the KRRP and KEE has appointed separate legal counsel, Clayton Utz;
- Wright Corporate Strategy Pty Ltd (Wright) has assisted with the development of the project documents including the invitation to tender, through its representative Paul Howlett;
- Andrew Marsden of O'Connor Marsden & Associates Pty Ltd has been appointed as probity advisor; and

- PriceWaterhouse Coopers prepared a risk register for the Councils.

Further, Deloitte Touche Tomatsu (Deloitte) and Aecom Australia Pty Ltd (Aecom) have recently been appointed by KEE as adequacy advisors for the tender evaluation.

Certain variations are proposed to the arrangements that were referred to in the report to Council and the submissions to the OLG in 2012. The view is taken that these variations do not materially alter the risk profile for the KRRP and do not constitute a significant variation to the KRRP.

Some matters to note regarding the proposed arrangements are:

1. The MRF procurement process will be deferred until after the RRF ITT has been issued. This is to prevent any further delay to the RRF ITT and allow further assessment of the MRF given recent changes to market conditions.
2. Tender evaluation criteria (TEC) for the RRF have been developed by the Working Group and a Council resolution endorsing the TEC is sought.
3. It is anticipated that tenders which do not conform with, among other things, the planning approvals for the KRRP (including in relation to technology and methodology) may be submitted. Such proposals will be dealt with in accordance with the TEC and the ITT.
4. A tender evaluation panel (TEP) will be established to assess bids against the TEC and make recommendations to KEE's board of directors (Board) and a project steering committee (PSC) comprising senior representatives of the Council and KEE. It is proposed that the TEP will comprise a representative of the Councils as Chair, Mr Paul Howlett of Wright, and 3 representatives of KEE.
5. Deloitte and Aecom will provide expert advice on issues arising during tender assessment. KEE and the Councils will be entitled to rely on the advice of these adequacy advisors.
6. Decisions to select a shortlist of tenderers, and preferred tenderers with whom to undertake detailed negotiations, will be made by the PSC and the KEE Board. Once preferred tenderer/s have been identified by the PSC and KEE Board, draft contracts have been negotiated and the PRC has given a positive assessment about project procedures and processes, a resolution will be sought from each the Councils and the KEE Board to select a successful tenderer and authorise the execution of contracts.
7. It is proposed that the Councils will use Aecom and Wright for the next stage of the KRRP and Council's approval of their engagement is sought.

A Confidential Report to Council on the KRRP Report No. 15.2 addresses these matters in more detail.

FINANCIAL IMPACT

It is estimated that the domestic waste management charge may need to increase by approximately \$2 per property per week for a standard service from financial year 2020 compared to not building the facility, subject to the tender outcome. The financial benefit is that it provides more certainty of waste management costs for a 20 year period in a time of diminishing landfill space.

Costs which will be incurred by Council in relation to procuring the RRF are provided for in Council's budget. The joint engagement of advisors will allow for cost sharing.

SOCIAL IMPACT

The KRRP provides a positive social impact as a priority for the community is to manage waste locally in a sustainable manner. This project is projected to result in less waste to landfill; increase

in overall resource recovery; reduced waste transportation; job creation; and more certainty of waste management costs for a 20 year period.

ENVIRONMENTAL IMPACT

The KRRP provides a positive environmental benefit as it will result in less waste to landfill; increase in overall resource recovery and reduced waste transportation resulting in reduced generation of greenhouse gases

9.0 PLANNING & COMMUNITY DIVISION REPORTS

ITEM 9.1	ADOPTION OF THE SCORES ON DOORS PROGRAM
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2016/229361
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To seek approval to extend the NSW Food Authority Scores on Doors program to include the North (former Pittwater Council) area of the Northern Beaches Council.

SUMMARY

Scores on Doors is a state-wide program that provides greater public access to information regarding the hygiene compliance levels of retail food businesses through the display of star ratings. The program has proven benefits in terms of ensuring greater transparency around Council inspections but also provides incentives for businesses to maintain and improve their hygiene standards.

Scores on Doors has successfully operated in the Northern Beaches Council South and Central (former Manly and Warringah Council) areas for a number of years, but is not currently offered in the North area.

Given the proven benefits of Scores on Doors it is recommended that the program is extended to include the whole Council area, thus providing a consistent level of service across the Northern Beaches.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That Council:

- A. Adopts the Scores on Doors program to promote compliance with hygiene and food safety standards, promote consumer trust in food businesses and to further the reputation and economy of food businesses across the Local Government Area.
 - B. Proactively promote the scores on doors ratings of its food businesses to ensuring greater transparency of our services and improved public access to compliance information.
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REPORT

BACKGROUND

Scores on Doors is a state-wide program that provides greater public access to information regarding the hygiene compliance levels of retail food businesses. It involves display of star ratings by food premises following routine inspection by Council.

Following Council inspection, eligible food premises receive a hygiene and food safety rating based on points allocated under the Scores on Doors guidelines, akin to a demerit system. The standard Food Premises Assessment Report that Council inspectors use promotes consistency in points allocation.

NSW Food Authority provides star rating certificates and stickers free of charge to Councils for each of the three ratings: Good, Very Good or Excellent. Businesses assessed with critical breaches or too many lesser breaches are not awarded any grade or certificate. Certificates are issued free of charge after each routine inspection and the food business can choose whether or not to display their star rating. Commonly, star ratings are placed on the front window or near the entrance to the premises. As much of this work is carried out as part of existing inspection programs there is negligible additional work for Council, or imposition for food business.

The program has proven benefits in terms of ensuring greater transparency around Council inspections but also provides incentives for businesses to maintain and improve their hygiene standards and rewards businesses that do the right thing. Experience has shown that participation in the program results in improved compliance standards and can mean less interventions and inspections by Council. Importantly the program also helps to positively showcase well performing food businesses.

Scores on Doors already successfully operates in South and Central areas, being implemented by the former councils prior to amalgamation. Whilst adoption of Scores on Doors was recommended to Council by staff of the former Pittwater Council in 2015, this was not adopted by Council.

Given the proven benefits of Scores on Doors it is recommended that the program is extended to include the whole Northern Beaches Council area. This will provide a consistent level of service and mean that residents and visitors alike can easily access compliance information about our food businesses.

The program works more effectively where it does not rely solely on businesses displaying their scores. For consumer choice to truly impact on compliance levels there needs to be easy access to star rating information. Central area has supported this by promoting food business scores online and via an App, which is free to download by the public. Extending this across the local government area would provide consumers with easy access to information to help them make informed choices about where to eat, based on the compliance scores of retail food businesses across the whole of the Northern Beaches. Publicising compliance scores for the whole Council area would also ensure a high level of transparency surrounding Council regulation of food businesses.

CONSULTATION

South and Central Areas have successfully run scores on doors for a number of years and have received significant positive feedback from businesses and consumers. There is good awareness of the program by both consumers and businesses due to its operation in two of three of the former council areas and also because of its implementation by other Councils across the State, its promotion by NSW Food Authority and reports in the media. Accordingly no active consultation is recommended.

FINANCIAL IMPACT

The costs associated with providing Scores on Doors can be met within existing budgets.

SOCIAL IMPACT

Scores on doors has proven benefits in relation to improving compliance levels, which ultimately helps to reduce the risks of food related illness in the community. The program also offers an opportunity to showcase businesses with high standards, which is likely to have a positive impact on tourist and visitor numbers, particularly when compliance information can be easily accessed.

ENVIRONMENTAL IMPACT

Nil

ITEM 9.2	INDEPENDENT ASSESSMENT PANEL - NORTH
REPORTING MANAGER	MANAGER PLANNING & ASSESSMENT
TRIM FILE REF	2016/266977
ATTACHMENTS	1 ↓ Northern Beaches Independent Assessment Panel Charter - North

EXECUTIVE SUMMARY

PURPOSE

To consider submissions made during the public exhibition of the interim Charter for the Northern Beaches Independent Assessment Panel – North for development proposed under Pittwater Local Environmental Plan 2014 (PLEP 2014) and to formally adopt the Charter.

SUMMARY

Council resolved on 2 June 2016, to adopt an interim Charter for the Northern Beaches Independent Assessment Panel – North (the Charter). The Charter was subsequently placed on public exhibition for a period of 28 days. Three submissions were received during the exhibition period which have been addressed in this report. No changes are proposed to the exhibited charter as a result of the submissions. The Charter is now recommended for adoption.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That Council adopt the Charter for the Northern Beaches Independent Assessment Panel – North.

REPORT

BACKGROUND

Council resolved on 2 June 2016, to adopt an interim Charter for the Northern Beaches Independent Assessment Panel – North (the Charter). The Charter was subsequently placed on public exhibition for a period of 28 days. Three submissions were received during the exhibition period.

CONSULTATION

Public consultation was undertaken from Monday 13 June to Monday 11 July 2016 (28 days). The exhibition included:

- Advertisement in the Manly Daily; and
- Documents available on Council's website.

Three submissions were received during the consultation period. Issues raised, and the manner in which they have been addressed, are outlined in the table below:

Submission Summary	Council Response
Objectives of the Charter should refer to public participation and opinions relevant to the consideration of the application should be formally considered.	<p>Council's notification policy will apply to any application submitted. This policy requires that all development applications be notified, a sign be placed on the site and applications are listed on Council's website and in the Manly Daily.</p> <p>In addition to this, in determining any development application, Section 79C of the Environmental Planning & Assessment Act requires that a consent authority is to take into consideration relevant matters including the following:</p> <p><i>(d) any submissions made in accordance with this Act or the regulations,</i></p> <p><i>(e) the public interest.</i></p> <p>Finally, the 'Functions' heading of the Charter provides as follows:</p> <p><i>(b) provide an independent and open forum for interested persons and the community to make submissions relevant to the applications before the NBIAP-N.</i></p> <p>Having regard for the above, it is considered that the issue of public participation and consideration of issues raised is adequately addressed.</p>
Training should be provided for the four members of the public appointed to the Panel.	Agreed. This will be included in the induction process.
Exclude those associated with the Real Estate Industry or development of property.	This request is noted. The selection criteria are strict and will be applied. In relation to the appointment of community members any conflicts of interest will need to be declared and will be considered in appointing panel members.
Selection of Panel Members	There will be an open and rigorous merits based recruitment

should not be at the discretion of the General Manager. The Administrator should appoint Panel members. Following elections Councillors should be the approval body.	<p>process. Following this process, recommendations will be made to the General Manager for consideration. This approach is consistent with the former Manly and Warringah Panel operations.</p> <p>The appointment of Councillors to the Panel is not supported. The Panel is being established to provide expert consideration of applications. Politicisation of the assessment process is not supported. Allow Councillors the opportunity to focus on strategic policy matters for the new organisation.</p>
Meetings should be held in public and be transparent.	The meetings will be held in public with the applicant and objectors able to present to the Panel. The Panel will then adjourn to consider the applications and make a decision. This is consistent with the operations of the Panels in Central and South.
Support an additional referral category whereby referral to the Panel can be recommended by two or more councillors on the basis of Public Interest.	The criteria for referral to the Panel are considered acceptable. The applications will be considered on their merits against the relevant legislation and controls with no political interference in the process. This proposal is not supported.
Panel should not have decision making powers.	The Panel are an independent body of experts that will consider applications on their merits against the relevant legislation and controls with no political interference in the process. This proposal is not supported.
Should be a design review Panel.	There will be an expert with environment and/or urban design experience appointed to the Panel to consider design matters.
Disagree with requirement for S96(2) modification applications previously determined by the Panel to be reported back to the Panel.	<p>Section 96 of the EP&A Act includes three separate types of modification applications.</p> <ul style="list-style-type: none"> i) S96 (1) Modifications involving minor error, misdescription or miscalculation and ii) S96 (1A) Modifications involving minimal environmental impact; iii) S96(2) Other modifications <p>It is proposed that modifications involving minor errors and modifications involving minimal environmental impact will not be required to be reported to the Panel. However, applications above this threshold will be reported back to the Panel for consideration of proposal to modify the decision of the Panel.</p>
Disagree with the requirement for variations to development standard in an Environmental Planning Instrument more than 10% be reported to the Panel.	The Department of Planning & Environment have issued a Planning Circular requiring that any variation to a development standard in an Environmental Planning instrument (this only relates to SEPPs and LEP not DCPs) is to be reported to Council.

TIMING

The exhibition period ran from Monday 13 June to Monday 11 July 2016 (28 days).

FINANCIAL IMPACT

Members of the Northern Beaches Independent Assessment Panel – North, will be remunerated in accordance with the Charter.

It is anticipated that overall costs for the Northern Beaches Independent Assessment Panel – North will be approximately \$120K per annum.

SOCIAL IMPACT

Applications that were previously determined by Council will now be determined by an independent assessment panel. One of the key functions of the Panel will be to *“provide an independent and open forum for interested persons and the community to make submissions relevant to the applications before the NBIAP-N”*.

ENVIRONMENTAL IMPACT

Nil

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**NORTHERN BEACHES INDEPENDENT
ASSESSMENT PANEL – NORTH
CHARTER**

1. Functions

The functions of the Northern Beaches Independent Assessment Panel - North (NBIAP-N) are to:

- a) consider and make final independent determinations on all development applications that are referred to it by the General Manager under this Charter;
- b) provide an independent and open forum for interested persons and the community to make submissions relevant to the applications before the NBIAP-N;
- c) achieve *best practice* environmental, social and economic outcomes consistent with the relevant legislation and planning controls.

2. Constitution

- a) The NBIAP-N is a body constituted for the purpose of sub-delegation of the functions by the Council (under Section 377 of the Local Government Act) and consists of the following members:
 - i) a lawyer who is currently admitted or eligible for admission to practice law in New South Wales as a Legal Practitioner (who, unless otherwise disqualified, shall preside as Chairperson at all meetings of the NBIAP at which he or she is present);
 - ii) a professional expert with a university degree in town planning;
 - iii) a professional expert with a university degree in an environmental and/or urban design discipline; and
 - iv) a member of the public rotated from a panel of at least 4 persons, being members of the community from which the member of the public shall be meritoriously drawn as and when required.
- b) The Members of the NBIAP-N are appointed by the General Manager for a term of 2 years.
- c) A member of the NBIAP-N vacates membership of the NBIAP-N if the member:
 - i) dies, or
 - ii) resigns in writing to the General Manager, or
 - iii) completes a term and is not re-appointed, or
 - iv) is removed from his or her membership of the NBIAP-N by Council for breach of any relevantly applicable requirements of the NBIAP-N Memorandum of Understanding or the guidelines issued by the General Manager in respect of the NBIAP-N as in force from time to time, or
 - v) without reasonable excuse does not attend a meeting of the NBIAP-N in compliance with a call of the NBIAP-N or is otherwise absent (without a

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- written explanation for any such absence given to and accepted by the General Manager) from 2 consecutive meetings of the NBIAP-N, or
- vi) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
 - vii) becomes physically or mentally incapacitated to such an extent that he or she is unable to continue discharging the responsibilities of being a member of the NBIAP-N, or
 - viii) is removed by the General Manager for any or no reason and without notice.
- d) Remuneration of a member of the NBIAP-N shall be as determined by the General Manager.
 - e) An alternate member may from time to time be appointed by the General Manager.
 - f) The NBIAP-N may, subject to this Charter and any guidelines issued by the General Manager in respect of the NBIAP-N as in force from time to time, determine its own procedure.
 - g) The NBIAP-N is not bound by the rules of evidence and may inquire into and inform itself on any matter in such manner as it thinks fit, subject to the rules of natural justice (the rules of procedural fairness).
 - h) The NBIAP-N is to act with as little formality as the circumstances of the case permit and according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms.
 - i) The quorum for a meeting of the NBIAP-N is 3 members of the NBIAP-N who hold office for the time being and who are not otherwise disentitled from voting on any particular matter before the meeting.
 - j) Proceedings of the NBIAP-N shall be open to the public. However, the NBIAP-N may close part of a public meeting to the public where the NBIAP-N is of the opinion that such action is strictly necessary in order to protect commercial information of a confidential nature. In addition, for the purpose of enabling the NBIAP-N to convene in private for the express purpose of deciding upon its findings, conclusions and decisions, deliberations and decisions of the NBIAP-N shall be conducted and made in closed session following the conclusion of the NBIAP-N hearing submissions on behalf of the applicant and any other interested parties.
 - k) Where, at any public meeting, there are a large number of objectors with a common interest, the NBIAP-N may, in its absolute discretion, hear a representative of those persons with a view to discharging its responsibilities in a timely manner.
 - l) The NBIAP-N may, in its absolute discretion, but otherwise fairly and consistently, impose time limits on oral presentations by persons other than members of the panel with a view to discharging its responsibilities in a timely manner.
 - m) Each member of the NBIAP-N, unless otherwise disentitled to vote, is entitled to one vote. However, the person presiding at a meeting of the NBIAP-N has, in the event of an equality of votes, a second or casting vote.
 - n) A member of the NBIAP-N is disentitled to vote on any matter with which the NBIAP-N is concerned if the person has a pecuniary interest in the matter (as

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defined in sections 442 and 443 of the *Local Government Act 1993* (NSW)) or a conflict of interest in the matter as relevantly defined in the Manly Code of Conduct, and is otherwise present at a meeting of the NBIAP-N at which the matter is being considered. However, a member of the NBIAP-N is not disentitled to vote on any matter with which the NBIAP-N is concerned if, in the absence of any *other* probative material that would give rise to a pecuniary interest or a conflict of interest as referred to above, the person or any member of the person's family has from time to time personal, familial, business or professional connections or dealings with persons, organisations or associations or bodies within the Northern Beaches local government area of a kind that could not reasonably be regarded as likely to influence any decision the person might make in relation to the particular matter before the NBIAP-N.

- o) A decision of the NBIAP-N shall be by a majority of votes of members present and otherwise entitled to vote at the relevant meeting of the NBIAP-N.
- p) The meetings and other process of the NBIAP-N will be undertaken in accordance with the NBIAP-N guidelines issued by the General Manager from time to time. Where there are no such guidelines, or where some matter is not covered by the guidelines, regard shall be had to the statutory provisions otherwise relevantly applicable to the conduct of NSW local council meetings to the extent to which they are deemed by the Chairperson to be appropriate to the conduct of meetings of the NBIAP-N as well as the ordinary law of meetings to the extent to which that law is not inconsistent with the foregoing.
- q) An officer of Northern Beaches Council appointed by the General Manager shall act as secretary to the NBIAP-N and may be present at any meeting of the NBIAP-N. In addition, the General Manager may, if in the opinion of the General Manager it is necessary or advisable so to do, provide other administrative support to the NBIAP-N whether by way of the provision of staff or otherwise.
- r) NBIAP-N shall hold meetings as required generally meetings should be held in each calendar month. Each meeting shall ordinarily be held in a different calendar month. However, an additional meeting may be called at the discretion of the Chair, and any such meeting may at the discretion of the Chair be held in any calendar month even if a meeting has already been held or is otherwise scheduled to take place in that month.
- s) Each NBIAP-N member shall complete their Pecuniary Interest Declaration Return (Return) and submit it to the General Manager upon appointment to the Panel and shall also submit an annual Return in July each year covering the period to 30 June of the previous 12 months.

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3. Development Applications to be Referred to NBIAP-N

The General Manager will refer to the NBIAP-N the following types of development applications:

- a) Any Development Application with an estimated cost > \$10 Million and where there are 5 or more objections that are relevant and remain unresolved.
- b) Any Section 96(2) application to modify a Development Consent previously determined by NBIAP-N.
- c) Any Development Application or Section 96 (2) Application where a resolution of the Development Unit recommends such application be determined by the NBIAP-N on the basis of Public Interest considerations.
- d) Any Development Application or Section 96(2) Application where a variation to a development standard in an Environmental Planning Instrument is more than 10%.

3.1 Section 82 Review of Determination – Applications Referral to NBIAP-N

- a) All Development Applications that were previously determined by the Development Unit and where a Section 82A Review has been submitted.
- b) All Development applications that were previously determined by NBIAP-N and where a Section 82A Review has been submitted to Council will be forwarded to a Section 82A Review Panel for determination.]
- c) Where NBIAP meets under clause 3.2(b) of this Charter, the Panel shall consist only of members who have not been previously involved in the determination of the applications before them.

4. Obligation of Members

All NBIAP-N members are required to comply with the following conditions of engagement detailed below. These conditions are based on Council's assessment of minimum requirements needed to deliver an appropriate standard of service. Relevantly, a member of the NBIAP-N must:

- a) faithfully and diligently perform their respective obligations under this Charter, the NBIAP-N Memorandum of Understanding, and any guidelines issued by the General Manager from time to time, and must at all times act in accordance with the Code of Conduct (to the extent, if any, modified by this Charter),
- b) not disclose any confidential information obtained in the performance of any of the functions of the NBIAP-N,
- c) not make oral or written statements of any description to the media or to the NBIAP-N Panel in connection with or which touches upon any or all of the functions of the NBIAP-N,
- d) inform himself or herself of materials presented before the NBIAP-N,
- e) not purport to represent Northern Beaches Council in any capacity, and
- f) comply with the provisions of the *Work, Health and Safety Act 2011* (NSW), to the extent to which those provisions are relevantly applicable to members of the NBIAP-N as regards the performance of their respective duties as such,

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as well as with all occupational health and safety policies and procedures of Northern Beaches Council as in force from time to time.

5. Other Business or Employment

Public perception of bias/conflict of interest requires that Members not engage in any of the following while they are members of NBIAP-N:

- Appearing for or against Council in development matters, for example, as consultants acting on behalf of applicants or Council, giving evidence in Court for or against Council;
- Making representations to any Northern Beaches Council panel on behalf of others, for example, making a submission in support of a development, or on behalf of an objector;
- Making representations to Council in relation to planning and development matters, for example, supporting an application for a rezoning;
- Deriving income (other than remuneration for being an NBIAP-N member) through contracts with Council.
- Any other work conducted within the Northern Beaches Local Government area shall be the subject of a declaration of interest to the General Manager.

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Northern Beaches Independent Assessment Panel – North

Memorandum of Understanding

I _____ hereby accept appointment to the Northern Beaches Independent Assessment Panel – North (NBIAP-N) on the following terms and conditions:-

1. I have read and agree with the Northern Beaches Independent Assessment Panel – North Charter shown as Annexure “A” to the Memorandum.
2. I acknowledge and agree that my appointment begins on the <dates to be inserted>, the term is renewable by the General Manager at their absolute discretion.
3. I understand and accept that each member of the NBIAP-N is entitled to receive such remuneration for attending meetings and taking part in the business of the NBIAP-N as determined by the General Manager and advised in writing.
4. I acknowledge and accept that if I have a pecuniary interest in any matter (as defined in section 442 and 443 of the *Local Government Act 1993* (NSW)), to be considered by a meeting of the NBIAP-N, or a conflict of interest as defined in the Code of Conduct, then:-
 - i. I will immediately disclose the nature of that interest to the NBIAP-N at the commencement of a meeting prior to any consideration of any matter, and
 - ii. Unless otherwise permitted by the NBIAP-N Charter, I will not be present at any time when the matter is being considered or discussed by the NBIAP-N.
5. I understand and accept that the business conducted by the NBIAP-N shall be subject to the provisions of section 148 of the *Environmental Planning and Assessment Act 1979* (NSW) and I will not disclose or misuse any information provided to me as a member of the NBIAP-N.
6. I acknowledge and agree that the Council may immediately terminate my appointment to the NBIAP-N by notice in writing, given to me or posted by pre-paid letter addressed to my last known place of residence or business or post office box, if, among other things, I act in breach of the requirements of paragraph 5 of this Memorandum of Understanding or if I fail to attend 2 consecutive meeting of the panel which I should attend, without a written explanation for my absences given to and accepted by the General Manager.

Panel Member

Signed _____ Date _____

General Manager

Signed _____ Date _____

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ITEM 9.3	BP FORESTVILLE PLANNING PROPOSAL - 632-634 WARRINGAH ROAD, FORESTVILLE
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2016/250586
ATTACHMENTS	<p>1 BP Forestville Planning Proposal (Included In Attachments Booklet)</p> <p>2 Gateway Determination (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To report on the results of the public exhibition of the attached *BP Forestville Planning Proposal* (Planning Proposal) and to seek Council endorsement to submit the Planning Proposal to the Department of Planning and Environment (DP&E) and Parliamentary Counsel's Office (PCO) to be finalised.

SUMMARY

The Planning Proposal seeks to permit the additional uses of 'service station' and a 240sqm 'neighbourhood shop' on 632-634 Warringah Road, Forestville (the site).

Council has completed the conditions of the Gateway Determination issued by the DP&E for the Planning Proposal as per attached Gateway Determination.

Council placed the Planning Proposal on public exhibition from 4 June 2016 to 4 July 2016. Four (4) submissions were received from the community during the public exhibition period. Concerns raised include threats to local business, potential for increased noise, fumes and light, and devaluation of land. Submissions from the Roads and Maritime Service and Environment Protection Authority raised no objection to the proposal.

No amendments are recommended to the Planning Proposal as a result of these submissions.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That Council:

- A. Submit the *BP Forestville Planning Proposal* to the Parliamentary Counsel's Office and Department of Planning and Environment.
 - B. Request to exercise its delegation to undertake the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* to amend *Warringah Local Environmental Plan 2011* to give effect to *BP Forestville Planning Proposal*.
-

REPORT

BACKGROUND

At its meeting on 22 March 2016, Council resolved to seek a Gateway determination for the attached *BP Forestville Planning Proposal* (Planning Proposal). The Planning Proposal seeks to permit the additional uses of 'service station' and a 240sqm 'neighbourhood shop' on 632-634 Warringah Road, Forestville (Lots 8 and 9 in DP 25052) (the site) under *Warringah Local Environmental Plan 2011* (WLEP2011). The site comprises a service station and a vacant lot and is currently zoned R2 Low Density Residential.

The Department of Planning and Environment (DP&E) issued a Gateway Determination for the Planning Proposal (attachment 2) on 19 April 2016, subject to the following conditions:

- Creation of maps identifying the site and proposed planning controls, consistent with DP&E standards.
- Consultation with the Roads and Maritime Services (RMS) and Office of Environment and Heritage (OEH).
- Public exhibition of the Planning Proposal and new maps for a minimum of 28 days.

The Gateway Determination also authorised Council to exercise the plan-making functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979*.

Council has fulfilled the conditions of the Gateway Determination and may proceed to amend WLEP2011, as described in the Planning Proposal.

CONSULTATION

In accordance with the Gateway Determination, Council created maps identifying the site and proposed planning controls consistent with DP&E standards. The Planning Proposal and maps were provided to the RMS and OEH for comment. The OEH forwarded the Planning Proposal to the Environment Protection Authority (EPA) for review. Submissions from the RMS and EPA raised no objections to the Planning Proposal.

The Planning Proposal was placed on public exhibition for a period of 31 days. During the public exhibition period, the Planning Proposal and all relevant documents were publically available at Council's customer service centres in Mona Vale, Dee Why and Manly and on Council's website. An advertisement was placed in the Manly Daily on 4 June 2016 notifying the exhibition period and proposed community information session. Surrounding landowners were also notified in writing.

A community information session was held on 15 June 2016 at Forest Community Arts Centre with representatives of BP Australia.

Four (4) community members attended the information session.

Four (4) submissions were received during the public exhibition period. Table 1 below provides a summary of issues raised in the submissions.

Table 1: *BP Planning Proposal Post-Gateway Exhibition Submission Summary*

Issue	No. of times raised	Response
The area is sufficiently serviced by service stations and convenience stores.	3	The Planning Proposal seeks to allow renovations to an existing service station. Likewise, the service station's shop may be expanded and enhanced. The Planning Proposal does not add to the number of service stations or convenience stores in the area.
The expanded service station/convenience store will threaten local businesses.	1	An economic study included with the applicant's proposal concluded that the expansion of the service station's store would not have a significant impact on nearby stores.
Land should be used as affordable or seniors housing.	1	The land owner may choose to develop the land for seniors housing in the future. However, Council cannot force the landowner to undertake this form of development.
Redevelopment of the service station will lead to increased noise, fumes and light, with a possible 24 hour use.	1	Any future development application for the site will consider conditions regarding impact minimisation and for hours of operation.
Redevelopment will de-value surrounding blocks.	1	There is no evidence to suggest that property devaluation will occur as a result of the proposal. Redevelopment of the site, together with modern environmental controls may increase amenity.
Support for access to service station and convenience store for current and future residents and commuters.	1	Noted.

No amendments are recommended to the Planning Proposal as a result of these submissions.

Conclusion

The Planning Proposal is suitable for support and should be forwarded to the DP&E and Parliamentary Counsel's Office to amend WLEP2011 to give effect to the Planning Proposal.

FINANCIAL IMPACT

The preparation of the Planning Proposal has been funded by the fees established in *Warringah Fees and Charges 2015-2016*.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

ITEM 9.4	NARABANG WAY, BELROSE PLANNING PROPOSAL
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2016/248096
ATTACHMENTS	<p>1 8 Narabang Way, Belrose Planning Proposal (Included In Attachments Booklet)</p> <p>2 Narabang Way, Belrose Planning Proposal Submission (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To seek Council approval to submit a planning proposal to the NSW Department of Planning and Environment (the Department) for a Gateway determination to rezone parts of properties at Nos. 8, 10 and 12 Narabang Way, Belrose from E2 Environmental Conservation to B7 Business Park.

SUMMARY

On 10 June 2016, Council received a planning proposal to rezone part of the allotment at No. 8 Narabang Way, Belrose (located within the Austlink Business Park) from E2 Environmental Conservation to B7 Business Park under Warringah Local Environmental Plan 2011 (WLEP 2011).

The Applicant's planning proposal was publicly exhibited from 25 June to 9 July 2016 (2 weeks). Council received 28 submissions, comprising 27 letters of objection and one submission from Sydney Water raising no issues. Many of the objections identified environmental and traffic concerns as key considerations.

Following a review of the applicant's planning proposal, Council has prepared a revised planning proposal to include the rezoning of parts of adjoining allotments at Nos. 10 and 12 Narabang Way from E2 to B7 as these allotments have already been developed. The proposed rezoning is considered to have merit and satisfies the pre-gateway requirements of the Department. It is recommended that Council resolves to approve the submission of a planning proposal to the Department for a Gateway determination and request to exercise its delegation.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That Council:

- A. Submit the Planning Proposal for 8, 10 and 12 Narabang Way, Belrose to the Department of Planning and Environment for a Gateway determination.
 - B. Request to exercise delegation from the Minister of Planning under Section 59 of the *Environmental Planning and Assessment Act, 1979* regarding the making of local environmental plans in relation to this planning proposal.
 - C. Publicly exhibit the Planning Proposal in accordance with any Gateway approval granted by the Department of Planning and Environment.
-

REPORT

BACKGROUND

The Site

The site comprises three allotments - Nos. 8, 10 and 12 Narabang Way, Belrose (Lots 907, 906 and 905 in DP 867091 respectively) and is within the Austlink Business Park (Austlink) (see Figure 1). Austlink is located south of Mona Vale Road and to the west of Forest Way in Belrose.

No. 8 Narabang Way is currently undeveloped and is covered with vegetation. Nos. 10 and 12 Narabang Way are occupied by office premises and warehouse or distribution centre uses fronting Narabang Way, and vegetation covering the rear part of the properties.

Figure 1 - Site identification map



Zoning Controls

The majority of the site is zoned B7 Business Park under WLEP 2011. An area of approximately 1,800 m² located towards the southern boundary is zoned E2 Environmental Conservation. This planning proposal relates only to this E2 zoned land and does not include a larger area of E2 zoned land at the rear of the site, which is known to have environmental significance.

The objectives of the E2 zone are:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect and enhance the quality and character of visually sensitive areas and preserve significant natural landforms in their natural state.
- To manage development in areas having steep sloping topography or that is subject to any potential landslip.
- To manage water quality in significant water catchment areas.
- To ensure that development, by way of its type, design and location, complements and enhances the natural environment in environmentally sensitive areas.

'Environmental protection works' and 'Roads' are the only permissible uses with development consent in the E2 zone. All other uses are prohibited. A range of uses including office and light industrial uses are permitted with development consent in the B7 zone.

Historical context of land zoning

Land within Austlink was identified as regionally significant development for a business park by the State Government through Sydney Regional Environmental Plan No. 15 – Terrey Hills (SREP 15). In 1988, the State Government rezoned Austlink for a business park and private golf course in return for the dedication of 920 hectares of land (east of Forest Way) to be placed under the control of National Parks and Wildlife Services (now Office of Environment & Heritage). The dedicated land now forms part of Garigal National Park covering a large proportion of the Deep Creek catchment.

Special provisions were contained in SREP 15, including the identification of 'restricted development areas'. These were shown as hatched areas on the SREP map. The hatched areas restricted certain development on land due to:

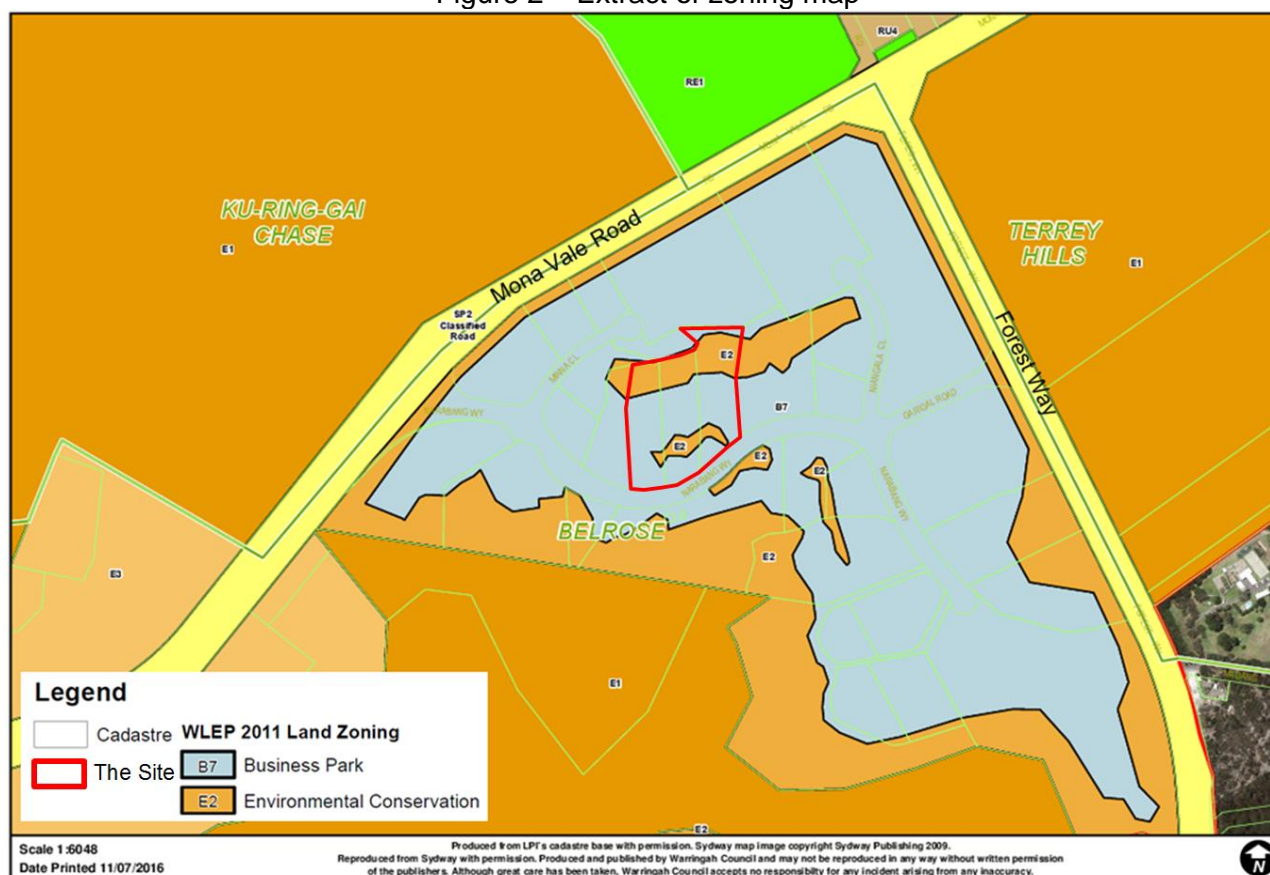
- Unsuitability of the land for development because of the topography of the land;
- The need to protect and conserve the natural features of the land; and/or
- The need to preserve Aboriginal relics situated on the land.

The area the subject of the planning proposal was identified as a 'restricted development area', most likely due to topographic constraints. With the revocation of SREP 15, restricted development areas were incorporated into *Warringah Local Environmental Plan 2000* (WLEP 2000). Importantly, as WLEP 2000 was a 'place-based' plan, it did not prohibit development within these areas, instead relying upon merit assessment to determine whether development could proceed.

With the adoption of the 'standard instrument' for LEP design by the NSW government, restricted development areas translated to E2 zones in WLEP 2011 (see Figure 2). Most development became prohibited under the E2 zone, preventing the assessment of proposals on merit.

The office premises and warehouse or distribution centre uses located on Nos. 10 and 12 Narabang Way were approved under WLEP 2000.

Figure 2 – Extract of zoning map

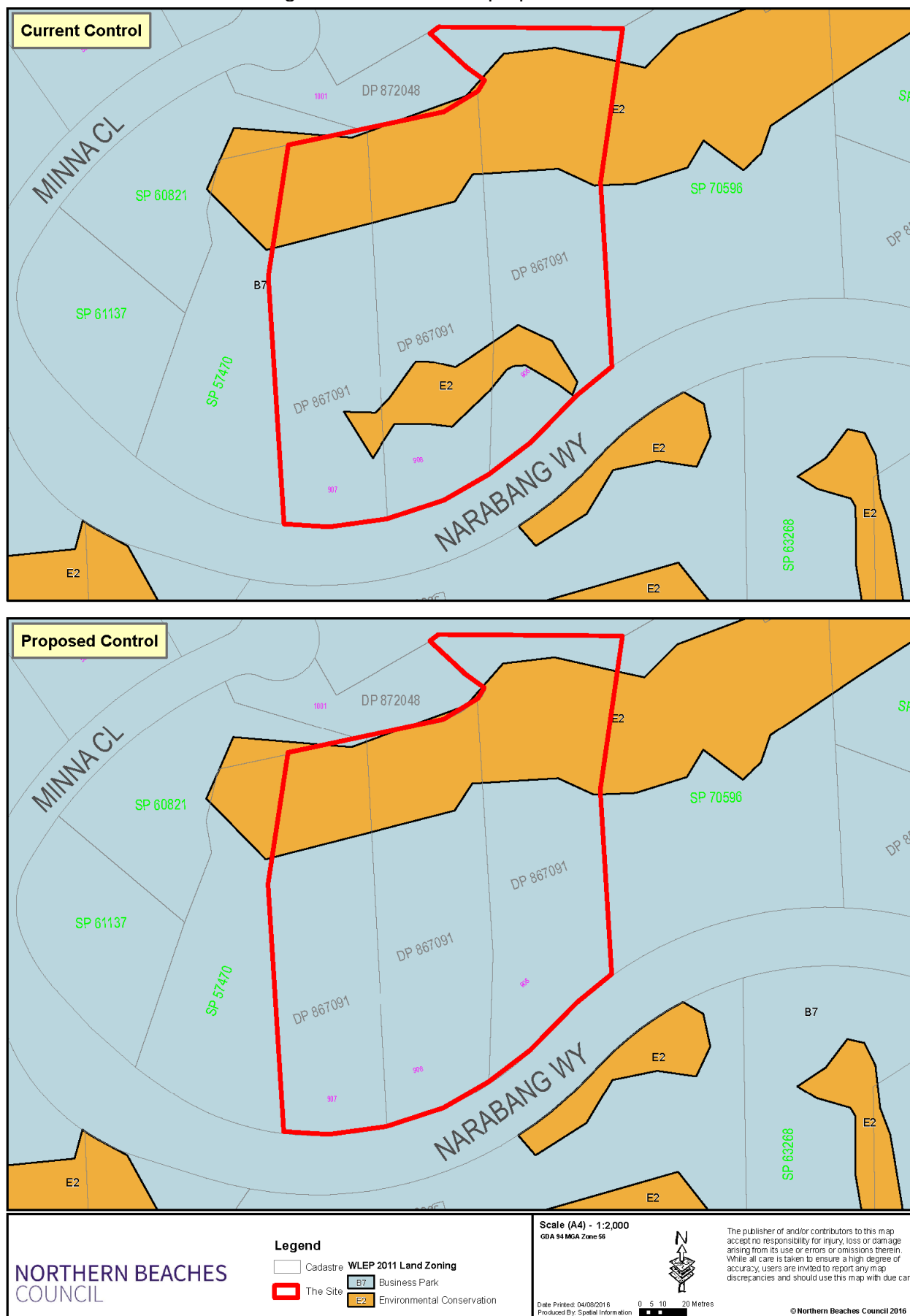


Planning Proposal

The Applicant's planning proposal seeks to rezone a 200 m² area towards the southern boundary of No. 8 Narabang Way from E2 to B7. This would permit the development of a range of office or warehouse type uses on the land.

Council has prepared a revised planning proposal to include a change to the zoning of part of adjoining land at Nos. 10 and 12 Narabang Way from E2 to B7 (see Figure 3). This is in recognition that the land has been developed and no longer meets the objectives for the application of the E2 zone, being land with high ecological, scientific, cultural or aesthetic values.

Figure 3 – Current and proposed controls



CONSULTATION

The Applicant's planning proposal was publicly exhibited from 25 June to 9 July 2016 (2 weeks) in accordance with the adopted Warringah Community Engagement Policy and Matrix. The exhibition included:

- A public notice in the Manly Daily newspaper on 25 June 2016
- Letters to land owners and occupiers within 100 metres of the site
- Electronic copies of the exhibition material on Council's website
- Email to registered community members who have listed their interest on Council's Community Engagement Register for the former Warringah local government area.

Council received 28 submissions comprising 27 letters of objection and one submission from Sydney Water raising no issues with the proposal (existing water and waste water services are available).

The key issues raised in submissions related to environmental and traffic concerns. An evaluation of submissions is provided below.

Submission Evaluation

Note that x1 indicates that the theme has been raised 1 time.

Issue	Comments	Response
Environment	<p>Loss of habitat for flora and fauna including: (x13)</p> <ul style="list-style-type: none"> • Native plant cover; • Threatened glossy black cockatoos; • Eastern pygmy possums; and • Wallabies. <p>The proposed area for rezoning forms part of a wildlife corridor which is a major thoroughfare for wildlife (x9).</p> <p>The proposed area for rezoning comprises ecological and environmental values such as vegetation and rock outcrops (x6).</p> <p>The proposal will result in the incremental creep of loss of environmental land, which will create a precedent for similar applications (x4).</p>	<p>The Applicant's planning proposal relates only to a 200 m² E2 zoned area in the south-eastern corner of the site.</p> <p>The Applicant's Flora and Fauna Study notes that whilst the area zoned E2 at No. 8 Narabang Way contains remnant native vegetation and mature trees in good condition, no obvious natural features differentiate it from the adjoining remnant vegetation that is currently zoned B7.</p> <p>In addition, independent assessment of the proposed area for rezoning at No. 8 Narabang Way site by Council staff found that it did not form part of an endangered ecological community (EEC) as identified under the NSW Threatened Species Conservation Act 1995.</p> <p>Should the rezoning proceed, any future development of the overall site would be subject to a high degree of environmental scrutiny, including requirements for further survey, assessment and reporting to demonstrate that local populations of threatened species will not be impacted.</p> <p>It is noted that office premises and warehouse or distribution centre uses have been constructed at Nos. 10 and 12 Narabang Way despite the operation of similar controls under the former SREP 15 and WLEP 2000 restricting development on those sites. Approval of these developments was subject to the</p>

		concurrence of the then National Parks and Wildlife Services (now Office of Environment and Heritage). Should Gateway determination be granted for this proposal, it is recommended that consultation with Office of Environment and Heritage be undertaken.
Traffic	<p>The proposal will result in additional traffic generation with any future development on the site (x4).</p> <p>The one-way road system of Narabang Way is a traffic hazard (x2).</p> <p>A traffic study should be prepared (x1).</p>	<p>That part of the site at No. 8 Narabang Way zoned B7 could currently be developed as office premises and warehouse or distribution centre land uses. Assessment of the traffic impacts of such a proposal would be undertaken in the assessment of any development application.</p> <p>The proposed rezoning of an additional 200 m² of land to B7 at No. 8 Narabang Way would, by comparison, generate only a minor increase in traffic. This would be subject to further consideration at the development application stage.</p>
Legacy of Austlink	Austlink is a significant example of urban bush land which must be retained (x2).	<p>Austlink is characterised by modern forms of industry, manufacturing, research, warehouses, offices and related services set within the natural vegetation and landscapes of the business park and adjacent National Parks.</p> <p>Should the planning proposal proceed, approximately one quarter of the allotment at No. 8 Narabang Way would remain zoned E2 and would not be developed. In addition, any future development proposal would be subject to additional requirements for landscaping and the retention of native vegetation around the development.</p>
Unnecessary proposal	<p>There is no demand for additional office space in the business park. Also, Narabang Way is overdeveloped (x2).</p> <p>The southern E2 zoned area at No. 8 Narabang Way could be incorporated into the development as a landscape feature (x1).</p> <p>The business park function would not be impacted if the southern E2 zone is retained (x1).</p>	<p>This is an applicant-initiated planning proposal on behalf of the land owner.</p> <p>Incorporating the E2 zoned area at No. 8 Narabang Way into the landscaping of the site would significantly restrict potential redevelopment for office or warehouse purposes.</p> <p>As previously noted, landscaped areas will be required to be provided in the assessment of any future development application for the site.</p>
Social	Queries how the proposal will benefit the community (x1).	The Applicant has indicated that the proposal will provide employment in an established business park.
Process	The Applicant's assessment report is biased. An independent ecological assessment should be undertaken and if the values have degraded, then the owner should be required to restore the land (x2).	Relevant Council staff have reviewed the survey provided and consider it adequate for its intended purpose. Council notes that further survey work addressing the entire allotment at No. 8 Narabang Way and the impacts of any proposed development would be required as part of

		any future development application.
Other	No issues with the proposal as water and waste water services are readily available (x1).	Council acknowledges that water and waste water services are readily available to No. 8 Narabang Way.

ASSESSMENT OF PLANNING PROPOSAL

The following issues, in addition to the matters raised in public submissions, were identified during the assessment of the planning proposal:

Approved development at Nos. 8, 10 and 12 Narabang Way

Development consent has been granted for office, warehouse, industrial and commercial uses under WLEP 2000 for Nos. 8, 10 and 12 Narabang Way:

- DA2000/4802 for No. 8 Narabang Way was approved on 10 April 2002 for an industrial/commercial building. Approval was subject to concurrence with the then, National Parks and Wildlife Services. Concurrence was granted subject to long term management and compensatory measures. It is noted that this proposal included excavation and hard surface parking in the area that is seeking to be rezoned. That consent has lapsed.
- DA1999/2186 for No. 10 Narabang Way was approved on 1 May 2001 for an office and warehouse. Similar to No. 8 Narabang Way, approval was subject to concurrence with the then, National Parks and Wildlife Services. Concurrence was granted subject to long term management and compensatory measures. That consent was acted upon.
- DA2010/0634 for No. 12 Narabang Way was approved on 11 April 2011 by the NSW Land and Environment Court for a warehouse and office building. Approval was subject to conditions including a soil seed bank translocation plan, and levy to maintain the translocated site and fauna and tree relocation. That consent was acted upon.

This planning proposal would permit development that has previously been approved at 8 Narabang Way.

Objectives of the E2 Environmental Conservation Zone

The area subject to the planning proposal does not meet the objectives of the E2 zone. The proposed area for rezoning at No. 8 Narabang Way does not contain land with high ecological, scientific, cultural or aesthetic values. This has been supported by the applicant's Flora and Fauna Study and Council's own assessment. Similarly, Nos. 10 and 12 Narabang Way are developed and the E2 zoning is no longer appropriate.

Streetscape

Narabang Way is characterised by office and warehouse buildings fronting Narabang Way (see Figure 4). The proposed rezoning would allow any future development to be consistent with the existing streetscape and permit the orderly and economic use of the land.

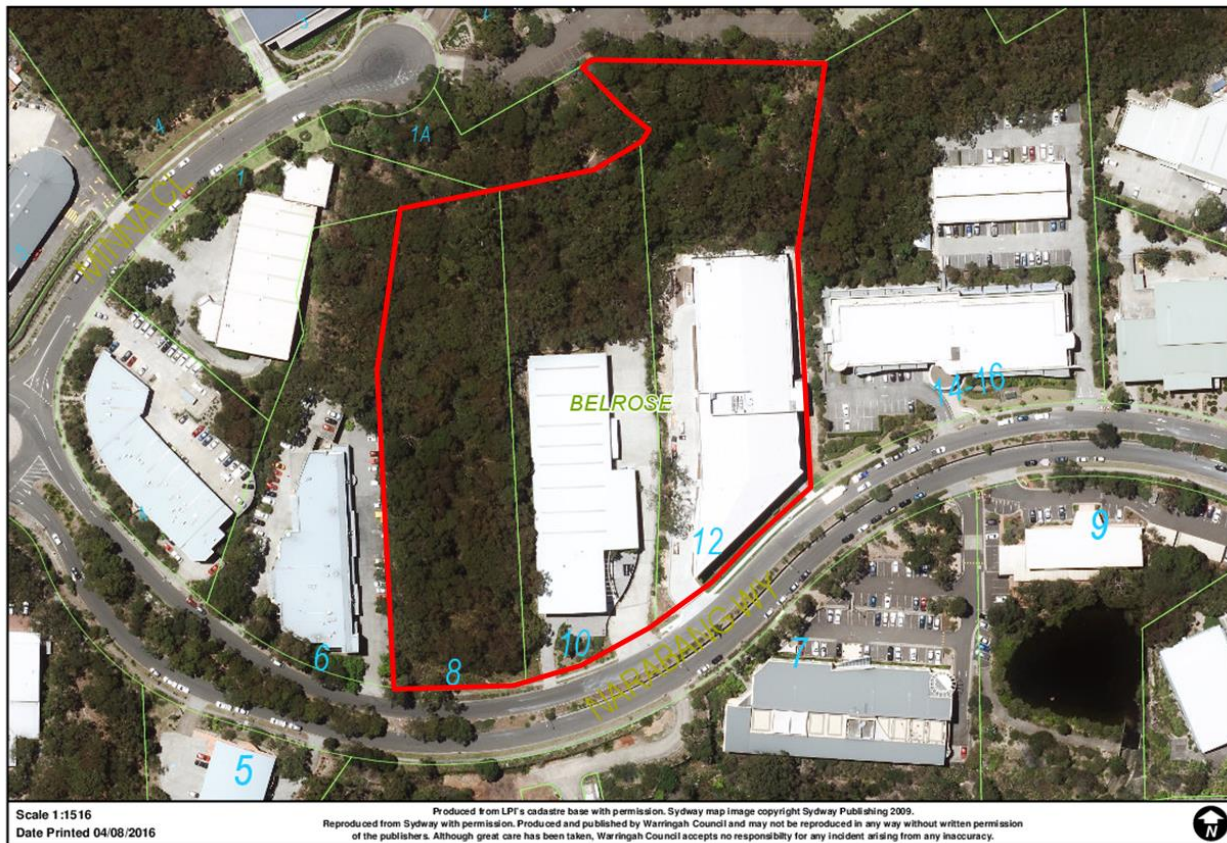
Aboriginal Heritage

Council's records note that Austlink has potential to contain Aboriginal relics. Nos. 10 and 12 Narabang Way are developed. The Applicant has submitted a Preliminary Aboriginal Heritage Assessment confirming that No. 8 Narabang Way contains no Aboriginal archaeological potential. Any future development consent for No. 8 Narabang Way would contain specific conditions relating to Aboriginal heritage.

Contamination

The Applicant has submitted a Preliminary Contamination Investigation for No. 8 Narabang Way in accordance with the requirements of State Environmental Planning Policy No. 55 – Remediation of Land. The study concludes that the potential for site contamination is low. Council's records indicate no contaminating land uses at Nos. 10 and 12 Narabang Way.

Figure 4: Narabang Way Streetscape



The Site

CONCLUSION

The planning proposal to rezone part of the site comprising Nos. 8, 10 and 12 Narabang Way, Belrose from E2 Environmental Conservation to B7 Business Park is considered appropriate as the land does not meet the objectives of the E2 zone. Specifically:

- Nos. 10 and 12 Narabang Way are already developed and no longer meet the criteria for the application of the E2 zone.
- No. 8 Narabang Way does not form part of an EEC as identified under the NSW Threatened Species Conservation Act 1995.
- No obvious natural features differentiate the E2 zoned area at No. 8 Narabang Way from adjoining vegetated areas on the site which are zoned B7 Business Park.
- Topography is not a significant constraint to development and can be addressed in any future development application for construction at No. 8 Narabang Way.

In addition, the proposal would allow any future development to be consistent with the existing streetscape and permit the orderly and economic use of the land.

FINANCIAL IMPACT

The preparation of the Narabang Way, Belrose Planning Proposal has been funded by the fees established in *Warringah Fees and Charges 2015-2016*.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

10.0 TRANSFORMATION, PEOPLE & CULTURE DIVISION REPORTS

ITEM 10.1	ALTERNATIVE PROCUREMENT FOR THE SUPPLY OF HIGH PERFORMANCE LEADERSHIP COACH PROGRAM FOR NORTHERN BEACHES COUNCIL
REPORTING MANAGER	GROUP MANAGER HUMAN RESOURCES
TRIM FILE REF	2016/265229
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To seek Council approval for an alternative procurement process for the delivery of a one-off High Performance Leadership Coach (HPLC) Program for the Executive Management Team and Executive Managers by Griffith Consulting Group, within section 55 (3) of the Local Government Act; "a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a Council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders".

SUMMARY

Griffiths Consulting Group has led and facilitated a successful HPLC Program with all levels of staff of the former Warringah Council, including the Executive Management Team, the Leadership Group, Line Managers and non-supervisory staff.

To ensure an integrated approach to building and aligning leadership capability, having the members of the Executive Management Team and all Executive Managers undertake the program in 2016 will result in a consistent leadership message and language across the senior leadership levels in the Council. It will reinforce long term development and consistency in applying the appropriate leadership behaviours and will assist those in a leadership role with the transition from management to leadership.

The cost to roll-out the HPLC Program for the senior leaders, (Executive Management Team and Executive Managers) is up to \$235,000. This exceeds the \$150,000 tender threshold therefore Council approval for an "Alternative Procurement" process is sought.

RECOMMENDATION OF DEPUTY GENERAL MANAGER TRANSFORMATION, PEOPLE & CULTURE

That Council:

- A. Pursuant to Section 55 (3) (i) of the Local Government Act, resolves that a satisfactory result would not be achieved by inviting tenders for the provision of a High Performance Leadership Coach Program for Senior Managers because of the following extenuating circumstances:
 - i) Griffith Consulting Group has successfully delivered the program to the Senior Leadership Group of the former Warringah Council it is considered that a satisfactory result will not be achieved by inviting tenders and will only add to time delays in delivering the program. There is significant benefit in having the program delivered by the same organisation to ensure consistency.
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- B. That Council delegate authority to the General Manager to negotiate and enter into a contract with Griffith Consulting Group for the provision of the High Performance Leadership Coach Program up to the limit of \$235,000.
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REPORT

BACKGROUND

Prior to the proclamation of the new Northern Beaches Council, the former Warringah Council had successfully implemented a centralised leadership program through an external provider. The first phase of the program delivered a leadership program to develop the Senior Leadership Group using an integrated approach to building and aligning leadership capability throughout the organisation. The key outcome was an organisation-wide approach and language regarding leadership and, in particular, leading change in a public sector environment. The program was a four to six month leadership journey, based on the self-managed, long-term development of the individual and used a blended learning approach with a combination of seminars, learning workshops, small study groups and coaching sessions.

After the Senior Leadership group had successfully completed the program, the program was offered to line managers across the organisation who also undertook a four to six month leadership program. A program was led and facilitated, by Griffith Consulting Group, concurrently to staff who were identified as potential future managers/supervisors. In total 380 staff have successfully completed the program with 99 of these being line managers and above.

The cost quoted to roll-out the HPLC Program for all members of the Northern Beaches Council Executive is up to \$235,000. Section 55 of the Local Government Act states that tenders must be called for contracts over \$150,000, however, it allows exemptions from the tender process for “a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a Council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders”.

As Griffith Consulting Group has successfully delivered the program to the Senior Leadership Group of the former Warringah Council it is considered that a satisfactory result will not be achieved by inviting tenders and will only add to time delays in delivering the program. There is significant benefit in having the program delivered by the same organisation to ensure consistency. Council concurrence with this strategy is sought.

CONSULTATION

The Executive Management Team has been consulted about the value of a centralised High Performance Leadership Program and the consistency in language and integrated approach using the Griffith Consulting Group.

TIMING

Time is critical as the interim management structure for the Northern Beaches Council has recently been determined and recruitment of the Executive Managers is in the final stages. To ensure that a consistent leadership message and language are achieved across all leadership levels in the new organisation and in order to maintain momentum the program needs to be implemented for the Executive Management Team and Executive Managers by March 2017.

FINANCIAL IMPACT

Delivery of the HPLC Program for all members of the Executive Management Team and Executive Managers over six months will cost up to \$235,000. This includes: the delivery of five seminar workshops, five one-on-one coaching sessions for each participant, the Success without Stress four day program and follow up session, manuals, workbooks, feedback materials and certificates at the conclusion of the program. It also includes program coordination and scheduled emailing throughout the program to the participants.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

15.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

- A. That, 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 15.1 RFT 2016/077 - Water Playground for Warringah 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 [S10A(2)(d(i)) *Local Government Act 1993*].

This report discusses commercial information and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would prejudice the confidentiality, privilege or security of such information.

- b Item 15.2 Kimbriki Resource Recovery Project on the basis that it involves the receipt and discussion of:

- information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and [S 10A(2)(c) *Local Government Act 1993*].
- commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [S 10A(2)(d(i)) *Local Government Act 1993*].

This report discusses tender processes, commercial considerations and contract arrangements associated with the Kimbriki Resource Recovery Project and includes information supplied by Kimbriki Environmental Enterprises Pty Ltd. The disclosure of these matters in open meeting would, on balance, be contrary to the public interest. The public interest in maintaining the confidentiality of the information about the project outweighs the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would:

- put Council at a commercial disadvantage in its negotiations with a prospective project contractor, preventing it from achieving a best value for money outcome for the community; and

- prejudice the commercial position of Kimbriki Environmental Enterprises Pty Ltd as it would reveal commercially sensitive information and would not be in line with the Probity Plan for the Kimbriki Resource Recovery Project.

- c Item 15.3 - Outcomes of Manly Oval and Whistler Street Carparks Review on the basis that it involves the receipt and discussion of:

- information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and [S 10A(2)(c) *Local Government Act 1993*].
- commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [S 10A(2)(d(i)) *Local Government Act 1993*].

This report discusses commercially sensitive information and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the

disclosure of this information would prejudice Council's future commercial position.

- B. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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NORTHERN BEACHES COUNCIL

