

AGENDA

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

Tuesday 11 October 2016

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



Mark Ferguson
General Manager

Issued: 6/10/2016

OUR VALUES

Respect
Empowerment
Service
Wellbeing
Equity



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 11 October 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 27 September 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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(Report not available at time of publishing and will be circulated prior to the meeting)

12.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 27 SEPTEMBER 2016

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 27 September 2016, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

7.0 CORPORATE SERVICES DIVISION REPORTS

ITEM 7.1	TABLING OF PECUNIARY INTEREST RETURNS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE & ENTERPRISE RISK
TRIM FILE REF	2016/323645
ATTACHMENTS	1 ↓ Tabled Separately - Northern Beaches Council Pecuniary Interest Register (1 July 2015 to 30 June 2016)

REPORT

PURPOSE

To table completed Pecuniary Interest Returns lodged under the provisions of section 449 of the Local Government Act, 1993.

REPORT

Officers of the Northern Beaches Council and Councillors/Administrators classified as 'Designated Persons' are required to lodge an annual return declaring their pecuniary interests for the period 1 July 2015 to 30 June 2016. This report facilitates the tabling of the returns in accordance with the Local Government Act, 1993.

Under the provisions of section 450A of the Local Government Act, 1993 the General Manager must arrange for the tabling of all Pecuniary Interest Returns at the first meeting of the council after the last day of the period for lodgement, i.e. 30 September 2016. Pecuniary Interest Returns have been lodged by all employees nominated as Designated Persons by resolution of each of the former councils in 2015.

The returns are contained in a register and are publicly available upon request unless the designated person requests to have personal information withheld in accordance with the provisions of Section 739 of the Local Government Act, 1993 and/or section 58 of the Privacy and Personal Information Protection Act 1998.

FINANCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

SOCIAL IMPACT

In the interests of transparency with our community, this report ensures that the Pecuniary Interests Register is tabled at Council as a publically available register in accordance with the Local Government Act, 1993 (NSW).

RECOMMENDATION OF DEPUTY GENERAL MANAGER CORPORATE SERVICES

That Council note the Disclosure of Pecuniary Interest Returns for designated persons for the period 1 July 2015 through to 30 June 2016.

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

ITEM 8.1	NEWPORT SURF LIFE SAVING CLUB – BEACH BOOKING MARQUEE
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RESERVES
TRIM FILE REF	2016/323172
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To seek Council approval for Newport Surf Life Saving Club (SLSC) to stage a Black Tie Ball and Sand Sculpture Competition at Newport Beach on 14 January 2017. Approval is also required to erect a marquee, 20m x 20m.

SUMMARY

The former Council has received a request from Newport Surf Life Saving Club to hold a sand castle competition and charity ball at Newport Beach on 14 January 2017. The ball requires a marquee of 20m x 20m. Pittwater Council's Policy was that the erection of marquees over 225m² on beaches for events required Council approval.

The Sand Castles under the Stars Black Tie and Barefoot Ball is an event being staged by SLSC.

Newport SLSC's objective as a community club is that it wants to use the experience and expertise of its membership to create an event whereby it can promote the work in the community that Cystic Fibrosis NSW and the Newport SLSC undertake and create an opportunity to raise much needed funds for both organisations.

Pending approval by Council and other required consent authorities, it is anticipated that this event will occur on Saturday 14 January 2017.

There are two parts to the event: the first part of the event focusses primarily on the Newport SLSC's community awareness objectives and will take place during daylight hours in the form of a sandcastle competition, professional sand modelling exhibition and displays of the valuable work the two charitable organisations undertake in the community.

The second part of the event is the Black Tie and Barefoot Ball. The Ball will be a publically ticketed event for a maximum of 250 people and is proposed to be held under a large, clear marquee on the beach in front of the surf club. The marquee and associated infrastructure will be hired from a professional and accredited company and will be 20m wide and 30m long. It would be erected on the beach on Friday/Saturday and dismantled and removed Sunday/Monday.

FINANCIAL IMPACT

Fees for the hire of the beach reserve would be waived as the event raised money for charity.

SOCIAL IMPACT

All proceeds from this event will be distributed to two nominated charities – Cystic Fibrosis NSW and Newport Surf Life Saving Club. As a club, Newport SLSC has a number of members who are affected directly and indirectly by Cystic Fibrosis and the Club is aware that many more people are dealing with this disease in the local community.

Cystic Fibrosis NSW has a vision of people living lives unaffected by Cystic Fibrosis. The mission is to improve the quality of life for people with Cystic Fibrosis and their carers and the goal is to provide support services, education and research. The objective of Newport SLSC is to educate the community to be competent and safe in the beach/surf environment. The Club has a strong focus on general public water safety and educating our children within the community by providing them with a range of activities that includes surf knowledge and techniques through the Nipper program.

ENVIRONMENTAL IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Approve the application from Newport Surf Life Saving Club to stage a Black Tie Ball and Sand Sculpture competition at Newport Beach on 14 January 2017.
 - B. Approve the erection of a 20m x 20m marquee on Newport Beach to stage a Black Tie Ball and Sand Sculpture competition.
-

ITEM 8.2	NARRABEEN CAR PARK - BERRY RESERVE, PITTWATER ROAD NARRABEEN - AGREEMENT TERMS FOR THE ESTABLISHMENT OF ADDITIONAL CARPARKING FOR THE NORTHERN BEACHES BUS RAPID TRANSPORT
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY MANAGEMENT & COMMERCIAL
TRIM FILE REF	2016/307785
ATTACHMENTS	1 ↓ Narrabeen Car Park - Berry Reserve Pittwater Road Narrabeen - Draft Heads of Agreement with Transport for NSW to establish a commuter car park for the proposed B-Line (Bus Rapid Transport)

EXECUTIVE SUMMARY

PURPOSE

To consider the proposal by Transport for NSW (TfNSW) to establish a commuter car park for the proposed B-Line (Bus Rapid Transport) on Council's land in Narrabeen.

SUMMARY

TfNSW has proposed to construct and lease an additional 41 at grade car spaces in Council's Narrabeen Car Park at Berry Reserve, Pittwater Road Narrabeen for 30 years for commuter car parking for the new B Line Bus Rapid Transport.

The proposal is documented in the attached Heads of Agreement that has been worked on collaboratively by both parties, and sees TfNSW constructing these additional car spaces in exchange for the lease, as well as paying for any ongoing operational and maintenance costs.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Endorse the Heads of Agreement for B Line Bus Rapid Transport commuter car parking in the Narrabeen Car Park, Berry Reserve, Pittwater Road Narrabeen.
 - B. Delegate to the General Manager the authority to execute all necessary documentation to give effect to this resolution.
-

REPORT

BACKGROUND

Transport for NSW (TfNSW) is delivering the new B Line Bus Rapid Transport (B Line) for the NSW Government which operates within the Northern Beaches Council LGA.

As part of this project, TfNSW requires the provision of off-road infrastructure to Northern Beaches public transport commuters who will use bus services which travel along the B Line route, including car parking spaces specifically for B Line commuters in suitable locations.

As Narrabeen is a key commuter pick up location for the B Line, TfNSW has been working with Council to identify suitable car parking locations that can be allocated as part of this project.

After looking at many options in Narrabeen, TfNSW proposes to construct an additional 41 ground level car spaces at the existing Council car park at Berry Reserve (Council Community Land) with associated works (at TfNSW's cost) which include construction of a new amenities block and half size basketball court to replace the existing structures which will be demolished as part of the project.

TfNSW propose to lease the additional 41 car spaces for a term of 30 years.

As the Berry Reserve Plan of Management does not expressly authorise such a lease over the subject Council Community Land, TfNSW proposes to compulsorily acquire the proposed lease by agreement in accordance with Section 30 of the Land Acquisition (Just Terms Compensation) Act 1991.

CONSULTATION

TfNSW has completed a Review of Environmental Factors (REF) which identifies the potential environmental benefits and impacts of the proposal, as well as mitigation measures to reduce the impact on the community. Based on the results of the REF, TfNSW wishes to proceed with the proposal at Council's Narrabeen Car Park at Berry Reserve, Pittwater Road Narrabeen (*Reference: Narrabeen Commuter Car Park and B-Line Stops Determination Report, May 2016, Northern Beaches B-Line Program REF- 5141407*).

FINANCIAL IMPACT

The impact to Council's budget will be positive due to the capital contribution proposed by TfNSW for the long term lease of the car park.

SOCIAL IMPACT

The proposal improves the mobility of Northern Beaches residents linking them with the CBD through public transport and car parking facilities to enable access to public transport routes. The proposal will also include a bike storage facility which will have the benefit of improving the health of residents by enabling commuting to the CBD to be partly made by bicycle.

ENVIRONMENTAL IMPACT

TfNSW has conducted a Review of Environmental Factors (REF) which is available at the dedicated website www.b-line.transport.nsw.gov.au. The REF identifies not only the potential impacts of the proposal but also potential environmental benefits and what TfNSW will be doing to reduce the identified impacts.

The overall impact of encouraging the use of public transport and biking networks should see positive changes to pollution levels and air quality.

The proposed additional 41 car spaces will have an impact on the existing recreation area between the car park and Narrabeen Lagoon by reducing the turfed area by approximately 1,100 metres squared (extension of existing car park approximately 11 metres west into Berry Reserve).

The reduction in open space was considered within the identified criteria in the REF including environmental impact, community and stakeholder benefit, and visual impact. The design has aimed to minimise the impacts on open space.

The expansion of the car park footprint westwards will also have an impact on popular events and markets. Therefore, Council has suggested that the western-most third of the car park could be closed for events and markets. A different surface treatment could visually delineate this area.

The subject works are proposed to be undertaken by TfNSW as an activity under *Part 5 of the Environmental Planning & Assessment Act 1979* with conditions as set out in its *Narrabeen Commuter Car Park and B-Line Stops Determination Report, May 2016, Northern Beaches B-Line Program REF- 5141407*.

TIMING

Construction is expected to commence in late 2016 and take up to 8 months to complete. TfNSW is planning for the B-Line service to commence operating in late 2017.

CONCLUSION

This proposal, as documented in the attached Heads of Agreement, has been worked on collaboratively by both parties for a number of months and sees TfNSW constructing the proposed additional car parking spaces (and associated relocation works) in exchange for the lease, as well as paying for any ongoing operational and maintenance costs for these car spaces.

The location of the additional car spaces is suitable for commuters catching the B Line in Narrabeen, will deliver a benefit to users of the B Line system, and is recommended to proceed.



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HEADS OF AGREEMENT

Parties:

Transport for NSW ABN 18 804 239 602 of Level 5, Tower A, Zenith Centre, 821 Pacific Highway, NSW 2067 ("TfNSW").

And

Northern Beaches Council ABN 57 284 295 198 of Civic Centre, 725 Pittwater Road, Dee Why, NSW, 2099 ("Council").

Subject Matter: Northern Beaches B-Line Program ("NBBP")
Commuter Car Spaces at Narrabeen

Term	Particulars
Background:	<p>A. TfNSW is a NSW Government agency established pursuant to the Transport Administration Act 1988.</p> <p>B. TfNSW is delivering the NBBP for the NSW Government.</p> <p>C. The NBBP will be partly constructed, operated and maintained within the local government area administered by Council.</p> <p>D. A particular focus of TfNSW is to ensure the provision of infrastructure to Northern Beaches public transport commuters who will use bus services which travel along the NBBP route.</p> <p>E. Part of such infrastructure comprises car parking spaces to be allocated to NBBP commuters.</p> <p>F. Council is the owner of the car park located in Berry Reserve on Pittwater Road at the intersection of Albert Street at Narrabeen (Narrabeen Car Park).</p> <p>G. The Narrabeen Car Park currently has 104 car spaces.</p> <p>H. TfNSW intends (at its own cost) to :</p> <p>(a) Reconfigure the existing the Council car park at Narrabeen to provide an additional 41 car spaces at the Narrabeen Car Park for NBBP commuters.</p> <p>(b) demolish the existing amenities block and construct a new amenities block; and</p> <p>(c) relocate the existing half sized basketball court (the "Construction Works")</p>
NBBP Car Spaces:	<p>TfNSW will lease NBBP 41 car spaces (including two (2) DDA car spaces) from Council (NBBP Car Spaces).</p> <p>A plan of the proposed reconfigured Narrabeen Car Park is provided at</p>



Term	Particulars
	Attachment A ("Car Park Site Plan"). Attachment B describes the area where the NBBP Car Spaces will be located.
Amenities Block:	<p>The new Amenities Block which will be relocated as detailed on the Car Park Site Plan and will be based on a like for like replacement of the existing facilities on site with the inclusion of accessible amenities and will consist of the following:</p> <p>Men's:</p> <ul style="list-style-type: none"> - 4 urinals - 4 toilets - 2 to 3 hand basins <p>Women's:</p> <ul style="list-style-type: none"> - 6 toilets - 3 hand basins <p>Accessible:</p> <ul style="list-style-type: none"> - 1 toilet - 1 hand basin <p>Attachment C provides plans and elevations of the new amenities block.</p>
Basket Ball Court	The new half size basketball court will consist of an all-weather surface with associated line marking, backboard and ring and is located as described on the Car Park Site Plan (Attachment A).
Land:	<p>The Land on which the Council car park at Narrabeen is located in Berry Reserve and is formally described as follows:</p> <ul style="list-style-type: none"> • Lot A in Deposited Plan 445551 • Lot B in Deposited Plan 445551 • Lot 10 in Deposited Plan 12600 • Lot 11 in Deposited Plan 12600 • Lot 12 in Deposited Plan 12600 • Lot 13 in Deposited Plan 12600 • Lot 14 in Deposited Plan 12600 • Lot 15 in Deposited Plan 12600 • Lot 16 in Deposited Plan 12600 <p>Refer to Attachment D for title searches</p>
Land Access & Occupation Arrangements:	<p>The provisions of the Land Acquisition (Just Terms Compensation) Act 1991 allow occupation pursuant to Section 30 ("Compulsory acquisition with consent of owners"). TfNSW will acquire the following Leases:</p> <ol style="list-style-type: none"> 1. a temporary Construction Lease to enable TfNSW to undertake the Construction Works ("Construction Lease"). The Construction Lease area is shown hatched on the plan(s) provided at Attachment E.



Term	Particulars
	<ol style="list-style-type: none"> a lease over the part of the Land which will accommodate the 41 NBBP Car Spaces as described in Attachment C (the NBBP Car Park Lease).
Construction Lease Term:	<p>The term of the Construction Lease will be Twelve (12) months.</p> <p>The Construction Lease will commence on the day a Notice of Compulsory Acquisition is published by TfNSW in the New South Wales Government Gazette declaring that the Construction Lease is acquired by compulsory process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991.</p>
NBBP Car Space Lease Term:	<p>The term of the NBBP Car Park Lease will be thirty (30) years.</p> <p>Subject to TfNSW completing the Construction Works, the NBBP Car Park Lease term will commence on the day a Notice of Compulsory Acquisition is published by TfNSW in the New South Wales Government Gazette declaring that the NBBP Car Park Lease is acquired by compulsory process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991.</p>
NBBP Car Space Lease Permitted Use:	Public car park for NBBP commuters.
Compensation:	<ol style="list-style-type: none"> TfNSW will carry out the Construction Work at its own cost. TfNSW will pay a one-off rental payment in the sum of \$1.00 for the term of the Construction Lease. TfNSW will pay a one-off rental payment in the sum of \$1.00 for the term of the NBBP Car Park Lease. TfNSW agrees that (if required due to physical obsolescence) it will contribute to the future cost of resurfacing the Narrabeen Council Car Park. TfNSW's cost contribution will be pro rated based on the number of NBBP Car Spaces under the NBBP Car Park Lease and as described under Ownership, Operation and Maintenance.
Ownership, Operation & Maintenance:	<ol style="list-style-type: none"> Council will be responsible for the Ownership, Operation and Maintenance ("OO&M") of the Council car park at Narrabeen. TfNSW will be responsible for its share of the "OO&M Costs" charged by Council on a pro-rata basis per NBBP Car Space. TfNSW will reimburse Council the OO&M Costs (based on actual costs) on an annual basis (in arrears), within 30 days of receipt of Council's valid tax invoice and supporting documentation. OO&M Costs include, but is not limited to: <ol style="list-style-type: none"> The cost of electricity supply and any other utility charges. Statutory charges as applicable. The cost of the insurances as described under Insurances.



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Term	Particulars
	<p>Note: Utility charges generally cover charges for:</p> <ul style="list-style-type: none"> a) water; b) electricity; c) telecommunications; and d) gas.
Insurance:	<p>Throughout the term of the NBBP Car Park Lease and during any holding over or further occupation of the NBBP Car Spaces within Narrabeen Car Park, Council shall take out insurance, with a reputable insurance company, for:</p> <ul style="list-style-type: none"> 1) public liability insurance of at least \$20 million any one occurrence and in the aggregate or such other amount as required by Council from time to time, acting reasonably; and 2) damage to or loss of the NBBP Car Spaces for its full replacement value.
TfNSW Rights & Obligations:	<ul style="list-style-type: none"> 1) TfNSW may at any time during the NBBP Car Park Lease term, install "TfNSW Systems" which may include electronic screens containing real time timetable information, opal card readers, way finding fixtures or any other requirement; 2) provision to Council of NBBP branding graphics for incorporation into Council signage, including signage for accessible car spaces; 3) when the NBBP Car Park Lease expires (or upon earlier termination or vacation by TfNSW): <ul style="list-style-type: none"> a) if installed, removal of the TfNSW Systems from the NBBP Car Space Lease Area and the Narrabeen Council Car Park; and b) leaving the NBBP Car Spaces in a clean and tidy condition.
Council Rights & Obligations:	<p>Council shall:</p> <ul style="list-style-type: none"> 1) Institute & maintain security, safety and emergency measures and procedures for the Narrabeen Council Car Park; 2) Permit the incorporation of the of NBBP branding in the Narrabeen Council Car Park; 3) If required at any time during the NBBP Car Space Lease term, allow TfNSW or its authorised contractor(s) access to the Council car park at Narrabeen to install TfNSW Systems and associated branding;



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Term	Particulars
	<ol style="list-style-type: none"> 1. Operate and maintain the NBBP Car Spaces to a commercially acceptable standard for the term of the NBBP Car Park Lease; 4) Carry out capital works improvements to modernise or replace components of the Narrabeen Car Park that require modernisation or replacement. Any such capital works improvements will be with TfNSW's prior consent.
Assignment/Transfer:	TfNSW may Assign, Sublease or Transfer the NBBP Car Park Lease to another State or Local Government Agency during the lease term.
Termination of access and occupation to NBBP Car Spaces:	<p>In the event that:</p> <ol style="list-style-type: none"> 1. TfNSW commits a material breach of the terms of the NBBP Car Park Lease; and 2. Council has provided 60 Business Day's prior written notice to TfNSW requiring the breach be rectified, with such notice advising that failure to rectify will be followed by Council re-entering the NBBP Car Park Lease area and taking possession thereof; and 3. such breach is not remedied by TfNSW within the 60 Business Day period following its receipt of written notice to TfNSW detailing the breach, or such extended period of notice as is reasonable in the circumstances, then 4. Council may re-enter the NBBP Car Park Lease area and take possession of the NBBP Car Spaces whereupon the NBBP Car Park Lease will terminate.
Indemnities – Narrabeen Car Park (Temporary Construction Lease Term):	<p>TfNSW as the party responsible for the Construction Works and its authorised persons will conduct any construction works or ancillary works and to the extent permitted by Law releases the other party from all claims arising out of any damage to or loss of property and injury to or death of persons occurring in connection with or as a result of those car park construction works or ancillary activities.</p> <p>TfNSW as the party responsible for the Construction Works will indemnify Council against all claims arising out of any damage to or loss of property and injury to or death of persons occurring in connection with or as a result of any car park construction works or ancillary activities of TfNSW as the party responsible for the Reconfiguration Works and the Council Works.</p> <p>The risks, releases and indemnities will not apply to the extent that the damage to or loss of property or injury to or death of persons arose as a consequence of the defaults, negligence or actions of Council or its agents, contractors or advisers.</p>
Release & Indemnity	TfNSW agrees to allow NBBP commuters to occupy and use the NBBP

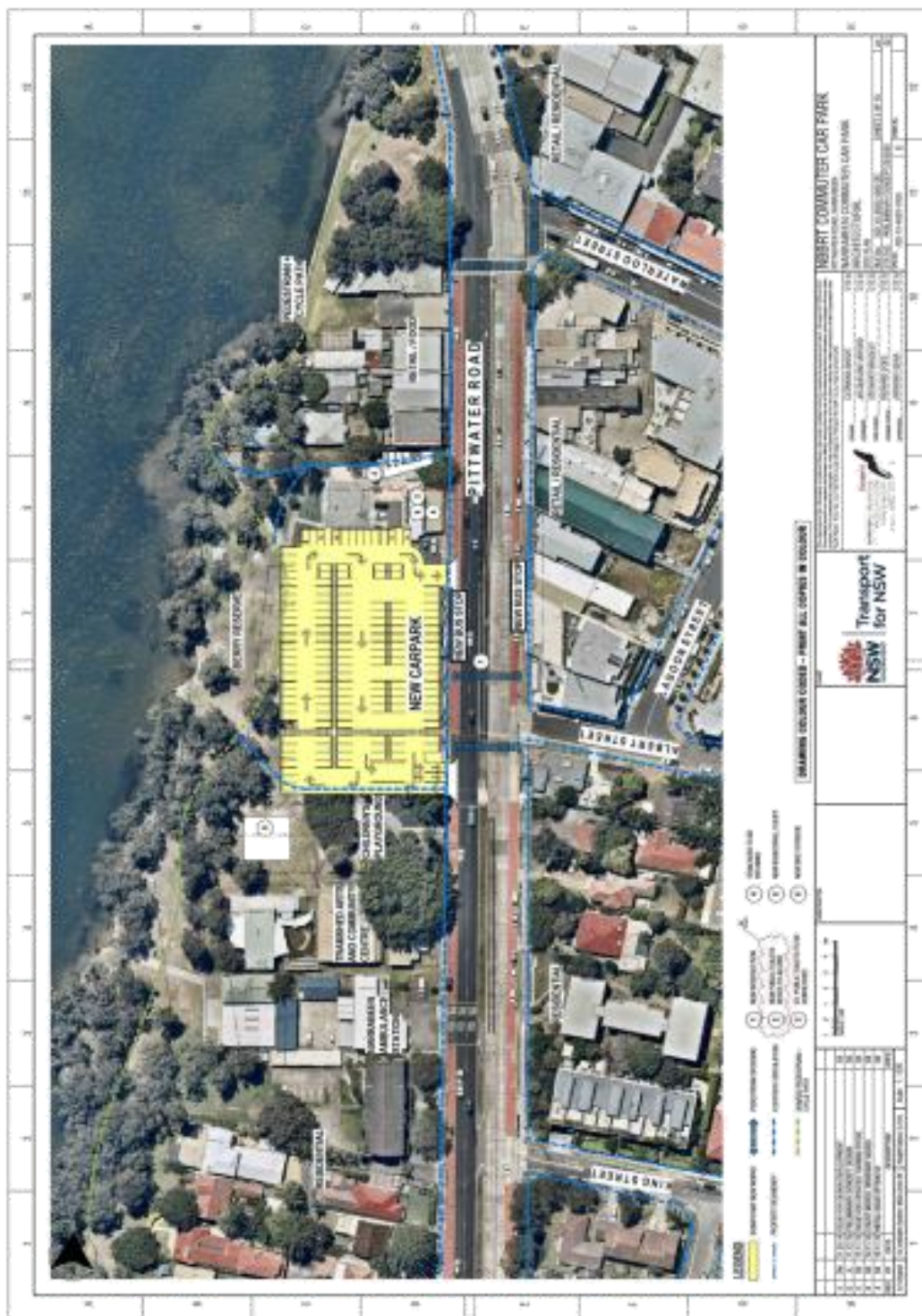


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Term	Particulars
by TfNSW (Occupation phase):	<p>Car Spaces at their own risk and releases and indemnifies Council in respect of injury or death to persons or any damage to or loss of any property (collectively "Loss") of or in the possession of TfNSW or NBBP commuters (who access & occupy the NBBP Car Spaces) or any part claiming through TfNSW and contained in or about the NBBP Car Spaces including but not limited to Loss which is due to:</p> <ul style="list-style-type: none"> a) water, heat, fire, electricity, vermin, explosion, tempest or bursting pipes; b) escape of harmful agents including the overflow, leakage or escape of water, fire, gas or electricity or any other agent from any source whatsoever in or from the NBBP Car Spaces; or the operation of fire equipment; or c) for any loss of profits by TfNSW or NBBP commuters (it has permitted to access & occupy the NBBP Car Spaces) that result from those items above <p>except to the extent that such Loss is caused or contributed to by deliberate or negligent acts or omissions of Council or its agents or contractors and except to the extent that such Loss occurs in conjunction with a part of the Narrabeen Council Car Park or the Land that does not form part of the NBBP Car Space Lease Area at the Narrabeen Council Car Park.</p>
TfNSW Representative:	<p>During the Construction Lease: Mr. Lee Price NBBRT Project Director: Ph: 02 9422 7397 Email: lee.price@transport.nsw.gov.au</p> <p><u>During the NBBP Car Park Lease:</u> John Karaboulis Director Service Delivery & Performance Phone: 8202 3144 Email: john.karaboulis@transport.nsw.gov.au</p>
Council Representative:	<p>Mr. Mark Ferguson General Manager, Northern Beaches Council Ph: 9970 1105 Email: mark.ferguson@northernbeaches.nsw.gov.au</p>
Instructions to Lawyers/Legal Fees:	<p>The parties confirm that this Heads of Agreement will form the basis of instructions to TfNSW's lawyers to draft the Deed of Agreement and the Construction Lease and the NBBP Car Park Lease.</p> <p>Each Party will bear its own legal costs for drafting and negotiating the Deed and the Lease.</p>



ATTACHMENT A
NARRABEEN COUNCIL CAR PARK SITE PLAN





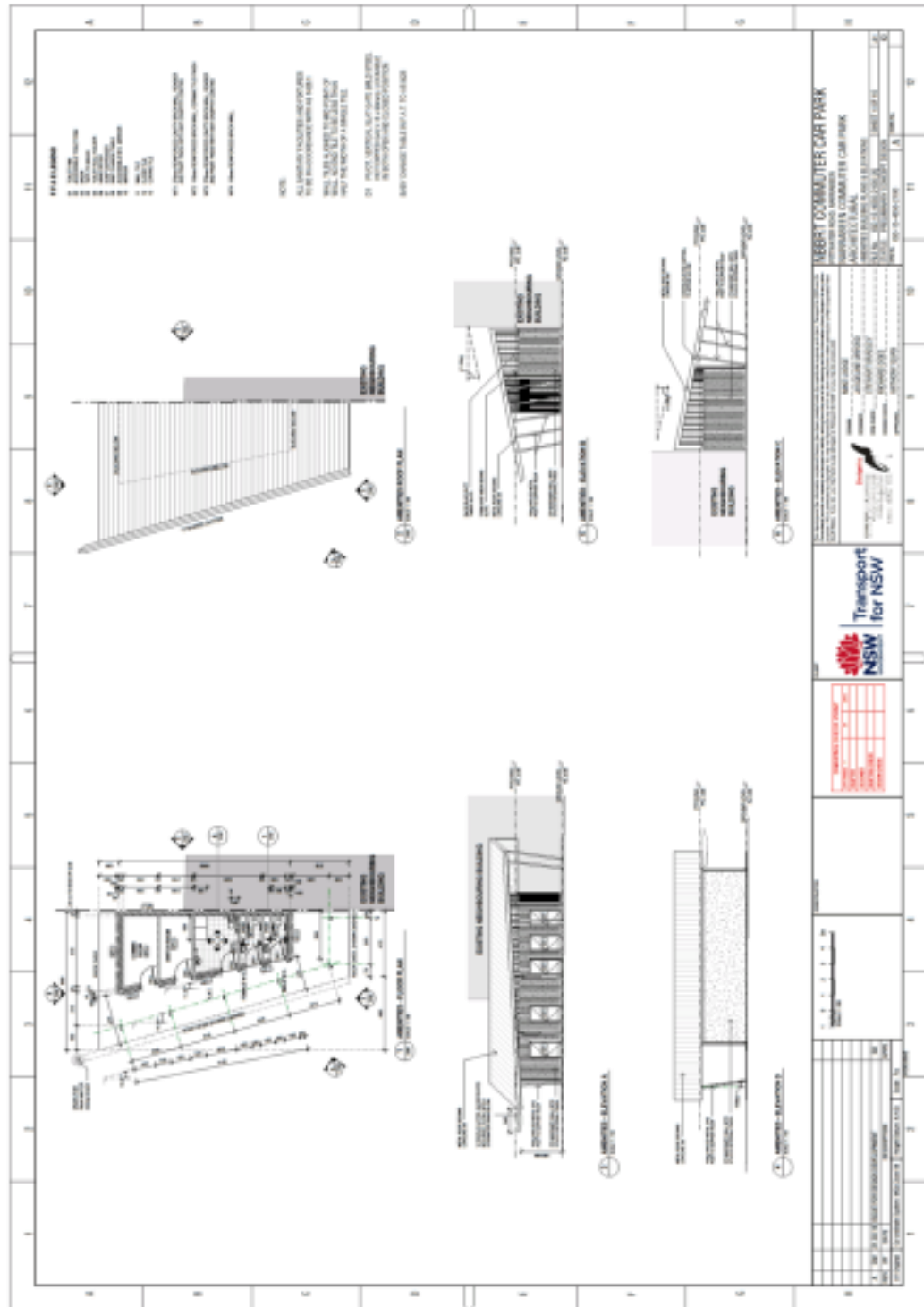
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ATTACHMENT B

NBBP CAR PARK LEASE AREA

The area highlighted in green depicts the NBBP Car Spaces under the NBBP Car Park Lease.









Transport
for NSW

NORTHERN BEACHES
COUNCIL

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ATTACHMENT D

TITLE SEARCHES



SAI GLOBAL
PROPERTY

Order number: 34408469
Your Reference: NBBRT - Narrabeen
02/02/16 15:14

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: A/445551

SEARCH DATE	TIME	EDITION NO	DATE
2/2/2016	3:14 PM	6	3/12/2013

LAND

LOT A IN DEPOSITED PLAN 445551
AT NARRABEEN
LOCAL GOVERNMENT AREA WARRINGAH
PARISH OF MANLY COVE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP445551

FIRST SCHEDULE

WARRINGAH COUNCIL

(T 6843398)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 AI204700 LEASE TO ESPRESSO HEAD TOO PTY LIMITED BEING 1417 PITTWATER ROAD, NARRABEEN NSW. EXPIRES: 14/11/2018. OPTION OF RENEWAL: FIVE YEARS.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 2/2/2016

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

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Transport
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NORTHERN BEACHES
COUNCIL

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SAI GLOBAL

Order number: 34408469
Your Reference: NBBT - Narrabeen
02/02/16 15:14

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

POLIO: B/445551

SEARCH DATE	TIME	EDITION NO	DATE
2/2/2016	3:14 PM	-	-

VOL 7981 FOL 245 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT B IN DEPOSITED PLAN 445551
LOCAL GOVERNMENT AREA WARRINGAH
PARISH OF MANLY COVE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP445551

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF WARRINGAH (T H340409)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS (S.134 PUBLIC WORKS ACT, 1900)
- 3 H340410 CAVEAT BY THE REGISTRAR GENERAL

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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Transport
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NORTHERN BEACHES
COUNCIL

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SAI GLOBAL
PROPERTY

Order number: 34408469
Your Reference: NBBRT - Narrabeen
02/02/16 15:14

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 10/12600

SEARCH DATE	TIME	EDITION NO	DATE
2/2/2016	3:14 PM	-	-

VOL 4241 FOL 39 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 10 IN DEPOSITED PLAN 12600
LOCAL GOVERNMENT AREA WARRINGAH
PARISH OF MANLY COVE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP12600

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF WARRINGAH (T G649106)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 A125980 LAND EXCLUDES MINERALS (S.134 PUBLIC WORKS ACT, 1900)
- 3 A125980 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912)
- 4 G649107 CAVEAT BY THE REGISTRAR GENERAL

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: AUTO CONSOL 6851-156

SEARCH DATE	TIME	EDITION NO	DATE
2/2/2016	3:14 PM	-	-

VOL 6851 FOL 156 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS
LOCAL GOVERNMENT AREA WARRINGAH
PARISH OF MANLY COVE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP12600

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF WARRINGAH (T G649106)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS (S.134 PUBLIC WORKS ACT, 1900)
- 3 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912)
- 4 G649107 CAVEAT BY THE REGISTRAR GENERAL

NOTATIONS

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOTS 11-14 IN DP12600.

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

POLIO: 15/12600

SEARCH DATE	TIME	EDITION NO	DATE
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VOL 3700 FOL 161 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 15 IN DEPOSITED PLAN 12600
LOCAL GOVERNMENT AREA WARRINGAH
PARISH OF MANLY COVE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP12600

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF WARRINGAH (T G649106)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912)
- 3 G649107 CAVEAT BY THE REGISTRAR GENERAL

NOTATIONS

UNREGISTERED DEALINGS: NIL

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 16/12600

SEARCH DATE	TIME	EDITION NO	DATE
2/2/2016	3:14 PM	-	-

VOL 3975 FOL 191 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 16 IN DEPOSITED PLAN 12600
LOCAL GOVERNMENT AREA WARRINGAH
PARISH OF MANLY COVE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP12600

FIRST SCHEDULE

THE COUNCIL OF THE SHIRE OF WARRINGAH (T L722799)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912)

NOTATIONS

UNREGISTERED DEALINGS: NIL

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ATTACHMENT E

CONSTRUCTION LEASE AREA

The hatched area below indicates the extent of the area under the Construction Lease





ITEM 8.3	RFT 2016/080 - BUS SHELTER CLEANING
REPORTING MANAGER	EXECUTIVE MANAGER RESOURCE RECOVERY
TRIM FILE REF	2016/321981
ATTACHMENTS	NIL

REPORT

PURPOSE

To seek Council approval to accept the recommended tender for the Bus Shelter Cleaning Contract.

REPORT

The current Bus Shelter Cleaning contract expires on Friday, 2 December 2016. The former Warringah Council's Community Strategic Plan 2023 had flagged the Bus Shelter Cleaning program as a continuing Council service. Council called for tenders on Saturday, 9 July and received 11 submissions at the close of tender on Tuesday, 2 August 2016. The tender process sought a contract term of one year with three extensions at Council's option, of one year each. This provides the flexibility to change or harmonise the service as Council's integration process continues.

FINANCIAL IMPACT

The Delivery Program 2016/17 has allocated an annual budget for this service. There are sufficient funds remaining in 2016/17 budget for the new contract for the next seven months (until Friday, 30 June 2017). There are sufficient funds planned for the 2017/18 budget for the annual cost of the new contract for 2017/18.

ENVIRONMENTAL IMPACT

The tenderers were required to specify the chemicals they planned to use on the contract. Tenderers were also encouraged to utilise environmentally friendly chemicals where possible.

SOCIAL IMPACT

The program allows Council to maintain the 176 Council owned bus shelters to ensure they are clean, safe and accessible for the community to use while they wait for public bus transport.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council adopt the recommendation contained in Item 11.1 of the Confidential Agenda, RFT 2016/080 – Bus Shelter Cleaning Contract.

9.0 PLANNING & COMMUNITY DIVISION REPORTS

ITEM 9.1	INCREASED FLOOR AREA FOR SECONDARY DWELLINGS PLANNING PROPOSAL
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND-USE PLANNING
TRIM FILE REF	2016/308423
ATTACHMENTS	1 Increased Floor Area For Secondary Dwellings Planning Proposal 2 Gateway Determination

EXECUTIVE SUMMARY

PURPOSE

To report on the results of the public exhibition of the Increased Floor Area for Secondary Dwellings 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 (refer Attachment 1) seeks to allow for larger secondary dwellings up to 75m² under the Manly *LEP 2013* and provide for increased harmonisation of the planning controls in relation to secondary dwellings on the Northern Beaches.

Council at its Meeting on 16 June 2016 resolved to prepare a Planning Proposal adopting a similar clause to clause 6.10 of the *Warringah LEP 2011*, allowing secondary dwellings up to 75m² within existing dwelling houses applicable for Zones R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, E3 Environmental Management and E4 Environmental Living within the *Manly LEP 2013*.

Council has completed the conditions of the Gateway Determination (refer Attachment 2) issued by the DP&E for the Planning Proposal.

Council placed the Planning Proposal on public exhibition for 28 days from 15 August 2016 to 12 September 2016. No submissions were received from the community during the public exhibition. Minor administrative amendments are recommended to the Planning Proposal including updates reporting the outcome of the public exhibition.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING AND COMMUNITY

That Council:

- A. Submit the Increased Floor Area for Secondary Dwellings Planning Proposal to the Parliamentary Counsel's Office and Department of Planning and Environment.
 - B. Request to exercise its delegation under section 59 of the *Environmental Planning and Assessment Act 1979* to amend *Manly Local Environmental Plan 2013* to give effect to the Increased Floor Area for Secondary Dwellings Planning Proposal.
-

REPORT

BACKGROUND

Council at its Meeting on 16 June 2016 resolved to prepare a Planning Proposal adopting a similar clause to clause 6.10 of the *Warringah LEP 2011*, allowing secondary dwellings up to 75m² within existing dwelling houses applicable for Zones R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, E3 Environmental Management and E4 Environmental Living within the *Manly LEP 2013*.

The historic development controls for the former Manly LGA allowed larger secondary dwellings up to 75m². During the making of the *Manly LEP 2013* Council was required to introduce a 60m² limit to comply with the Department of Planning's Standard Instrument LEP requirements. The DP&E has allowed for a local provision permitting 75m² secondary dwellings within existing dwelling houses under the clause 6.10 of the *Warringah LEP 2011*.

Allowing larger secondary dwellings within existing dwelling houses improves affordable housing options and allows for secondary dwelling that are more suitable for young families, who require more space. Larger secondary dwellings of 75m² are consistent with the requirements for two bedroom apartments under the Apartment Design Guidelines. As this clause only applies to secondary dwellings within existing dwelling houses the impacts on surrounding developments are limited. Any impacts on infrastructure can be offset via section 94 contributions.

The Minister for Planning has chosen to delegate the making of this LEP amendment to the Council.

CONSULTATION

The Planning Proposal was placed on public exhibition for a period of 28 days from the 15 August to 12 September 2016, in accordance with the Gateway Determination. During the public exhibition period, the Planning Proposal and all relevant documents were publicly available at Council's customer service centres in Avalon Beach, Mona Vale, Dee Why, Manly and Manly Library and on Council's website. An advertisement was placed in the *Manly Daily* on 13 August 2016 notifying the exhibition period.

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

NORTHERN BEACHES
COUNCIL

northernbeaches.nsw.gov.au

PLANNING PROPOSAL

Increased Floor Area for Secondary Dwellings

Manly LEP 2013

Prepared by Northern Beaches Council

Submitted to gateway determination - June 2016

Updated to incorporate gateway determination - August 2016

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Acronyms used in this Report

Council	Northern Beaches Council
CSP	Community Strategic Plan
Department	Department of Planning and Environment
SEPPARH 2009	State Environmental Planning Policy (<i>Affordable Rental Housing</i>) 2009
Manly LEP 2013	<i>Manly Local Environmental Plan 2013</i>

Introduction

This Planning Proposal seeks to amend *Manly Local Environmental Plan 2013 (Manly LEP 2013)* to allow secondary dwellings with floor areas up to 75 square metres, within existing dwelling houses, subject to development consent. This will allow for development of two bedroom secondary dwellings, suitable for an increased range of demographics. This Planning Proposal does not change floor space limits for other types of secondary dwellings.

The Department of Planning and Environment's *State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPPARH 2009)* allows for secondary dwellings to be complying development in some circumstances and provides permissibility for secondary dwellings within the following zones:

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,

SEPP (Affordable Rental Housing) 2009 allows for secondary dwellings to be constructed up to 60m². Unlike the family flat provisions, secondary dwelling provided under *SEPP (Affordable Rental Housing) 2009* are not required to be attached to or within the primary dwelling. Detached secondary dwellings are often the cause of complaints to Council in relation to secondary dwellings as they are more likely to result in impacts on the amenity.

During the drafting of the *Manly LEP 2013* clause 5.4(9) was adopted that reduced the maximum size of secondary dwelling to 60m² or 30% of the floor area of the primary dwelling to comply with the Department of Planning and Environment's requirements for Standard Instrument LEPs.

Warringah Local Environment Plan 2011 Amendment 16

Northern Beaches Council (Central) recently amended the *Warringah Local Environment Plan (WLEP) 2011* to allow secondary dwelling to be built up to 75m². This amendment was gazetted on 6 May 2016. The Mayoral Minute that requested this LEP amendment makes clear that it seeks to replicate Manly's previous controls for family flats. The amendment adopted an additional local provision clause 6.10 in the WLEP which states as follows:

"6.10 Development for the purposes of secondary dwellings in Zones R2 and R3

- (1) *The objective of this clause is to ensure that secondary dwellings on land to which this clause applies are of low impact and without adverse effects on the specific ecological, social and aesthetic values of the land.*
- (2) *This clause applies to land in the following zones:*
 - (a) *Zone R2 Low Density Residential,*
 - (b) *Zone R3 Medium Density Residential.*
- (3) *Despite clause 5.4 (9), development consent may be granted for development for the purposes of a secondary dwelling on land to which this clause applies if:*
 - (a) *the total floor area of the secondary dwelling does not exceed 75 square metres, and*
 - (b) *the consent authority is satisfied that the secondary dwelling will be located entirely within an existing principal dwelling that contains no other secondary dwelling.*
- (4) *In this clause:*
development for the purposes of a secondary dwelling includes the following:

*(a) the erection of, or alterations or additions to, a secondary dwelling,
(b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.*

Note. *See also Division 2 of Part 2 of State Environmental Planning Policy (Affordable Rental Housing) 2009."*

On 16 June 2016, Northern Beaches Council resolved to prepare a planning proposal adopting a similar clause to clause 6.10 of the *Warringah LEP 2011*, allowing secondary dwellings up to 75m² within existing dwelling houses applicable for Zones R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, E3 Environmental Management and E4 Environmental Living within the *Manly LEP 2013*. This Planning Proposal seeks to amend *Manly LEP 2013* as per the resolution.

The Planning Proposal

This Planning Proposal comprises parts consistent with the *A Guide to Preparing Planning Proposals* (October 2012) and *A Guide to Preparing Local Environmental Plans* (April 2013):

Part 1 - Objectives or Intended Outcomes

Part 2 - Explanation of Provisions

Part 3 - Justification

Part 4 - Community Consultation

Part 1: Objectives or Intended Outcomes

The objective of this Planning Proposal is to allow secondary dwellings up to 75 square metres in floor area, subject to development consent, if they are:

- Within Zones R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, E3 Environmental Management or E4 Environmental Living.
- Within an existing dwelling house.

The intended outcome of the Planning Proposal is that larger Secondary Dwellings could be developed in established residential areas, increasing housing choice without increasing the size of existing dwellings. This outcome is supported by the objectives of Council's Community Strategic Plan, *A Plan for Growing Sydney (2014)* and *SEPP (Affordable Rental Housing)*, as described in Part 3.

The 60m² maximum set by state policy allows for a large 1 bedroom unit, a two bedroom secondary dwelling can only be achieved with smaller living areas that are below the current standards for unit sizes in residential flat buildings.

The Apartment Design Guide provides for the minimum sizes for apartments of residential flat buildings and requires the following minimum sizes:

Apartment type	Minimum internal area
Studio	35m ²
1 bedroom	50m ²
2 bedroom	70m ²
3 bedroom	90m ²

The apartment design guide requires an additional 5m² if the unit has more than 1 bathroom. As a result 75m² secondary dwelling provide for a moderate sized two bedroom secondary dwelling.

The effect of the State policy limit of 60m² is that secondary dwellings are less suitable for young families who require more space than single persons or older residents. The Northern Beaches (South), former Manly Council, has significant housing affordability problem with many younger persons leaving the area due to housing affordability. Larger secondary dwellings provide for greater housing choice and are generally more affordable in terms of rent. It should be noted that secondary dwellings cannot be separably titled and as a result are an effective form of affordable rental housing. The adoption of a larger secondary dwelling is likely to encourage existing large houses to be adapted to allow families to co-habit within the same dwelling house with increased privacy. This policy would also allow retirees to create an income stream from renting part of the existing dwelling house (either the secondary dwelling or the primary dwelling). This allows for a more efficient use of the existing housing stock and community infrastructure.

Part 2: Explanation of Provisions

Subject to future consultation with Parliamentary Counsel's Office for legal drafting of the amendment, Council foreshadows that the Planning Proposal would involve the following amendments to *Manly LEP 2013*:

Relevant sections of <i>Manly LEP 2013</i>	Proposed Amendments
Land Use Table: Zone R1 General Density Residential	Insert new item in 3. Permitted with consent "Secondary Dwellings"
Land Use Table: Zone R2 Low Density Residential	Insert new item in 3. Permitted with consent "Secondary Dwellings"
Land Use Table: Zone R3 Medium Density Residential	Insert new item in 3. Permitted with consent "Secondary Dwellings"
Part 6 Additional Local Provisions	<p>Additional clause that:</p> <ul style="list-style-type: none"> - Contains an objective that states 'The objective of this clause is to ensure that secondary dwellings on land to which this clause applies are of low impact and without adverse effects on the specific ecological, social and aesthetic values of the land.' - Insert the following three operative clause <ul style="list-style-type: none"> (1) The objective of this clause is to ensure that secondary dwellings on land to which this clause applies are of low impact and without adverse effects on the specific ecological, social and aesthetic values of the land. (2) This clause applies to land in the following zones: <ul style="list-style-type: none"> (a) Zone R1 General Residential, (b) Zone R2 Low Density Residential, (c) Zone R3 Medium Density Residential, (d) Zone E3 Environmental Management, (e) Zone E4 Environmental Living. (3) Despite clause 5.4 (9), development consent may be granted for development for the purposes of a secondary dwelling on land to which this clause applies if: <ul style="list-style-type: none"> (a) the total floor area of the secondary dwelling does not exceed 75 square metres, and (b) the consent authority is satisfied that the secondary dwelling will be located entirely within an existing principal dwelling that contains no other secondary dwelling. (4) In this clause: development for the purposes of a secondary dwelling includes the following: <ul style="list-style-type: none"> (a) the erection of, or alterations or additions to, a secondary dwelling, (b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling. <p>Note. See also Division 2 of Part 2 of State Environmental Planning Policy (Affordable Rental Housing) 2009.'</p>

Table 1: Explanations of Provisions

Part 3: Justification

Section A - Need for the Planning Proposal.

Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is the result of a Council resolution made on 16 June 2016 (Attachment 1) and the historic controls of the Council prior to the adoption of the standard instrument *Manly LEP 2013* (Attachment 3).

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is an appropriate means of achieving the objective listed in Part 1. The following is noted in support of this view:

- Secondary Dwellings controls are primarily defined by *SEPP (Affordable Rental Housing)*.
- *SEPP (Affordable Rental Housing)* allows environmental planning instruments, such as *Manly LEP 2013*, to increase limits to the total floor area of Secondary Dwellings.
- The proposed amendment allows for additional floor space for 'internal' Secondary Dwellings and does not modify or limit current controls on 'attached' or 'detached' Secondary Dwellings.
- The proposed amendment modifies *Manly LEP 2013* in a way which is consistent with existing controls in *SEPP (Affordable Rental Housing)*.

Is there a net community benefit?

The Planning Proposal will deliver a net community benefit. The key community benefits include:

- Delivery of additional housing choice in the Northern Beaches (South).
- Maintenance of the existing character and built form of established areas.

Section B - Relationship to Strategic Planning Framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy, including the Sydney Metropolitan Strategy and exhibited draft strategies?

1. A Plan For Growing Sydney (2014)

A Plan for Growing Sydney is the latest metropolitan strategy released by the Department of Planning and Environment to set the framework for Sydney's growth to 2031 and beyond.

A key focus of the strategy is boosting housing and jobs growth across Sydney. The strategy sets a dwelling target (net additional) of 664,000 new dwellings across Sydney by 2031.

The Planning Proposal is consistent with the relevant objectives summarised in the table below:

A Plan For Growing Sydney Action	Consistency
2.1.1 Accelerate housing supply and local housing choices	The Planning Proposal will allow for more flexible secondary dwelling layouts that will improve housing choice, benefiting land owners and future tenants.
2.1.2 Accelerate new housing in designated infill areas (established urban areas) through the priority precincts and Urbangrowth NSW programs	The Planning Proposal supports development within existing residential areas. This will take advantage of current infrastructure and reduces the need for greenfield development.
2.2.3 Deliver more opportunities for affordable housing	The Planning Proposal encourages the development of secondary dwellings, a type of affordable rental housing. By allowing larger Secondary Dwellings, they are likely to be more appealing to a wider variety of household types. This supports the objective to deliver more opportunities for affordable housing.

Table 2: A Plan for Growing Sydney Actions Summary

2. Draft North East Subregional Strategy (2007)

The draft *North East Subregional Strategy* translates the objectives of NSW Government's *Metropolitan Strategy* (2005) to the local level. The following actions are relevant to the Planning Proposal:

Draft North East Subregion Strategy Action	Consistency
C2.3.2 North East councils to provide for an appropriate range of residential zoning to cater for changing housing needs	The Planning Proposal will allow for larger secondary dwellings in R1, R2 R3, E3 and E4 Zones. Larger secondary dwellings can provide more flexible affordable housing layouts for downsizing seniors, young families and other demographics.

Table 3: A Plan for Growing Sydney Actions Summary

Is the Planning Proposal consistent with council's local strategy or other local strategic plan?

The Planning Proposal is consistent with the Community Strategic Plan. While the Planning Proposal is not directly related to an action area of the CSP, it is consistent with the following objective:

Objective	Consistency
2 Create liveable neighbourhoods with more affordable housing choices	<p>The Planning Proposal will encourage the provisioning of a variety of housing choices across the Northern Beaches (South).</p> <p>Internally constructed secondary dwellings will complement the local character of residential areas by maintaining the built form of the local area, thereby maintaining the liveability of neighbourhoods.</p>

Table 4: CSP Objective Summary

Is the Planning Proposal consistent with applicable State Environmental Planning Policies (SEPP's)?

The Planning Proposal is consistent with the relevant SEPP. The relevant SEPP is summarised below:

SEPP	Consistency
SEPPARH 2009	The SEPP provides a consistent planning regime for the provision of affordable rental housing. The Planning Proposal allows for larger secondary dwellings, a type of housing allowed by the SEPP. This will allow for more flexibility in the types of secondary dwellings built in the Northern Beaches (South).

Table 5: SEPP Summary

Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)?

The following Ministerial Directions are applicable to the proposal:

- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 6.1 Approval and Referral Requirements
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Ministerial Direction	Objectives	Comment
3.1 Residential Zones	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. 	<p>The Planning Proposal is consistent with the objectives of the direction and will:</p> <ul style="list-style-type: none"> - encourage variety and choice of housing types by allowing more types of affordable housing development - promote development in established areas, maintaining access to infrastructure and services - reduce the need for development on the urban fringe by increasing the development potential of established areas
3.4 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services 	<p>The Planning Proposal is consistent with the objectives of the direction as it will increase housing choice in established areas.</p> <p>New residents may take advantage, and enhance the viability of existing services</p>

Ministerial Direction	Objectives	Comment
	<p>by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight</p>	(e.g. commercial uses and public transportation).
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal is consistent with the objective of the direction as it will encourage efficient and appropriate assessment of developments.
7.1 Implementation of the Metropolitan Plan for Sydney 2036	The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	The Planning Proposal is consistent with the <i>Plan for Growing Sydney</i> , the most recent Metropolitan Plan, as discussed above.

Table 6: S117 Summary

Section C - Environmental, Social and Economic Impact.

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The type of development, secondary dwellings within existing dwellings, is currently permitted. The proposal will not increase the likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The type of development, secondary dwellings within existing dwellings, is currently permitted. Development controls are managed through *SEPPARH 2009*, *SEPP (Exempt and Complying Development) 2008*, *Manly LEP 2013* and *Manly Development Control Plan 2013*.

Future applications allowed by the Planning Proposal will be assessed under the same suite of controls which mitigate the likelihood of environmental effects. Any environmental effects that may occur will be managed through those controls.

As the amendment only allows 75m² secondary dwellings within the footprint of existing dwelling house the adoption of this policy will not result in significant visual bulk, amenity or streetscape impacts. Clause 22(4)(b) of *SEPP (Affordable Rental Housing) 2009* prevents Council from requiring additional car parking for secondary dwellings.

Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal will have positive social and economic effects, as it will allow for more flexibility in the types of affordable housing in Northern Beaches (South). This will increase housing choice, providing benefits for both land owners and tenants.

Section D - State and Commonwealth Interests.

Is there adequate public infrastructure for the Planning Proposal?

The type of development, secondary dwellings within existing dwellings, is currently permitted. The Planning Proposal may increase development of Secondary Dwellings, increasing density by a marginal amount. However, any additional density would be located in established areas with a nominal impact on public infrastructure and this would be offset by section 94 contributions commensurate with the decrease in occupancy of the existing dwelling house.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The views of State and Commonwealth agencies will be known after the gateway determination.

Part 4: Community Consultation

Council will exhibit the Planning Proposal in accordance with the requirements of section 57 of the *Environmental Planning and Assessment Act 1979*.

Council also proposes to undertake community consultation in accordance with Council's adopted Community Engagement Policy, in the following manner:

- Advertise the Planning Proposal in a local newspaper and on Council's website at the start of the exhibition period
- Exhibit the Planning Proposal for the period of time stipulated by the Gateway Determination. (28 Days is suggested)

Conclusion

The Planning Proposal has been written with consideration to the Department's *Guide to Preparing Planning Proposals*, *SEPP (Affordable Rental Housing)* and State and local strategies. It contributes to Council's commitment to create liveable neighbourhoods with more affordable housing choices.

The Planning Proposal will amend controls in *Manly LEP 2013* to allow development of secondary dwellings, of floor areas up to 75 square metres, when within existing dwellings. In doing so, it will increase the capacity for affordable housing choice within Northern Beaches (South) and provide for viable homes for a range of demographics.

By encouraging larger secondary dwellings within existing dwellings additional housing can be provided while preserving the local character by maintaining the bulk and scale of existing dwellings. In addition, development will largely be located in established areas, allowing for use of existing services and infrastructure.



Planning &
Environment

Mr Stephen Clements
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1 Belgrave Street
Manly NSW 2095

Our ref: PP_2016_NBEAC_002_00 (16/09439)

Dear Mr Clements

Planning proposal to amend Manly Local Environmental Plan 2013

I am writing in response to Northern Beaches Council's letter dated 30 June 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to make amendments to the *Manly Local Environmental Plan 2013* to increase the maximum size of internal secondary dwellings from 60 square metres to 75 square metres.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal PP_2016_NBEAC_002_00 should proceed subject to the conditions in the attached Gateway determination.

Plan making powers were delegated to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Amy Ravitz-Williams at the Department's Sydney Region East team to assist you. Ms Ravitz-Williams can be contacted on (02) 9228 2050.

Yours sincerely


Karen Armstrong
Director, Sydney Region East
Planning Services

Encl: Gateway Determination



**Planning &
Environment**

Planning Proposal to amend the *Manly Local Environmental Plan 2013* to increase the size of internal secondary dwellings to 75 square metres.

Reporting template for delegated Local Environmental Plan amendments

Notes:

- Planning proposal number will be provided by the Department following receipt of the planning proposal
- The Department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the Department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2016_NBEAC_002_00
Date Sent to Department under s56	30/06/2016
Date considered at LEP Review Panel	N/A
Gateway determination date	01/08/2016

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information:



Planning &
Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Northern Beaches Council is authorised to exercise the functions of the Greater Sydney Commission for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_NBEAC_002_00	Planning proposal to make an amendment to Manly Local Environmental Plan 2013 to increase the size of internal secondary dwellings to 75 square metres.

In exercising the Greater Sydney Commission's functions under section 59, the Council must comply with the Department's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 1ST AUGUST 2016

Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission



Planning &
Environment


Gateway Determination

Planning proposal (Department Ref: PP_2016_NBEAC_002_00): to make an amendment to the Manly Local Environmental Plan 2013 to increase the size of internal secondary dwellings to 75 square metres.

I, the Director, Sydney Region East at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Manly Local Environmental Plan 2013* to make amendments to the size of internal secondary dwellings should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2013).
2. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
3. The timeframe for completing the Local Environmental Plan is to be 9 months from the week following the date of the Gateway determination.
4. Northern Beaches Council be granted delegation to carry out the Greater Sydney Commission's functions under section 59 of the EP&A Act to progress this planning proposal.

Dated 15th day of AUGUST 2016


Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

10.0 PUBLIC AFFAIRS DIVISION REPORTS

ITEM 10.1	COMMUNITY ENGAGEMENT POLICY AND FRAMEWORK
REPORTING MANAGER	DEPUTY GENERAL MANAGER PUBLIC AFFAIRS
TRIM FILE REF	2016/296573
ATTACHMENTS	1 Community Engagement Policy (Draft) 2 Community Engagement Framework and Matrix (Draft)

EXECUTIVE SUMMARY

PURPOSE

To seek approval from the Administrator to publicly exhibit the draft Community Engagement Policy and Framework for the Northern Beaches Council.

SUMMARY

The Northern Beaches Council is committed to improving how it engages with the community as key input to its decision making process. Effective engagement is good business practice and critical to good governance. Further, community consultation is a key driver of overall satisfaction with Council.

The community engagement policies from the three former Councils have been reviewed in preparation of the new draft Policy and Matrix. The preparation of a single policy and framework for the new Council has been a key component of the transition process.

The attached draft Community Engagement Policy and Framework have been prepared to enable meaningful community engagement and connection between the Northern Beaches Council and the community.

Public exhibition of the draft Policy and Framework will ensure that the community engagement process for the Northern Beaches Council continues to be timely, relevant and meaningful for both the Council and the community.

FINANCIAL IMPACT

Any financial impact of implementing this policy will be factored into current and future project planning and operational budgets.

POLICY IMPACT

The new Policy and Matrix will replace the previous Community Engagement Policies and supporting frameworks from the three former Councils.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PUBLIC AFFAIRS PUBLIC AFFAIRS

That the draft Community Engagement Policy and Framework be placed on public exhibition for a period of 28 days, and that the submissions received be brought back to Council for consideration and adoption.

REPORT

BACKGROUND

The Northern Beaches Council is committed to maintaining a high level of community engagement to ensure that residents and key stakeholders have an opportunity to be involved in the decision making process. The former councils were committed to community engagement and each had its own policies based on similar principles.

Previous research has confirmed that community engagement is a key driver of overall satisfaction with Council and is an important aspect of the decision making process.

The development of a combined Community Engagement Policy and Framework for the northern beaches is a critical part of maintaining business as usual during the transition process.

Since May 2016, community engagement has played a key role in the transition process. To date we have:

- Formed an Implementation Advisory Group and Local Representation Committees comprising of 22 former councillors.
- Transitioned the previous community committee structures across the region to a new Committee and Community Group Framework consisting of 11 new Strategic Reference Groups, existing Project Working groups, existing External Joint or Statutory Committees and a register of Community Groups.
- Discussed community engagement principles and the proposed approaches supported by the Engagement Framework with the IAG and LRC members.

This new draft Policy and Matrix is primarily based on the former Pittwater and Warringah documents and processes. These were both based on the IAP2 principles (International Association of Public Participation) and proven methodologies. They were recognised as leading practice in this field and often referenced by other Councils.

The attached Community Engagement Policy and Framework have been developed to build on the strengths of the different approaches of the former Councils.

CONSULTATION

The development of the draft policy and framework has been supported by a review of engagement practice and previous community consultation studies undertaken by former councils.

Consultation on the draft Engagement Framework commenced in June with the Implementation Advisory Group (IAG) on 8 and 29 June 2016 and Local Representation Committees (LRC) on 15 and 29 June 2016.

The draft Policy and Framework will be on public exhibition for 28 days in October and November. The consultation process will include:

- Information on the Your Say project web page including online submission form
- Advertisements in the Manly Daily
- Community information sessions in Manly, Dee Why and Mona Vale
- Community feedback during the CSP engagement activities
- Bulk emails to our community engagement database, registered community groups and other key stakeholders.

TIMING

At the conclusion of the public exhibition period, the submissions will be considered and it is anticipated that the final documents will be adopted by Council in November or December 2016.

FINANCIAL IMPACT

Any financial impact of implementing this policy will be factored into current and future project planning and operational budgets.

SOCIAL IMPACT

The social impact of this draft Policy and Framework is a clear approach in providing consistent, meaningfully and effective community engagement between Council and our community. The community input will be used to effectively plan for the future of our area and provide an understanding of how their input has been used in Council decision-making.

Involvement of the community in Council decision making helps to promote a socially inclusive society. The draft Policy and Framework is established to foster social inclusion and to improve the social outcomes for all in the northern beaches community.

ENVIRONMENTAL IMPACT

The draft Policy and Framework does not impact on the environment.



Northern Beaches Council Policy

Community Engagement

Purpose of Policy

To outline the approach to community engagement conducted by Northern Beaches Council as part of Council's decision making processes.

Policy Statement

This policy recognises that community engagement and participation processes are a vital part of local democracy. It aims to strengthen the trust between Council and the community and build confidence in Council's ability to plan and make decisions that will respond the present and future needs of the community.

Community engagement is about involving the community in decisions which affect them. It is critical in the successful development and implementation of acceptable policies and decisions and for improving services by being responsive to the needs of the community. It involves seeking broad informed agreement and the best possible solution for Council and the community however it does not necessarily mean achieving consensus.

This policy emphasises that the community should be kept informed throughout the consultation process and receive feedback that demonstrates how their input has influenced the decision.

Objectives

- To confirm Council's commitment to conducting quality consultation and its willingness to actively engage the community in its decision making processes.
- To clarify the role that Council will take to engage our community in decision making.
- To develop a framework that ensures a consistent approach is undertaken by Council staff in relation projects requiring community consultation
- To create an organisational culture and build staff capacity to ensure community engagement processes are seen in a content of adding value, being best practice and good governance.
- That our community is well informed about issues, strategies or plans that may directly or indirectly affect them and have the opportunity for genuine involvement in decision-making and policy development.
- To seek the views of a wide cross-section of the community, selecting engagement methods that are flexible, inclusive and appropriate to those being engaged.
- That Council is meeting its legislative requirements regarding community consultation in all areas of its service delivery.

Scope

- This policy applies to all facets of Council's operations including corporate, strategic land use, financial planning and Council's day to day business activities.
- It defines the principles underpinning Council's engagement activities, the role of councillors and staff in engaging with the community and the methods which Council will use to engage with the community.
- Community engagement guidelines for private development are outlined in the relevant planning documents and Environmental Planning and Assessment Act 1979.
- Community engagement is multifaceted and requires a standard of consultation that appropriately responds to the nature, complexity and impact if the issue/s involved. The range of methods and techniques used may vary depending on the resources that are available.
- Both 'consultation' and 'community engagement' are terms used by practitioners and in literature. However in this model of community engagement, consultation is one of the levels of engagement (as per the IAP2 spectrum below).
- Council's approach to community engagement is based on the spectrum of engagement activities as advocated by the International Association for Public Participation (IAP2). The five levels of engagement are shown on the table below:

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.

It should be noted that the 'empower' level on the spectrum has limited application in Local Government as the elected Council are the decision making body. However there may be occasions where non-financial empowerment may occur.

Key Considerations

- The Community Engagement Framework consists of this Community Engagement Policy and the supporting documents: Community Engagement Matrix and the Community Engagement Toolkit.
- Council's Committee and Community Group Framework forms a key part of the overall engagement framework and is an important engagement approach.
- Council will endeavour to ensure that its engagement processes are appropriate, accessible, well-planned and adequately resourced.
- The level of community engagement undertaken relates directly to the level of community involvement required, and should always be appropriate to the nature, complexity and impact of the issue, plan or strategy

- All community engagement activity is to be undertaken in accordance with the principles of engagement (detailed in Community Engagement Matrix).
- Statutory requirements are a minimum and this policy encourages Council to engage the community in addition to statutory requirements providing that any legal timeframes are met.
- Staff will advise elected local representatives of community engagement activities prior to occurring.
- The recommended period for community feedback is 28 days. However this may vary depending on statutory requirements.
- The timing of community engagement activities should take into account key dates notably the Christmas and New Year period, school holidays and special events. It is also recommended that for high impact projects the feedback period is extended to account for school holidays.
- For high impact projects or issues that affect the whole of Northern Beaches (eg Local Environment Plan, Community Strategic Plan, Housing Strategy etc) engagement activities are recommended at sites across the LGA.
- In circumstances where the level of involvement requires members of the public to make submissions to Council, content received may be regarded as public and available for general access.
- Prior to any decision Council will ensure that it is well informed of the benefits of alternative decisions on matters before them, including accurate reporting of community comments and recommendations that reflect all sides of the argument.
- Council will provide feedback to all participants involved in a project by closing the loop.

Development on Council Land - Special Consultation Requirements

Council acknowledges that when undertaking high impact development on Council owned and managed land, a community engagement process consistent with the engagement framework will be undertaken in addition to the statutory requirements. This includes early input at the concept design stage. (Refer to Matrix for more information).

Authorisation

This Policy was adopted by Council on [insert date].

It is effective from [insert date].

It is due for review on [insert date].

Who is responsible for implementing this Policy?

Managers, Project Managers and all Council appointed consultants

Document owner

General Manager

Related Council Documents

Community Engagement Matrix

Community Engagement Toolkit (under review)

Effective date

Version

Community Engagement Policy

Page 3 of 5

Legislation and references

Local Government Act 1993 to ensure that community input is a part of the decision making process

International Association for Public Participation (IAP2)

Definitions

Key Term / Acronym	Definition
Community Engagement	"Any process that involves the community in problem solving or decision making and uses community input to make better decisions " International Association of Public Participation (IAP2)
Consultation	Is a process of community engagement that seeks to inform the community or draw out the views and preferences of the community. These views are used to inform decision makers and should provide a guide to decision making
Community	Community is a broad term used to define a groups of people including people who live, work, study, own property, conduct private or government business, visit or use the services, facilities and public spaces and places of the Northern Beaches area. The community can be referred to as stakeholders or comprise of stakeholders.
Communication	Generally refers to the exchange of information from Council to the community, and can also include the exchange of information or views from the community to Council
IAP2	International Association of Public Participation (www.iap2.org.au)
Submission	A submission is a formal response to a public document made during the public exhibition period.
Comment	A comment is a response received during early engagement or consultation that is not part of a formal Public Exhibition endorsed by Council
Committee Framework	The Committee Framework includes Strategic Reference Groups and other committees run by Council.
Level of Impact	The degree to which a community is affected by a decision.
Participation	The degree to which a community is involved in decision making



COMMUNITY ENGAGEMENT FRAMEWORK

September 2016

NORTHERN BEACHES
COUNCIL

northernbeaches.nsw.gov.au

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Document Approval:

Draft Framework – September 2016

Introduction

Community Engagement – Definition

Community engagement is a developing field of practice within local government but one that now has prominence in terms of contributing to good governance and the delivery of good practice outcomes for Council.

The International Association of Public Participation (IAP2), a leader in the field, defines community engagement as: "Any process that involves the community in problem solving or decision making and uses community input to make better decisions."

Well planned and inclusive engagement processes are vital to the success of Council. This framework aims to assist Council staff in the design and delivery of community engagement across the Northern Beaches and should be read in conjunction with the Community Engagement Policy

The Community Engagement Framework

The Community Engagement Framework reflects Northern Beaches Council's ongoing commitment to appropriately engaging its community and includes:

- The community engagement policy providing a policy direction for engagement.
- This community engagement matrix provides staff with direction on engagement planning and guidance on when and how they should engage with the community for different situations.
- The engagement toolkit provides specific information and advice on 'how to' undertake different types of engagement with the community.

This matrix is an implementation tool of the Community Engagement Framework.

Benefits

Some of the benefits of effective community engagement include:

- Better outcomes for the community and council
- increased community awareness about Council's services, planning and program delivery;
- increased awareness of community views and issues that should be considered as part of the decision-making process;
- increased awareness of the needs and diversity of the local community
- Development of solutions and outcomes that are broadly supported by the community
- Increased satisfaction with council and strengthening of trust between Council and community
- Increased understanding, community ownership and acceptance of decisions;
- Enhanced relationships with Council and the community working together to address local issues;
- Improved decision making and community outcomes
- Potential for time, resource and cost savings.

Principles Underpinning Council's Approach to Community Engagement

The following principles underpin Council's approach to all community engagement activities. Our principles are consistent with the social justice principles of equity, access, participation and rights as prescribed by the Local Government Act 1993.

1. Committed

Community engagement will be conducted in a way that demonstrates a genuine commitment to quality consultation with the community and a desire to hear community views and aspirations.

2. Planned

Community engagement will be well planned and directed to getting a better understanding of community views on issues that are important to them.

Engagement planning is a critical process to deliver successful outcomes. Community engagement plans will be prepared for all high impact projects.

3. Inclusive

Community engagement will be designed to involve the wider community, especially those hardest to reach. Specific strategies will assist in Council's specialised engagement approach with these groups.

Engagement activities will provide opportunities for meaningful dialogue and input from key stakeholders.

4. Respect

Our approach treats all participants in the engagement process with respect and dignity.

Our approach is impartial and free from bias toward any stakeholder involved in the process.

We are accountable, accessible and ethical in all dealings with the community.

5. Timely

Community engagement should seek to engage the community and stakeholders at the earliest stage possible and continue to keep them informed and involved throughout the process.

6. Transparent

The objectives and scope of the engagement process should be well defined from the outset including the decision making process.

Information provided to the community will be comprehensive and provide objective, balanced content about the issues/s involved with a particular project.

7. Engaging

Different, tailored and innovative methodologies will be implemented where possible to encourage and enhance participation and engagement of the wider community.

8. Consideration

We demonstrate that we have considered input and relevant data prior to making decisions.

We provide participants with feedback about the progress of the project and detail how community input influenced the decision making process.

Community Engagement Planning

Council's approach to community engagement will be informed by the internationally recognised "Public Participation Spectrum" developed by the International Association for Public Participation (IAP2) which outlines five levels of public participation. It is recognised that in most circumstances community engagement will move beyond information sharing (Inform) and move towards strategies that actively engage the community.

The IAP2 spectrum is summarised on the table below and more information is provided on page 11.



IAP2 Public Participation Spectrum
Developed by the International Association for Public Participation

INCREASING LEVEL OF PUBLIC IMPACT

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.

It describes the desired level of public participation and highlights that the community's role in decision making is a critical element affecting the design of any community engagement strategy.

When planning for community engagement, Council staff will need to determine the most appropriate level of participation depending on the nature and complexity of the project/issue. The Community Engagement Framework supports the development of flexible, tailored approaches determined based on the potential impact of a situation, the appropriate level of community participation and the needs of the community.

The 'empower' level on the spectrum has limited application in Local Government as the elected Council are the decision making body. It is likely that most community engagement will occur on the levels of Inform to Collaborate.

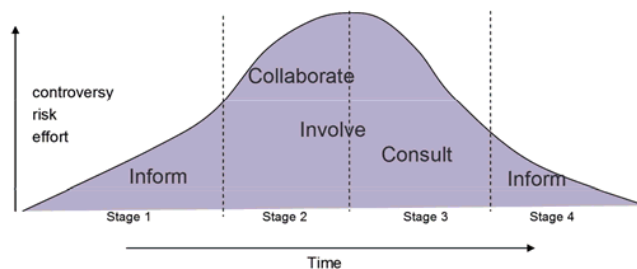
The diagram below details the Community engagement planning process



Community engagement planning steps:

A Community Engagement Plan must be developed for all high impact projects (refer to page 10 for more information about defining high impact) and is recommended for all projects. The plan should be developed as a critical element of the project plan and revised throughout the project as required.

NOTE: Community engagement activities occur throughout a project and the engagement plan should reflect these activities at key stages. The diagram below outlines an example of different engagement levels at different stages of the project over time:



Legislative Requirements

Council policy also dictates that community engagement must be undertaken according to statutory requirements identified in relevant legislation such as the Local Government Act 1993 (NSW) and the Environmental Planning and Assessment Act 1979. Staff should ensure they are familiar with any statutory obligations concerning consultation that relates to their particular policy/program area.

The Community Engagement Framework does not apply to exempt statutory processes or development applications on private land.



Effective Planning For Community Engagement

Define Issues

What are you asking the community to decide on?

You will need to plan carefully to ensure that the scope of the community's input and decision making is made clear and incorporated into the plan for the community engagement process. Any potentially controversial or important issues should be identified at the earliest stage possible.

Identifying stakeholders is another important step in the planning and may help define the issues.

Gather information (Stage 1)

Issues and Opportunities identified to be addressed.

A range of methods such as community drop in session, stakeholder meetings, focus groups, surveys etc. may be used to gather information about the key issues and opportunities early in the project. This will be used as part of developing a plan or proposal to be further discussed with the community.

Consider options (Stage 2)

Provision of balanced information/ alternatives that seek to address community issues and concerns

Once the draft direction, conceptual plan or policy have been developed, the community engagement plan must be carried out in a manner that maximises community involvement. A draft document/plan or proposal will seek community feedback. This would include online comments or submissions along with other forms of community forums. Drop in sessions, community meetings, stakeholder meetings, open house forums etc. may be held to discuss plans and obtain direct community feedback. This approach is more interactive and intended to identify community satisfaction, further issues and possible solutions.

Evaluate options

Clear comparison of alternatives

It should be made clear to the community how their input will be assessed and by whom and whether there will be further phases of consultation or the opportunity for community input before final decisions are reached.

This is also an opportunity to review and evaluate the consultation process to ensure that you have met the consultation objectives. You may need to schedule further consultation mechanisms to achieve your desired results.

Make decision

How will you inform community about decision and how they contributed to the outcome.

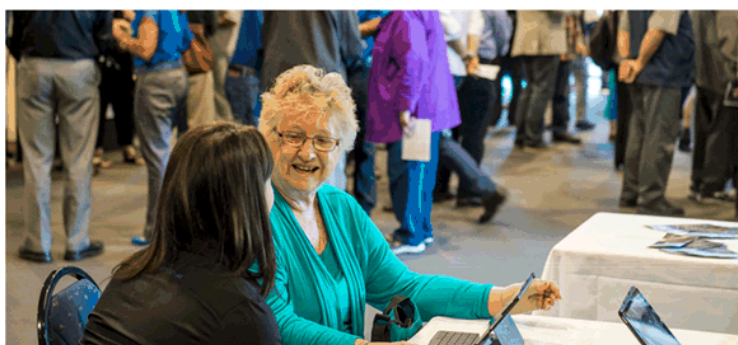
Once the community have been involved in any community engagement process they are entitled to be informed about final outcomes such as the tabling of a report to a Council meeting to seek adoption of the plan or proposal. The community should be kept updated via email and Council's website.



Developing Community Engagement Plans

A community engagement plan must be completed for all high impact projects.

Step 1 Know and understand your project	<ul style="list-style-type: none"> Detail the background to the project or issue Purpose and scope of the engagement Set clear engagement objectives Identify any key issues Consider any legal or statutory requirements
Step 2 Determine the level of impact	<ul style="list-style-type: none"> Assess the likely 'level of impact' of the project, issue, service or action, using the assessment criteria on page 10.
Step 3 Level of Community Participation	<ul style="list-style-type: none"> Determine the level of community participation from the IAP2 Public Participation Spectrum suitable for the project This will be influenced by the degree of impact and the desired outcomes. Use the guidelines on page 11 to make this decision, Consider legislation or other Council Policy requirements.
Step 4 Who should be involved	<ul style="list-style-type: none"> Identify all key stakeholders and community members who will be affected or have an interest in the project. Identify target groups and ensure fair and equal opportunity to provide input Complete stakeholder analysis Identify and involve internal stakeholders
Step 5 Determine approach and plan engagement activities.	<ul style="list-style-type: none"> Use the Matrix on page 14 to determine the type of engagement that should occur in relation to the level of impact and the desired community participation. Review methods and approach to develop a communications plan including web, emails, letter box drops, media, signs etc
Step 6 Timeframes and resources	<ul style="list-style-type: none"> Develop a timeline of the key engagement activities during the project Develop an estimated budget required to complete engagement plan Determine what skills are required and what resources are available
Step 7 Feedback, reporting and evaluation	<ul style="list-style-type: none"> Detail how and when each stakeholder group (participants, community, council and staff) will receive feedback during the project and the outcomes Define the outcomes that are expected from the approach and how the final outcomes will be documented and circulated. Complete an evaluation summary including – summary of process and key outcomes, and provide to participants and publish on website



Step 1 – Know and Understand Your Project

The first step of any engagement plan is to clearly identify the objectives of the engagement. This should also include a summary of the background to the project or issues and what has happened to date.

Questions that need to be answered include:

- What is the purpose of the community engagement
- What questions would you like the engagement activities to answer
- What do you want the engagement to achieve
- Identify key issues along with any statutory requirements.
- What is the scope of the engagement (negotiables and non-negotiables) – see diagram below



Diag 1 – extract from IAP2 module 1 training manual 2006



Step 2 – Level of Impact

Identifying the level of impact on the community that any project will have is critical to choosing the most appropriate approaches for the engagement process.

It is important to note that the levels of impact do not indicate that a particular issue is necessarily of less significance to a community. More importantly the levels of impact are intended to guide the development of the most appropriate approach for that issue within a particular section or whole community.

It will be necessary to determine the community group/s and stakeholders that are affected by the project, issue, service or action. A range of Council staff should be involved early in this process.

At any time during a project, issue or action, it may be necessary to reassess the Level of Impact and vary the engagement approach accordingly, due to a change in the situation or recognition of implications.

Level of Impact	Criteria (one or more of the following)	Examples
Level 1 High Impact – Whole or large part of LGA	<ul style="list-style-type: none"> High level of real or perceived impact, interest or risk across whole or large part of LGA. Significant impact on attributes that are considered to be of high value to the whole of whole or large part of LGA, such as the natural environment or heritage. Significant impact on the health and safety of the whole or large part of LGA community. Potential high degree of controversy or conflict. Potential high impact on State or regional strategies or directions. 	<ul style="list-style-type: none"> Council's Community Strategic Plan Local Environmental Plan Plans of Management (district or regional) A change to land categorisation, ie community to operational land Strategic Plan eg Youth, Disability Removal or major change of a facility or service across whole or large part of LGA, eg library services, waste management, beach services Provision of a district or regional facility, eg skate park, indoor sports centre Changes to or impact on natural bush land or waterway (where the natural values could be affected)
Level 2 High Impact– Local	<ul style="list-style-type: none"> High level of real or perceived impact or risk on a local area, small community or user group/s of a specific facility or service. The loss of or significant change to any facility or service to a local community. Potential high degree of controversy or conflict at the local level. 	<ul style="list-style-type: none"> Local Environmental Plan (localised change) Removal or relocation of a local playground Change to or loss of valued activity or program, eg local youth activity Re-development of a sports ground Proposed removal or development of small pocket park Local street road closure Increase or removal of car parking
Level 3 Lower Impact – whole or large part of LGA	<ul style="list-style-type: none"> Lower, although still some real or perceived impact or risk across whole or large part of LGA. Potential for some controversy or conflict. Potential for some although not significant impact on State or regional strategies or directions. 	<ul style="list-style-type: none"> Improvements to a whole or large part of LGA wide service, eg Emergency Services Minor change to a district or regional facility, eg Aquatic Centres, Theatre Minor changes to Customer Service processes, eg payment of rates Most changes to fees and charges (unless contentious) Provision of a community wide event Study or Review of community needs, eg Annual Survey, recreation needs assessment
Level 4 Lower Impact – Local	<ul style="list-style-type: none"> Lower level of real or perceived impact or risk on a local area, small community or user group/s of a specific facility or service. Only a small change or improvement to a facility or service at the local level. Low or no risk of controversy or conflict at the local level. 	<ul style="list-style-type: none"> Upgrade of a local playground Local street or streetscape upgrade Changes to a local activity program, eg timing or venue/ location

Step 3 – Level of Community Participation

Having determined the level of impact it is important to assess the level of public participation that is required. Refer to the International Public Participation (IAP2) Spectrum to determine the most appropriate level of community participation in the engagement process.

An important part of this process is to understand the scope of the community's input and the role those consulted will have in relation to the decision making process. It is likely that most engagement processes will be conducted within the Inform to Collaborate levels of participation on the IAP2 spectrum.

Level of Participation	Definition	Promise to the Community	Examples
Inform	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.	We will keep you informed	<ul style="list-style-type: none"> • Advising the community of a situation or proposal. • Informing on a decision or direction. • Providing advice on an issue. • No response is required
Consult	To obtain feedback public on analysis, alternatives and/or decisions.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	<ul style="list-style-type: none"> • Undertaking market research to identify needs or issues. • Seeking comment on a proposal, action or issue. • Seeking feedback on a service or facility.
Involve	To work directly with the community throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how the public influenced the decision	<ul style="list-style-type: none"> • Involving the community in discussion and debate. • Adopting a more personal and innovative approach through personal contact and meetings/ sessions that encourage participation. • Involving at different times in the planning process, ie keeping informed and enabling further comment.
Collaborate	To partner with the community in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	<ul style="list-style-type: none"> • Establishing a structure for involvement in decision making, eg, working party or advisory group. • Enabling ongoing involvement in all stages. • Allocating responsibility for achieving outcomes.
Empower	To place final decision making in the hands of the community.	We will implement what you decide.	<ul style="list-style-type: none"> • Deliberative processes to understand community attitudes and issues to a broad scale issue or project and may consider trade off scenarios eg Citizen juries

Note: It should be noted that the 'empower' level on the spectrum has limited application in Local Government as the elected Council are the decision making body. However there may be occasions where non-financial empowerment may occur.

Step 4 – Stakeholders

Learning from the community and stakeholders is a critical part of the process.

We need to understand how people perceive the issues surrounding the problem / opportunity to be addressed and decision to be made.

Develop a comprehensive list of stakeholders.

Once an initial list of stakeholders is identified it is important to gain an initial understanding of how they may view the decision. This can be conducted by key contact interviews of a range of stakeholders who represent a range of likely views.

A stakeholder is defined as those with an interest in or who may be affected by the outcome. There are many ways to identify stakeholders including:

- Draw on in-house knowledge
 - Ask other people / teams who may have run similar projects
 - Brainstorm with cross section of staff
 - Contact the Community Engagement team in relation to any known lists of interested community members and the Engagement Register
 - Other lists of people ie Community Directory (LINCS), other relevant databases, people involved in similar projects, made submissions etc
- Ask the community
 - Call for expressions of interest – public announcements to promote call for interest
 - Ask key members of the community / groups who they think would be interested
- Identify any hard to reach groups

Groups could include:

Government departments	Service providers	Businesses	Utilities
Residents	Property owners	Visitors	Not for profit groups
Disabled	Youth	Aged	Culturally diverse
Committees	Community groups	Schools and education	Experts
Sporting groups	Environmental groups		

Other things to consider:

- Are there any barriers to involvement or support of the project eg bad experiences, lack of experience, timing?
- How will these barriers be addressed?
- Are there any cultural considerations?

Internal Stakeholders

In addition it is useful to consider internal stakeholders, who needs to be involved and the level of internal commitment. This will include identifying:

- Who are the decision makers and what is the decision making process
- Clarification of the scope of decision and negotiables
- Other projects that may be related or be impacted

Encouraging participation

There are many reasons why people do not get involved in engagement activities. We need to ensure that suitable approaches are made to ensure inclusive participation.

Some of the reasons for non-participation include:

- Lack of clarity around the problem / issue to be solved
- Poor communication and lack of awareness
- Bad experiences
- Perception that it will not make a difference
- Lack of interest, not enough time
- Accessibility – venue, time, holidays etc

The development of engagement plans should consider the timing and impact of other Council Projects to ensure that the community interest is not diminished due to conflicting time demands.

A communication plan is required to reach out to these groups and stakeholders. Each stakeholder group may have different communication needs. A single advertisement in the local newspaper is unlikely to attract all the potentially affected people.

Matching Stakeholders and Issues

Using the stakeholder analysis template (included in the Engagement Plan), complete a stakeholder analysis including:

- Identifying any key issues,
- Identifying key stakeholder groups,
- their likely level of concern,
- their area of interest
- any known key contacts or groups



Step 5 – Selecting Engagement Approaches

This step ensures that appropriate methods and tools are used to engage the community. Use the Matrix below to decide the specific types of engagement that are appropriate for the chosen 'Impact Level' and for the desired level of community participation.

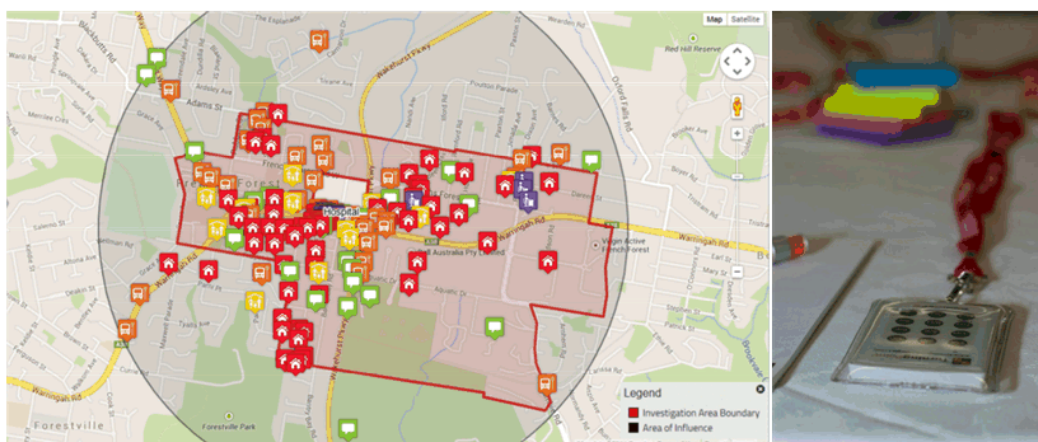
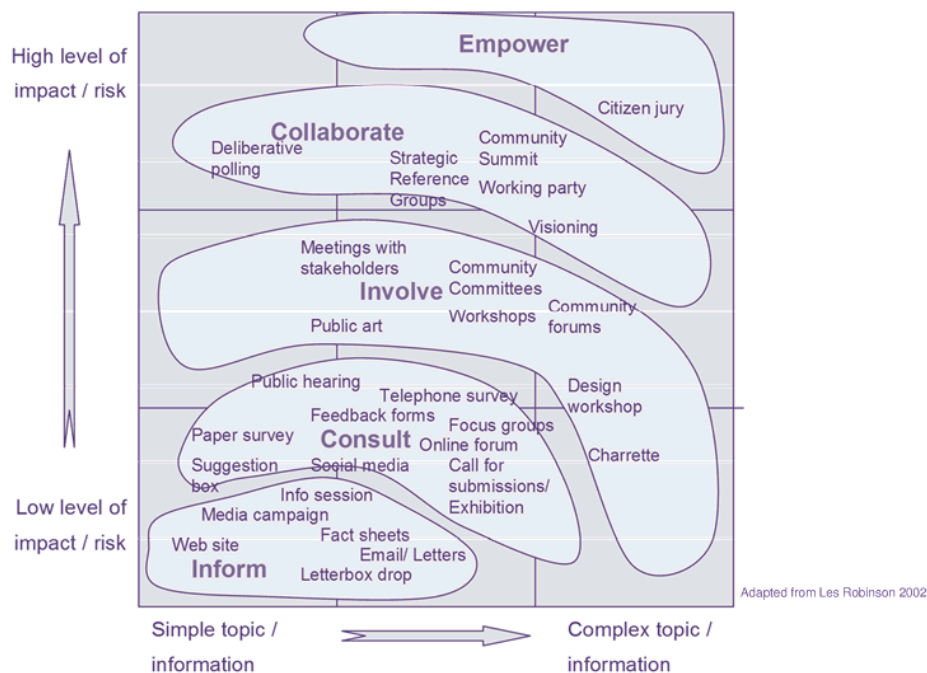
	Method	Level 1 High Impact LGA	Level 2 High Impact Local	Level 3 Lower Impact LGA	Level 4 Lower Impact Local
INFORM	Written Correspondence, mail out or letter box drop				
	Notice/ Advert in Local Paper				
	Displays (Customer Service, libraries)				n/a
	Social Media				
	Email - Community Register				
	Email update – feedback, close loop				
	Web Site (Your Say Page and updates)				
	On Site Sign / Display			n/a	
	Banners / Posters				
	Fact sheet, brochure, flyer				n/a
	Media Release				n/a
	Personal Telephone Contact				
	In Person Meetings				
CONSULT	Online and written feedback / submissions				
	On site information session			n/a	
	Information sessions / briefings				
	Paper Survey / feedback form				
	Hotline/ Phone-in				n/a
	Telephone Survey				
INVOLVE	Meetings with key stakeholders / users				
	Meeting with target community groups eg resident groups, youth, businesses, CALD				
	Focus Group Session				
	Community workshop / forum / World Cafe				n/a
	Community Meeting, Public hearing				
	Online Discussion Forum (Your Say)				n/a
	Site Tour				
COLLABORATE	Strategic Reference Groups				n/a
	Working Party or Advisory Group			n/a	n/a
	Deliberative Polling			n/a	n/a
	Community Summit (TOTT)		n/a	n/a	n/a
	Citizen Jury / Panels / Summits		n/a	n/a	n/a

Essential,
 Desirable
 Optional

This list includes the main tools and techniques that Council uses for community engagement. There are many other tools and techniques that can also be considered.

Examples - Types of Engagement

The diagram below demonstrates graphically where different methods and tools may sit on the spectrum taking into account the level of impact/ risk and the complexity of the topic or issue.



Step 6 Timeframes and Resources

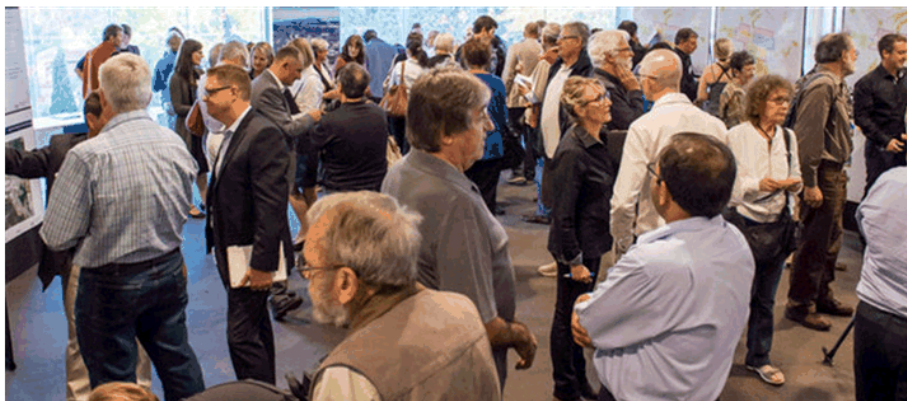
Consider the following questions and stages in determining the time frames and resources.

<p>Develop a timeline of the key engagement activities during the project.</p> <p>Consider the following points</p>	<ul style="list-style-type: none"> • Early engagement is recommended for high impact projects • At least 2 stages are required for high impact projects: <ul style="list-style-type: none"> ◦ Stage 1 – initial ideas, opportunities, issues, ◦ Stage 2 – proposed solutions, draft plans • The recommended period for community feedback is 28 days. However this may vary depending on statutory requirements. • Consider key dates of other activities and events that may affect the ability of everyone to participate eg School Holidays, special occasions and clashes with other major events. <ul style="list-style-type: none"> ◦ Consider extending consultation period by the length of school holiday period (excluding January Holidays) ◦ Aim to complete consultation activities prior to the Dec holiday period or consider waiting until Mid – late January. • Include any legislative timeframes that may affect the time frame proposed • Allow sufficient time to promote engagement and encourage participation <ul style="list-style-type: none"> ◦ Aim to allow 2 weeks prior to community meetings to promote and notify potential attendees
<p>Include other factors in project and engagement plan</p>	<ul style="list-style-type: none"> • Detail the budget required to complete engagement activities. This may include communications, adverts, staffing, flyers, etc • Determine what skills are required and what resources are available. <ul style="list-style-type: none"> ◦ Consider skills of staff and if necessary use external consultants to provide or support the process ◦ If the project is high impact and likely to be controversial, consider the use of an independent facilitator/consultant to ensure a balanced and neutral approach.



Step 7 – Feedback, Reporting and Evaluation

Feedback and Closing the Loop	<ul style="list-style-type: none"> • Detail how and when each stakeholder group (participants, community, council and staff) will receive feedback during the project and after completion. • Offer to capture the contact details of all stakeholders and community members that would like to be involved or who participate in the process and maintain this information. • Ensure that these contacts are kept up to date with progress at key stages and send details of the Council report and date to all those who participated. This will provide feedback and encourage attendance at Council meetings if required. • Feedback and monitoring should be encouraged throughout the entirety of the engagement process.
Consider outcomes and reporting	<ul style="list-style-type: none"> • Define the outcomes that are expected from the approach and how the final outcomes will be documented and circulated. • What will happen to ensure that the opinions and views of those engaged will be taken into account when the decisions are made? • Who will make the final recommendations and decisions and how will these be reported to Council? • It is recommended that for high impact projects the final draft plan (concept, strategy, etc) should be reported to Council for public exhibition. Submissions will be summarised and reported back to Council along with the final report. • At the end of each stage of engagement, a community engagement summary will be prepared and made available on the relevant web project page.
Evaluation	<ul style="list-style-type: none"> • Evaluation is an important part of continuing to develop and improve community engagement processes. • The evaluation should focus on both the outcomes and process of community engagement. • Evaluation forms are recommended for all forms of face to face engagement activity eg community meetings, workshops etc. • An evaluation summary should be completed for all major, high impact projects..



Definitions

Key Term – Acronym	Definition
Community/ Stakeholders	Includes all the people who live, work, study, own property, conduct private or government business, visit or use the services, facilities and public spaces and places of the Northern Beaches area. The community can be referred to as stakeholders or comprise of stakeholders.
Engagement	A broader term which includes all levels of including the community in decision making. Consultation is one level of engagement.
Consultation	A process of community engagement that seeks to inform the community or draw out the views and preferences of the community. These views are used to inform decision makers and should provide a guide to decision making
Communication	Generally refers to the exchange of information from Council to the community, and can also include the exchange of information or views from the community to Council
Level of Impact	The degree to which a community is affected or serviced by a decision.
Community Participation	The degree to which a community is involved in planning or decision making.
Northern Beaches (Impact Level)	Where a project, issue, service or action: <ul style="list-style-type: none"> • Relates to all people living or working in Northern Beaches, or • Relates to a significant proportion of people, or • Has the potential to impact on other facilities or activities within Northern Beaches
Local (Impact Level)	Where a project, issue, service or action primarily relates to a local community or a group of users of a specific facility or service.
IAP2	International Association of Public Participation www.iap2.org.au
Submission	A submission is a formal response to a document made during the formal public exhibition period.
Comment	A comment or response received during early engagement or consultation that is not part of a formal public exhibition endorsed by Council.

Attachment 1 – Development on Council Land – Special Consultation Requirements

Council acknowledges that when undertaking high impact development on Council owned and managed land a community engagement process consistent with the engagement framework will be undertaken in addition to the statutory requirements. This includes early input at the concept design stage.

Examples include Plans of Management, Masterplans and Council resolutions.

A. Plans of Management

Council must take into consideration feedback from the following:

- Local engagement, undertaken to reach a broad audience.
- Stakeholder engagement undertaken with specific consideration given to consulting with target groups eg youth, older people, culturally diverse groups, people with disabilities.
- Broad community input directed at the general community and also at specific target groups affected by the proposal to encourage input and involvement.
- Public exhibition to encourage submissions

B. Design Stage

The project owner must take into consideration feedback from the following:

- Local engagement be undertaken to reach a broad audience.
- Stakeholder engagement be undertaken with specific consideration given to consulting with target groups eg youth, older people, culturally diverse groups, people with disabilities
- Include input from previous engagement activities - the project owner must specifically consider the earlier Plan of Management engagement undertaken.

C. Approvals Stage e.g. Development Application, Part V Assessment

Council must undertake:

- Statutory notification – engagement activities must comply with statutory notification requirements despite the fact that notifiable persons may have been involved in previous consultations.
- The Development Application is to have the results of all previous engagement activities under this policy attached to enable the development assessment officer to form a view of the merits of the proposal.
- Where a DA is not required, Council staff are still required to engage with the community to gain input to the development. The matrix should be used to determine the most appropriate level of engagement.

Note:

It should be noted that this Matrix relates to all community engagement undertaken by Council except the Development Approval Process. Community engagement guidelines for the Development Approval Process are outlined in Council's Development Control Plans and the Environmental Planning and Assessment Act 1979. In some cases requirements may be imposed by the State Government and may override the policy and matrix

11.0 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 11.1 RFT 2016/080 - Bus Shelter Cleaning on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*]; and commercial information of a confidential nature that would, if disclosed, reveal a trade secret [10A(2)(d(iii)) *Local Government Act 1993*].
- This report discusses proposed methodology from each tenderer, strengths, weaknesses and risks of each submission (comparative analysis) and financial analysis of each tenderer 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 reveal trade secret and breach commercial in confidence materials provided to Council.
- b Item 11.2 LATE - RFT 2016/092 - Cafe Lease - Frenchs Forest, Warringah Aquatic Centre 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 [10A(2)(c) *Local Government Act 1993*].
- This report discusses <<INSERT TEXT>> 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 <<INSERT TEXT>>.
- 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

