

AGENDA

Notice is hereby given that an Ordinary Meeting of Council will be held at Manly Chambers on

Tuesday 27 June 2017

Beginning at 6.30pm for the purpose of considering and determining matters included in this agenda.

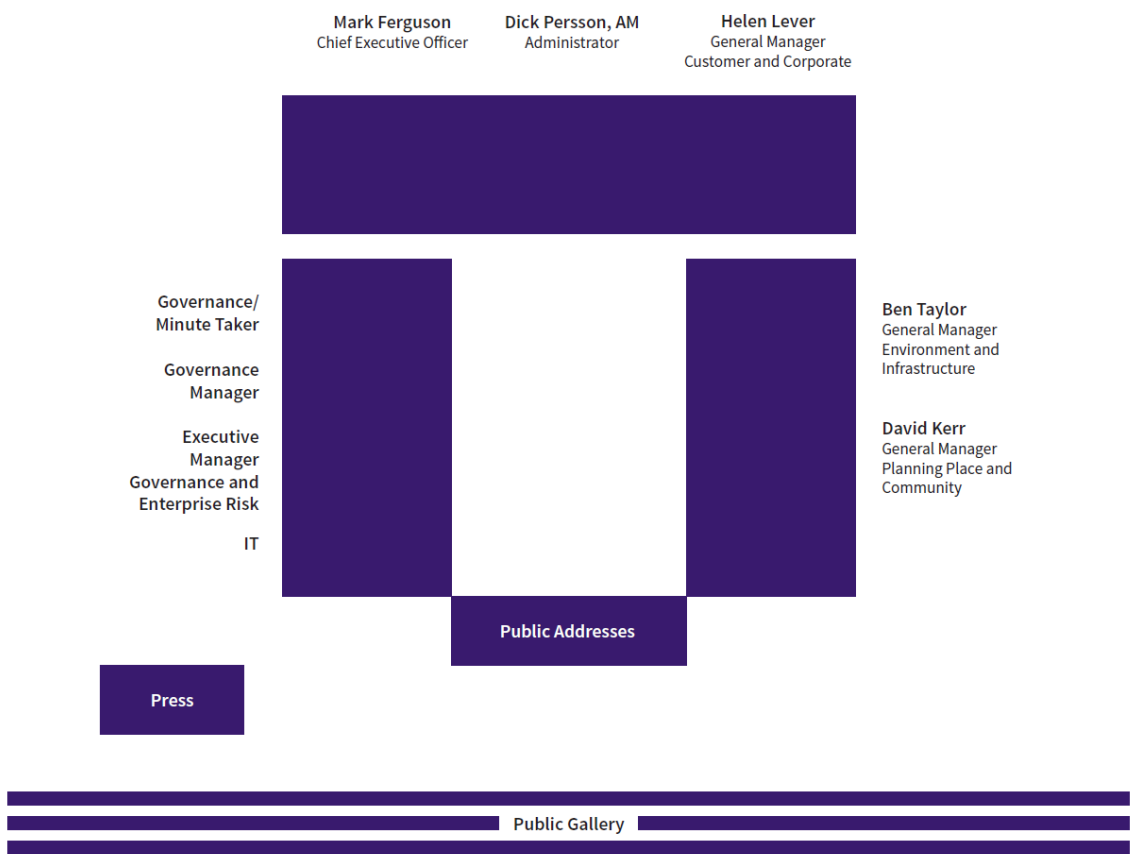


Mark Ferguson
Chief Executive Officer

Issued: 22/06/2017

OUR VALUES

- Trust
- Teamwork
- Respect
- Integrity
- Service
- Leadership



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 27 June 2017
at Manly Chambers
Commencing at 6.30pm**

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2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 30 MAY 2017

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 30 May 2017, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

5.0 ADMINISTRATOR'S MINUTES

ITEM 5.1	ADMINISTRATOR MINUTE NO 06/2017 - PCYC - TEMPORARY FREE CAR PARKING FOR THE NORTHERN BEACHES COMMUNITY
TRIM FILE REF	2017/196892
ATTACHMENTS	NIL

BACKGROUND

This week the new Police Citizens Youth Club (PCYC) building in Dee Why will be open to the public and the much awaited major recreational facility for young people on the Northern Beaches will be a reality.

The brand new \$26 million facility located on the corner of Fisher Road and the Kingsway opposite Council's Civic Centre will be delivered within budget. The keys will be handed over to the PCYC Management on 29 June 2017 and it will be officially opened in August 2017.

This is an iconic building, with state of the art facilities that will be managed by police and youth professionals. Not only our young people but the whole Northern Beaches community will enjoy the benefits of the many sporting and leisure programs now and into the future.

The 346 space 'Kingsway' car park will provide parking for the community including 120 commuter parking spaces associated with the new B-Line bus service.

I want to encourage the Northern Beaches community to come and see for themselves this impressive facility which the Northern Beaches Council is extremely proud to deliver.

The facility includes two premium indoor multipurpose sports courts, a youth hub, fitness and martial arts classes, a multipurpose area for functions along with change rooms and an onsite kiosk.

To encourage residents to inspect the new facility and as a gesture of goodwill to the local community who have endured traffic and parking restrictions during construction, I propose that Council provides free parking within the new car park until the building is officially opened on 11 August 2017. Once the building is open, the costs for both short stay and all day parking in the carpark will then be as per the proposed fees and charges.

RECOMMENDATION

That Council provides free parking to the community for both short stay and all day parking at the 'Kingsway' car park for the period 29 June 2017 to 11 August 2017.



Dick Persson
ADMINISTRATOR

6.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 6.1	DRAFT COMMUNITY STRATEGIC PLAN
REPORTING MANAGER	EXECUTIVE MANAGER CORPORATE STRATEGY & PLANNING
TRIM FILE REF	2017/093362
ATTACHMENTS	<p>1 📎 Draft Community Strategic Plan (Included In Attachments Booklet)</p> <p>2 📎 Community Engagement Report - Community Strategic Plan - Stage 2 (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To seek Council endorsement of the draft Community Strategic Plan (CSP) at Attachment 1 for public exhibition and to note the Community Engagement Report at Attachment 2.

SUMMARY

In accordance with the *NSW Local Government Act 1993*, the draft CSP has been developed to define the community's long term vision, priorities and strategic direction for the Northern Beaches.

The draft CSP is the result of two stages of community engagement: Stage 1 (September to November 2016) focussed on identifying issues and drafting a vision; Stage 2 (March – April 2017) focussed on gaining feedback on the draft CSP Framework (vision, outcomes, goals and strategies) which was published in a Discussion Paper.

The results of the Stage 2 engagement include:

- Validation of the CSP structure and logic
- Clearer vision statement that is specific to the Northern Beaches
- Stronger focus on the natural environment throughout the draft CSP
- Greater clarity in wording of goals and strategies and less overlap between sections
- Clearer distinction between aspirations (now written in narrative) and goals and strategies

More than two thousand community members have contributed their time and insights so far, with many commenting that the engagement process was worthwhile: there was a high level of satisfaction with each event and the materials, namely the Discussion Paper, were found to be comprehensive and relevant.

The third and final stage of community engagement is expected to take place from 17 July to 5 November 2017, with the majority of engagement activities scheduled towards the end of this period to allow the newly elected Council to participate in conversations with the community before finalising the CSP. This final stage will focus on developing key measures and indicators as well as inviting final comments on the draft CSP.

RECOMMENDATION OF GENERAL MANAGER

That Council:

- A. Endorse the Draft Community Strategic Plan at Attachment 1 for public exhibition and report the results back to the newly elected Council
 - B. Note the Community Engagement Report at Attachment 2 for Stage 2 of the Community Strategic Plan engagement process
-

REPORT

BACKGROUND

On behalf of the Northern Beaches community, Council is preparing the first Community Strategic Plan (CSP) for the Northern Beaches local government area which was created in May 2016 with the merger of former Manly, Warringah and Pittwater Councils. The CSP is being prepared in accordance with the *NSW Local Government Act 1993* and within the Government's planning context for the region (namely the draft *North District Plan*). It also has regard to Council's Community Engagement Policy and Framework. The preparation of the CSP has also had regard to the research coming out of the process for developing a new identity and brand for the Northern Beaches.

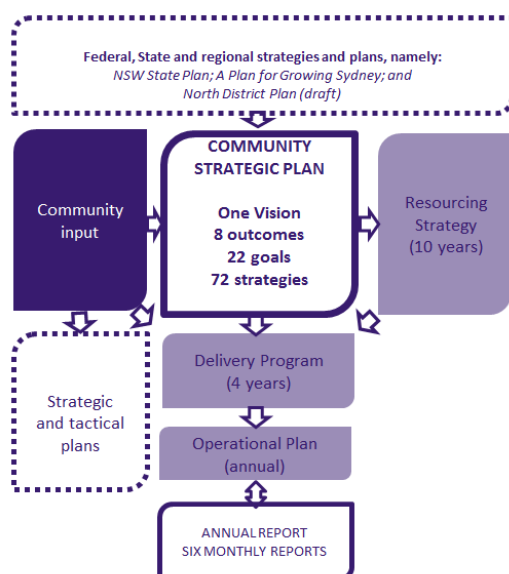
The CSP is the community's high level strategic plan for the next ten years. The success of the CSP will be influenced by how well the framework can facilitate collaboration between a broad range of agencies and stakeholders, as well as the degree to which it is integrated in detailed planning and service delivery.

Integrated Planning and Reporting Framework

The CSP is the highest level of strategic planning undertaken by a local council. It needs to be sufficiently aspirational and flexible so that it does not lose currency and relevance over its ten year term.

Other strategies and plans, and especially the four year Delivery Program and the annual Operational Plans, provide the detail and outline specific actions and projects to achieve the community's vision. Along with the CSP, these plans are statutory documents described in the *NSW Local Government Act 1993* as key elements of the 'Integrated Planning and Reporting' (IP&R) Framework - see Figure 1 below. All IP&R documents must be prepared within the overall metropolitan and state planning context and with regard to the Government's *NSW State Plan*; *A Plan for Growing Sydney*; *draft North District Plan*, and any other Government plans that set strategic direction for the region.

Figure 1: IP&R Framework



Implementation

The Delivery Program and Operational Plans are the main mechanisms for Council's role in implementing the CSP. These plans describe specific projects and actions that Council will undertake and provide substance to the high level goals and strategies of the CSP. The CSP, Delivery Program and Operational Plans are supported by a Resourcing Strategy (including an Asset Management Strategy, Long Term Financial Plan and Workforce Management Plan). These detailed plans identify the specific actions as well as human and financial resources needed to deliver on Council's part of the community vision.

Responsibilities

Council is not solely responsible for the implementation of the CSP as many aspects of the community's plan fall beyond the direct control of local government. Transport, education and health are obvious examples of this. However as a Council with strong ties to the community we are well-placed to play a strong collaborative and advocacy role in bringing relevant stakeholders together to deliver on community outcomes.

Accountability

The CSP is evaluated every four years in an End of Term Report that shows our progress towards the indicators listed in the CSP. The CSP is also updated every four years in step with local government elections to ensure its relevance and currency over the ten year lifespan of the Plan. (The first End of Term report and review of this CSP will take place in 2021, due to the 3 year term of the first elected Council for Northern Beaches)

CONSULTATION

Community engagement commenced in September 2016 - four months after the creation of Northern Beaches Council. It was an opportunity for Council to hear from the community and understand the diversity of concerns, interests, and hopes for the future of the area.

Objectives

The main objectives of the community engagement were to:

- Ensure a diverse representation of the community from across the LGA, particularly focus on youth, time-poor and working population
- Engage community members in a constructive and robust dialogue about long term strategic directions
- Create a better understanding in the community about the complexities in planning a sustainable, healthy and diverse community
- Frame the regional, NSW, national and international context of long term planning, and particular regard to the NSW Government's draft North District Plan
- Inspire and motivate community participation in creating better places

Community Engagement Process

The engagement approach was designed with the dual purpose of gradually building the draft CSP through three consecutive stages and to capture a broad range of community views (across geographic locations, age, gender and interest groups). The Strategic Reference Groups (SRGs) and Local Representation Committees (LRCs) provided valuable input throughout the process in terms of checking the robustness of the CSP Framework. The LRCs were also consulted post exhibition about the proposed changes to the CSP Framework.

An overview of the engagement is presented in Table 1 below. Detailed reports from each stage of the engagement are available through the Council report for the meeting 13 December 2016 (Stage 1) and at Attachment 2 of this report (Stage 2).

Table 1: Overview of Community Engagement

Stage	Basis for conversations	Description	Outcome
Stage 1: vision and priorities <i>Sep to Nov 2016</i>	Issues Paper	Broad discussion about the issues, challenges and opportunities facing Northern Beaches	Statement of draft Vision and Priorities endorsed by Council 13 December 2016 for further consultation
Stage 2: CSP Framework <i>Mar to Apr 2017</i>	Discussion Paper (including a draft CSP Framework)	Focussed and deliberate conversations about the draft vision, outcomes, goals and strategies to address the community's priorities	Enhanced/validated CSP Framework
Stage 3: indicators and draft CSP <i>17 July 2017 to 5 Nov 2017</i>	Draft CSP	Focussed discussions on key performance indicators and measures as well as comments on draft CSP	Final CSP endorsed by Council by June 2018

Marketing

The engagement activities were advertised broadly through: printed media (including Manly Daily, Peninsular Living, Pittwater Life and Covered); Council's website; social media; direct email to identified stakeholders; electronic mail distribution to people on Council's database; and through Council events. In addition, some participants were direct recruited to participate in the deliberative forums during Stage 2 of the engagement.

Submissions Analysis Approach

All submissions from the engagement have been recorded and treated equally in the analysis (whether submissions were made verbally or in writing). The following criteria gave direction to an assessment of whether change as a result of the submissions was warranted:

- Must be consistent with original intent
- Must be consistent with general sentiment of the broad community
- Changes to be based on a merit assessment (not purely on numbers)

Results

The engagement resulted in a draft CSP Framework that is clearer, and better reflects the community's strong desire to protect the environment. Most of the specific comments and suggestions for improvement have been taken on board in the attached draft CSP. However the overall structure and direction of the CSP Framework has not changed substantially, as the community was generally satisfied with the logic and sentiment of the document.

Some community members commented that they found the wording of the goals and strategies to be very generic and expressed concern about how they would be implemented and measured. As the aspirational nature of the goals and strategies are reflective of the general nature of the CSP as a high-level long term document, this concern has not resulted in a specific change to the document itself. It should be noted that specific measures and indicators will be developed during

Stage 3 of the engagement and this may assist in providing some clarity regarding implementation and monitoring of performance.

An overview of the key changes to the draft CSP is presented in Table 2 below:

Table 2: Summary of key changes

Framework Component	Summary of feedback	Key changes
CSP Framework (structure/logic/direction)	<ul style="list-style-type: none"> General satisfaction with the CSP Framework and logic. Some submissions suggested to put the outcome area 'Protection of the Environment' first to reflect the fundamental importance of this area. 	<ul style="list-style-type: none"> 'Protection of the Environment' reordered to be the first outcome chapter
Vision	<ul style="list-style-type: none"> Needs to be more specific to Northern Beaches and have a stronger environmental focus 	<ul style="list-style-type: none"> Vision reworded
Aspirations	<ul style="list-style-type: none"> No suggestions for improvement 	<ul style="list-style-type: none"> Aspirations rewritten in order to better distinguish them from goals and strategies
Environment Outcomes 'Protection of the Environment' and 'Environmental Sustainability'	<ul style="list-style-type: none"> Overlap between sections Not strong enough statements Should consider 'tensions' (e.g. sustainable access to recreational opportunities) 	<ul style="list-style-type: none"> Some goals and strategies reordered New goal included regarding Council being a leader in environmental sustainability Strengthened statements regarding environmental sustainability and the built environment (including consideration of compliance)
Community Outcomes 'Places for People' and 'Community and Belonging'	<ul style="list-style-type: none"> Concern regarding population growth and urban development Some statements misleading or unclear Need to recognise Aboriginal culture and heritage 	<ul style="list-style-type: none"> Strengthened goals statement to emphasise the need to reflect the unique character of villages and places in urban planning Additional strategies included regarding Aboriginal culture and heritage, diversity and access to information and support services
Economic Outcomes 'Vibrant Local Economy' and 'Transport, Infrastructure and Connectivity'	<ul style="list-style-type: none"> Concern with the current state of traffic and transport Need to take emerging technologies (e.g. driverless cars) into account Council to lobby NSW Government for better infrastructure delivery 	<ul style="list-style-type: none"> New strategy regarding advocacy role included Stronger emphasis on integrated landuse planning Reference to emerging technologies included
Civic Outcomes 'Good Governance' and 'Participation and Partnerships'	<ul style="list-style-type: none"> Some overlap or inconsistency 	<ul style="list-style-type: none"> Reordered some of the strategies Strengthened and clarified wording of goals and strategies
Tracking our	<ul style="list-style-type: none"> Need to be able to measure 	<ul style="list-style-type: none"> Development of measures will be the

Framework Component	Summary of feedback	Key changes
progress – new	performance against goals and strategies	focus of Stage 3 consultation

FINANCIAL IMPACT

The preparation of the CSP has been provided for in Council's annual budget

SOCIAL IMPACT

The draft CSP includes goals and strategies aimed at creating a safer and more inclusive and connected community

ENVIRONMENTAL IMPACT

The draft CSP includes goals and strategies aimed at protecting the environment and improving the environmental sustainability of the Northern Beaches

ITEM 6.2	ADOPTION OF OPERATIONAL PLAN 2017/18
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
	EXECUTIVE MANAGER CORPORATE STRATEGY & PLANNING
TRIM FILE REF	2017/180687
ATTACHMENTS	<p>1 Submission Summary by Issue (Included In Attachments Booklet)</p> <p>2 Summary of Changes Fees & Charges Schedule (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To consider submissions received during the public exhibition of the Draft Operational Plan 2017/18 (the draft Plan) and seek Council's adoption of the final Plan.

SUMMARY

At its extraordinary meeting on 3 May 2017, Council approved the public exhibition of the draft Plan for a minimum period of 28 days.

Community members were encouraged to make submissions through a combination of face-to-face consultation events and on-line submissions. This included a Budget Road show involving five community forums held during May 2017 (attended by 30 people); notices in the Manly Daily and Council's website; and emails to community members on Council's community engagement register.

A total of 50 submissions were received and the recommended response is provided at Attachment 1.

As a result of items raised in submissions, as well as new and updated information being available since the draft Plan was placed on exhibition, a range of amendments are proposed to the Operational Plan 2017/18, and Fees and Charges.

Northern Beaches Council budget for 2017/18 projects total expenditure of \$436.3 million, including a capital works program of \$114.2 million. It shows that our financial position is sound, with a projected Surplus before Capital Grants and Contributions of \$7.6 million. The projected Surplus before Capital Grants and Contributions has changed from that exhibited in the Draft Operational Plan as follows:

	\$m
Surplus before Capital Grants and Contributions per Draft Operational Plan	13.730
Advance payment of 50% of the 2017/18 Financial Assistance Grant in June 2017	(3.794)
Arts Heritage Grant originally budgeted in 2017/18 now to be paid in June 2017	(0.037)
Expenditure related to a rock fall at Palomar Parade Freshwater	(0.210)
Research for Better Tick Control from Merger Savings Fund	(0.025)
Rollover from 2016/17 New Council Implementation Fund for transformation works	(1.500)
Increase in Election Expenses	(0.533)
Surplus before Capital Grants and Contributions	<u>7.631</u>

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That:

- A. Council adopts the Draft Operational Plan 2017/18, including Draft Fees and Charges subject to:
 - a. Amending the Operational Plan as detailed in Table 11 in this report.
 - b. Amending the Fees & Charges Schedule as detailed in Table 9 in this report
 - B. The adopted Fees apply from 1 July 2018.
 - C. Council make the following rates and charges:
 - a. In accordance with Sections 494 and 495 of the *Local Government Act* 1993 (the Act), Ordinary and Special Rates are made as shown in Tables 2, 3 and 4 in this report;
 - b. In accordance with section 496 of the Act, Domestic Waste Management Charges are made as shown in Tables 5, 6 and 7 in this report;
 - c. In accordance with section 496A of the Act, Stormwater Management Service Charges are made as shown in Table 8 in this report;
 - d. Works on private land carried out by Council to be charged at the appropriate commercial rate (cost of the works and standard on-costs to provide full cost recovery plus a return to Council); and
 - e. In accordance with Section 611 of the Act 1993 a charge on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.
 - D. Council adopts an interest rate of 7.5% to be charged on overdue rates and charges.
 - E. Loan funding for the road infrastructure works at the Kimbriki Waste Landfill Site of \$7.815m be included in Council's borrowing return to the Office of Local Government for 2017/18 unless the borrowings under the Local Infrastructure Renewal Scheme approved by Council on 24 February 2015 are executed before 30 June 2017.
 - F. Council may carry out work on private land, either on request or by agreement with the owner of the land, or under relevant legislation.
 - G. Council approve for exhibition draft Fees at Table 10.
 - H. The Beach Parking Permit Policy (Policy No. NBC003) be amended to reflect that residents outside the Northern Beaches LGA are not entitled to purchase Beach Parking Permits.
-

REPORT

BACKGROUND

This report outlines the public exhibition of the draft Operational Plan 2017/18 (the draft Plan), summarises key findings arising from the exhibition, and provides further detail and explanation including recommended changes.

The draft Plan was approved for public exhibition by Council at its meeting of 2 May 2017 and exhibited in accordance with s405 of *Local Government Act 1993*.

CONSULTATION

The draft Plan 2017/18 was exhibited from 3 May to 4 June 2017. It was available online, at the Customer Service Centres at Manly, Mona Vale, Avalon and Dee Why as well as at all Council libraries

Consultation activities included:

- Notices in the Manly Daily on 6, 13, and 20 May 2017
- Emails to people on Council's community engagement register
- Promotion on social media
- Five Budget Roadshow sessions where the Budget and program of works was presented by staff. The dates and location were as follows:
 - Avalon Recreation Centre: Monday 15 May - 6.00-7.30pm; (4 attendees)
 - Manly Council Chambers: Tuesday 16 May - 6.00-7.30pm (6 attendees)
 - Dee Why Council Chambers: Thursday 18 May - 6.00-7.30pm (8 attendees)
 - Mona Vale Memorial Hall: Tuesday 23 May - 6.00-7.30pm (9 attendees)
 - Forestville Community Arts Centre: Thursday 25 May - 6.00-7.30pm (3 attendees)

CONSIDERATION OF SUBMISSIONS

Draft Operational Plan

A total of 50 submissions were made on the draft Plan.

Each submission was reviewed and issues summarised. Some submission raised multiple issues and a high level summary including responses is below.

Table 1: Overview of submissions

Issue	No.
Budget: including rate rises for former Warringah residents of 9.4%, assumptions used in modelling, salaries and merger savings	22
Format and structure of Operational Plan including performance measures	6
Infrastructure spending: including request for additional expenditure on footpaths, kerb and gutters, road resurfacing, bus shelters, netball courts, sportsfields, town and village enhancements and Collaroy Beach	21
Fees: including at Aquatic Centres, beach parking stickers, hall hire, late fees on overdue library books for Children, netball fees for Winter 2018, wharf and film permits	17
Services: various issues including bin replacement program, Children's Services, preschool centre mergers (Ivanhoe Park and Kangaroo Street), spending on information technology systems and Hop Skip Jump services	8
Total Issues	74

The Special Rate Variation for ratepayers in the former Warringah local government area received the most submissions. Issues raised included the size of the increase, the justification for proceeding post merger and whether savings from the merger should offset the increase. The 9.4% increase was authorised by the Independent Pricing and Regulatory Tribunal in 2014 for the former Warringah Council so it could maintain its long term financial sustainability and undertake projects included in its long term financial plan. These same conditions apply with respect to Northern Beaches Council. As a result a change to the proposed 9.4% rate increase for former Warringah is not supported.

A number of writers were seeking greater disclosure of information on things such as financials, operational and capital projects etc. There were also requests for the information to be presented in a variety of formats including by Ward or Key Service Area. The Plan in its current form complies with legislative requirements as well as guidelines issued by the Office of Local Government. Over 200 projects are listed in the Plan and it is not feasible to present the information in multiple formats. No material change is proposed in finalising the 2017/18 Plan with the exception of adding two additional financial statements – Capital Budget Statement and Cash and Investment Statement.

There will be an opportunity next year to further look at the structure of the operational plan and how information can be presented as the first Delivery Program is developed. There may also be opportunities to make additional information available online in future. For example the 2016/17 works program is currently available spatially via an online map. This allows users to see by suburb/ward/LGA what is planned and drill down on individual capital projects. The 2017/18 works program will be available online in early July.

Two submissions commented on the performance indicators in the draft Plan. The opportunity has been taken to review the performance metrics and a more strategic set of 25 measures are now proposed to replace the metrics in the draft Plan. This is discussed in more detail later in the report.

Comments were also received on a range of fees. Changes are proposed to the pool hire fee for the 25m pool at the Manly Andrew Boy Charlton Aquatic Centre for swim clubs. This will reduce the fee from \$135 to \$100 per hour consistent with the lane hire fee for the 25m pool. The withdrawal from sale of beach parking permits for non-residents is also supported.

Council is also responding to a number of issues operationally. These include safety issues at Bilgola Plateau Public School which will be investigated by the Road Safety Team as well as the 'Adopt a Pathway' program which is funded from the footpath budget (\$20,000 is available for this program). In addition a range of issues relating to developing new sportsfields and netball courts as well as sporting users fees for the 2018 winter season will be considered as part of the final Sportsgrounds Strategy which is scheduled to go to the Council meeting in August 2017.

The Plan provides a works program of \$114.2 million in 2017/18 for new and improved infrastructure for the community. One submission supported the coastal protection works on Collaroy Beach. In relation to other requests for additional investment in footpaths, kerb and gutters, road resurfacing and bus shelters a change to the draft Plan is not supported as funds are not available in 2017/18.

A more detailed response to the issues is at Attachment 1.

New Programs – Merger Savings Fund

At the Council meeting on 2 April 2017 the Administrator (Administrator Minute No.3/2017) foreshadowed the establishment of four new programs funded from the Merger Saving Fund. Initiatives under these programs would be developed and announced at the Council meeting on 27 June. The programs identified were:

- Arts and Cultural Program - \$1 million in 2017/18 for a creative art space in the northern end of the area (Avalon/Newport) and \$0.5 million a year for four years for public art commissioned where possible from local artists
- Youth Program
- Environment Program
- Community Events Program

As part of the exhibition of the draft Plan the community was invited to comment on the proposal. Some 15 submissions referenced the proposed programs with eight expressing support for one or more of the programs and one submission objecting on the basis of insufficient detail on the initiatives. The remaining six submissions suggested the funds should go to other priority projects. The details are below:

Comments supporting the programs:

- Support for all programs x 2
- Community needs to be involved in public arts projects
- Supportive of youth programs and events; as well as environment protection and remediation of creeks, lagoons and waterways. Refurbishment of youth spaces is also needed.
- Supportive of environmental programs and education - e.g. permaculture and seed saving and food growing. The youth program is important North of Mona Vale.
- Suggestion for a design competition for Arts Spaces in Avalon.
- Supports spending on local artists and culture in Killarney Heights and Forestville
- Supportive of creative spaces in Avalon and Newport and creative hubs
- Supportive of Youth Program: children and youth in sports and engaged with the community and clubs (e.g. netball)
- Install exercise equipment along the coastal walk

Comments against the programs:

- Funds should be spent on sportsfields/sports x 3
- Greater consultation needed on the walkway
- The focus should be on programs that benefit all ratepayers
- Funds should be spent on local infrastructure (e.g. roads and footpaths)
- More detail required on merger savings and capital projects proposed
- Money should be spent on Dee Why Masterplan, transport (extend the Hop Skip and Jump Services), Ingleside and Northern Beaches Hospital precinct and Kimbriki

BUDGET 2017/18

Budget Overview

The Northern Beaches Council budget for 2017/18 projects total expenditure of **\$436.3** million, including a capital works program of **\$114.2** million. It shows that our financial position is sound, with a projected Surplus before Capital Grants and Contributions of **\$7.6** million.

IPART approved General Revenue Increase

IPART have allowed a maximum rate increase to the total general-purpose rate income for 2017/18 of:

- Former Manly Council properties – 1.5%
- Former Pittwater Council properties - 1.5%
- Former Warringah Council properties – 9.4%

Consistent with the Local Government (Council Amalgamations) Proclamation 2016 the rating structure and categorisation of land for rating purposes remains unchanged from the 2016/17 rating year.

It is recommended that Council adopt the maximum rate increase and in accordance with Sections 494 and 495 of the Local Government Act 1993, makes the following Ordinary and Special Rates for 2017/18:

Table 2: Ordinary and Special Rates 2017/18 – former Manly Council properties

Rate Name	Rate in \$	Minimum Rate
Residential	0.00116643	\$798.40
Business – Manly CBD	0.00607165	\$1,042.50
Business – other	0.00339807	\$1,042.50
Manly Business Centre Improvement	0.00207581	-
Balgowlah Business Centre Improvement	0.00138091	-

Table 3: Ordinary Rates 2017/18 – former Pittwater Council properties

Ordinary Rate Name	Rate in \$	Minimum Rate
Residential	0.0015480	\$864.70
Farmland	0.0006041	\$864.70
Business	0.0035175	\$1,104.00
Business - Warriewood Square	0.0038053	-

Table 4: Ordinary Rates 2017/18 – former Warringah Council properties

Ordinary Rate Name	Rate in \$	Minimum Rate
Residential	0.00149288	\$949.10
Business	0.00547895	\$1,218.53
Business – Warringah Mall	0.00976741	-
Business – Strata Storage Units	0.00662020	\$558.90

Domestic Waste Management Charges

Domestic Waste Management Charges for 2017/18 have been increased to reflect the proposed cost of the service.

In accordance with Section 496 of the Local Government Act 1993, it is recommended Council makes and levies the following Domestic Waste Management Charges for 2017/18:

Table 5: Domestic Waste Management Charges: Manly Council properties

Service	Total Charge
Availability charge – Vacant Land	\$220
Domestic Waste Management Service (first or additional garbage bins)	\$630

Table 6: Domestic Waste Management Charges: Pittwater Council properties

Service	Total Charge
Availability charge – Vacant Land	\$147
Availability charge – premises using private collection	\$147
Domestic (including offshore)	\$609
Retirement Villages	\$476

Table 7: Domestic Waste Management Charges: Warringah Council properties

Service	Total Charge
Availability Charges - Vacant Land	\$95
Per 80 litre garbage bin (first or additional garbage bins) – includes availability charge	\$389
Per 120 litre garbage bin (first or additional garbage bins) – includes availability charge	\$581
Service Increase Fee - applies when delivering a larger capacity or additional bin, compared to base 80 litre service or existing service level	\$26
Supply of additional vegetation bin	\$100

Interest Charges on Overdue Rates and Charges

The Minister for Local Government has determined that the maximum rate of interest that may be charged on overdue rates and charges for 2017/18 will be 7.5%.

In accordance with Section 566(3) of the Local Government Act, it is recommended that Council resolves to adopt the maximum interest rate allowed and this be applied to all northern beaches properties.

Stormwater Management Service Charges

In accordance with Section 496A of the Local Government Act 1993, it is recommended that Council makes and levies the following Stormwater Management Service Charges for 2017/18:

Table 8: Stormwater Management Service Charges: Former Manly and Pittwater related properties

Stormwater Management Service Charge	Total Charge
Residential – single dwelling	\$25.00
Residential - strata lots	\$12.50
Business	\$25.00 per 350 square metres (or part thereof) for land categorised as business (excluding strata lots)
Business strata lots, business company title	\$5.00 or the relevant portion of the maximum annual charge that would apply to the strata scheme if it were a parcel of land subject to the land categorised as business

Section 611 Charges

That an annual charge under Section 611 of the Local Government Act 1993 be made and levied for the year commencing 1 July 2017 on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.

Fees

A range of amendments are proposed to the draft Fees in Table 9 below.

The changes are directed at simplifying the fee structure, removing duplicate fees and typographical errors and adjusting the fee to reflect the cost of providing the service. This includes aligning Glen Street Theatre's fees to a financial year, setting Sydney Lakeside Caravan Park's fees for a 14 month period and withdrawing the sale of Beach Parking permits to non-residents in response to submissions.

In addition to the changes above amendments will be made to the structure of the document. The changes will align the fees to the organisation structure that came into effect in April 2017

Further details on the reason for the changes can be found at Attachment 2.

Table 9: Amendments to draft fees

Service	Amendment
Parking Permit - Beach	Delete 'Non-residents 01 September - 31 August'
Avalon Golf Course	Amend the fee description: 'Green Fees - Twilight (after 3.30pm am no day light savings)'
Avalon Golf Course	Amend the fee description: 'Green Fees - Twilight (after 4.30pm am day light savings)'
Public Reserves Paid Parking - Shelly Beach, Clontarf, Sandy Bay & Spit Bridge	Delete the following fee: 'Up to 2 hours parking (off peak season 1 May to 30 Sep inclusive)'
Public Reserves Paid Parking - Shelly Beach, Clontarf, Sandy Bay & Spit Bridge	Delete the following fee: 'Up to 2 hours parking (peak season 1 Oct to 30 Apr inclusive)'
Street Stall/Pop-Up Shop - Commercial Community Benefit - Former Pittwater LGA	Delete the 'Application Fee' and 'Rental Fee Per Day'
Street Stall/Pop-Up Shop - Max 4 days per year - Commercial- Former Pittwater LGA	Delete the 'rental fee, application fee and refundable bond'
Glen Street - Box Office ticket sales for productions	Amended the postage fee from \$1.10 to \$1.50
Glen Street - Box Office ticket sales for productions	Amend the opening night - sponsor discount ticket - fee from \$60 to \$50
Glen Street - Box Office ticket sales for productions	Amended the internet per seat fee from \$1.10 to \$0.55 per ticket
Glen Street - Consumables - 1 July 2017 - 31 December 2017	Delete all fees under this service
Glen Street - Equipment Hire - 1 July 2017 - 31 December 2017	Delete all fees under this service
Glen Street - Marketing Services - 1 July 2017 - 31 December 2017	Delete all fees under this service
Glen Street - Theatre Hire - 1 July 2017 - 31 December 2017	Delete all fees under this service
Glen Street - Consumables - 1 January 2018 - 30 June 2018	Delete 1 January 2018 – 30 June 2018. The fee will apply from 1 July 2017- 30 June 2018
Glen Street - Equipment Hire - 1 January 2018 - 30 June 2018	Delete 1 January 2018 – 30 June 2018. The fee will apply from 1 July 2017- 30 June 2018
Glen Street - Marketing Services - 1 January 2018 - 30 June 2018	Delete 1 January 2018 – 30 June 2018. The fee will apply from 1 July 2017- 30 June 2018
Glen Street - Theatre Hire - 1 January	Delete 1 January 2018 – 30 June 2018. The

Service	Amendment
2018 - 30 June 2018	fee will apply from 1 July 2017- 30 June 2018
Glen Street - Marketing Services - 1 January 2018 - 30 June 2018	Amend the fee for 'Article in monthly EDM' from \$280.25 to \$308.30
Glen Street - Marketing Services - 1 January 2018 - 30 June 2018	Amend the fee for 'Targeted EDM' from \$499.95 to \$549.95
Rates - Section 603 Certificate	Amend the fee from \$75 to \$80
Flood Risk Information Request	Delete fee for 'Additional requests for advice on flood, tidal inundation or coastal hazard and/or site inspection'.
Lease or other dealing of Public Land/Road Reserve/Crown Reserves/Community Buildings	Amend the fee 'Compensation fee for the creation/modification/release of easement/covenant/right of way where Council is the Property Owner or is the Authority' from \$10,200 to \$11,220
Sydney Lakeside Caravan Park	Amend the Service description to 'Sydney Lakeside Caravan Park - <u>1/7/2017-31/8/2018</u> '
Manly Andrew Boy Charlton Aquatic Centre - Pool Hire	'25 Metre Outdoor Pool - Schools, Registered Sporting & Swimming Clubs - Hourly rate whole pool' - amend the unit to read 'per hour' and the fee from \$135 to \$100
Credit Card Fees	Amend the wording to read ' <u>Credit Card Payment Card Surcharge for all payments made by credit card, with the exception of Childrens' Services and Community Centres</u> '
Building Approvals	Amend the wording of the fee to read 'Construction Certificates - Class 2 - 9 Buildings - Work value <u>between \$150,001 to \$250,000</u> less than or equal to \$150,000 (application fee based on value of works) '
Additional Fees for Development Applications, Modifications and Reviews	Delete the fee 'Advertising Fee - s82A Review of Determination where the Regulations or a Development Control Plan require public notice'
Additional Fees for Development Applications, Modifications and Reviews	Amend the wording to read 'Advertising Fee - s96(2) or s82A Review of Determination <u>or Modification of Consent</u> where the Regulations or a Development Control Plan require public notice"
Health Compliance	Amend the unit description for 'Compliance Cost Notice' from 'each' to 'per officer per hour plus oncosts'

The withdrawal from sale of beach parking permits proposed above will also require the Beach Parking Permit Policy (Policy No. NBC003) to be updated.

In addition some fees were omitted from the draft Fees and Charges Schedule 2017/18. It is recommended that these draft fees be advertised for a 28 days in accordance with *s405 Local Government Act 1993*.

Table 10: Amendments to draft fees

Fee	Unit	Rate	GST
Driveway delineation for a single residential driveway	Per set of lines	\$296	No
Driveway delineation for a single commercial or industrial driveway	Per set of lines	\$415	No

Works On Private Land – Former Warringah Only

Council may carry out work on private land, either on request or agreement with the owner of the land, or under relevant legislation. The amount or rate to be charged will be the appropriate commercial rate – the actual cost of the works and standard on costs to provide full cost recovery plus a return to Council.

AMENDMENTS TO OPERATIONAL PLAN 2017/18

As a result of items raised in submissions as well as new and updated information being available since the draft Plan was placed on exhibition, a range of amendments are proposed to the Operational Plan 2017/18 as outlined in the table below.

Table 11: Amendments to Operational Plan

Section	Amendments	Page
New 'Values'	Include a new section on Northern Beaches Council's values that were developed by staff. The values were launched on 3 May 2017: Trust, Teamwork, Respect, Integrity, Service and Leadership	N/A
New 'Transformation to One Organisation'	Include a new section on the transformation	N/A
Protection of the Environment	Include an additional action under Operational Projects as follows: Deliver targeted environmental sustainability engagement and education to assist in Protection of the Natural Environment	13
Performance Indicators	Amend the performance metrics in the draft Plan in accordance with Table 12 below. Amend the community survey satisfaction metrics in accordance with Table 13 below.	Various
Budget 2017/18	Figure total expenditure of \$434.5 million updated to \$436.3 million Figure capital works program of \$114.1 million updated to \$114.2 million reflecting an increase of \$0.1 million for the	10

Section	Amendments	Page
	Marine Parade Amenities Building and a decrease of \$0.05 million for Town & Village Enhancements.	
Consolidated Income Statement 2017/18	<p>Income from Continuing Operations – reduced by \$3.831m</p> <ul style="list-style-type: none"> Capital Grants & Contributions – Operating – reduced by \$3.831m due to an advance payment of 50% of the 2017/18 Financial Assistance Grant (\$3.794m) to June 2017 and an Arts Heritage Grant of \$0.037m originally budgeted in 2017/18 to be paid in June 2017 <p>Expenses from Continuing Operations – Increased by \$1.735m</p> <ul style="list-style-type: none"> Materials & Contracts – increase by \$1.735m. \$0.21m due expenditure related to a rock fall at Palomar Parade Freshwater , \$0.025m from the Merger Savings Fund for Tick Control Research, \$1.5m rolled over from the New Council Implementation Fund for transformation works and \$0.533m increase in budgeted election expenses. 	48
Consolidated Cash Flow	<p>Cash and Investments of \$161.2m updated to \$160.4m.</p> <p>Additional capital expenditure million reflecting an increase of \$0.1 million for the Marine Parade Amenities Building and a decrease of \$0.05 million for Town & Village Enhancements. Additional Operating Expenditure of \$0.21m related to a rock fall at Palomar Parade Freshwater , \$0.025m from the Merger Savings Fund for Tick Control Research and \$0.533m increase in budgeted election expenses</p>	
New 'Cash and Investment Statement 2017/18'	A consolidated Cash and Investment Statement be included in the Operational Plan	N/A
New 'Capital Budget Statement 2017/18'	A consolidated Capital Budget Statement be included in the Operational Plan	N/A
Environmental Works Program – Former Manly Local Government Area	A table on proposed expenditure 2017/18 be included	51
New 'Cash and Investment Statement 2017-2027'	A consolidated Cash and Investment Statement be included in the Operational Plan	N/A
New 'Capital Budget Statement 2017-2027'	A consolidated Capital Budget Statement be included in the Operational Plan	N/A

Performance Indicators

As noted earlier two submissions commented on the Performance Indicators in the draft Plan and noted the need for further work.

While on exhibition a further review of the indicator framework has been undertaken to ensure the indicators are meaningful and can be reported on. This has resulted in the development of a more strategic set of 25 performance metrics for monitoring the performance of Council to replace the 67 metrics currently in the draft Plan. The new metrics are in Table 12.

Minor changes are also required to the Community Satisfaction Metrics to reflect the questions asked in the survey in June 2017. These changes are detailed in Table 13

Further work on the indicator framework will occur in 2017/18 as part of the finalisation of the Community Strategic Plan and development of the new Delivery Program.

Table 12: Revised Performance Metrix

Metric	Target	Outcome
No net loss of bushland under Council's care control and management ^(A)	0% hectares	Protection of the Environment
No decline in waterway health ^(A)	0% decline	Protection of the Environment
All areas of the LGA effected by Flooding, Coastal Erosion and Bushfire are identified	90%	Protection of the Environment
Council reduces its resource consumption each year ^(A)	> 0% reduction	Protection of the Environment
Increased diversion rates from domestic waste service - % collected and not sent to landfill ^(Q)	>50%	Environmental Sustainability
Reduction in the incidents of illegal dumping ^(A)	> 0% reduction	Environmental Sustainability
% of buildings available for Community Usage ^(A)	%	Places for People
Generation of energy from Council's built assets ^(A)	No. Kw	Places for People
Assessment of Planning Proposals (measure from lodgement date to completion of Council report) ^(Q)	90 days	Places for People
Class 1 and 10 housing approvals (development applications and complying development certificates) within 40 days ^(Q)	90%	Places for People
Mean turnaround time of development applications determined by independent panels ^(Q)	90 days	Places for People
Mean turnaround time of development applications determined under delegation ^(Q)	50 days	Places for People
No. of environmental compliance education and promotional activities delivered ^(Q)	No.	Places for People
% of scheduled critical and high risk retail food premises inspections completed ^(Q)	100%	Places for People
% of scheduled critical and high risk public health inspections completed ^(Q)	100%	Places for People
Increase in availability of active open space ^(A)	> 0 % increase	Places for People

Metric	Target	Outcome
% of Playgrounds that are inclusive and access ^(A)	> 0 % increase	Places for People
No. of children attending child care programs (FDC, LDC, Vac Care and Pre-School) ^(A)	No.	Places for People
% increase in library visits ^(A)	5%	Community & Belonging
No. of community events held ^(Q)	No.	Community & Belonging
% of capital projects delivered ^(A)	80%	Transport, Infrastructure and Connectivity
% of road pavement in good or better condition ^(A)	%	Transport, Infrastructure and Connectivity
% growth in active travel network (Footpath/Shared/Cycleway) ^(A)	%	Transport, Infrastructure and Connectivity
Overall financial performance meets annual statutory benchmarks ^(A)	Yes	Good Governance
Correspondence replied to within 5 working days ^(Q)	80%	Good Governance
Satisfaction with the customer service centres ^(Q)	75%	Good Governance
% customers' requests transacted on line ^(A)	>10%	Good Governance
No. of volunteers who actively participate in ongoing volunteer programs each quarter ^(Q)	No.	Partnership and Participation

Table 13: Amendments to Community Survey Satisfaction Metrics

Action	Community Survey Satisfaction Metrics
Delete metric	Satisfaction with access to beaches and waterways ^(A)
Amended wording	Satisfaction with restoring natural bushland (removing noxious weeds, bush regeneration programs) ^(A)
Amended wording	Satisfaction with environmental protection and regulation <u>enforcement</u> ^(A)
Amends wording	Satisfaction with maintenance of beaches, <u>headlands</u> and rockpools ^(A)
Amended wording	Satisfaction with management of <u>local</u> flooding and drainage ^(A)
Amended wording	Satisfaction with <u>household</u> bulky items collections ^(A)
Delete	Satisfaction with protecting heritage values and buildings ^(A)
Amended wording	Satisfaction with arts and cultural facilities (e.g. Glen Street Theatre and Manly Art Gallery <u>and Museum</u>) ^(A)
Amended wording	Satisfaction with libraries <u>services</u> ^(A)
Delete	Satisfaction with managing the impact of visitors to the area ^(A)
Delete	Satisfaction with Council responsiveness to community needs ^(A)

Action	Community Survey Satisfaction Metrics
Amended wording	Satisfaction with <u>consultation with the community by Council</u> community involvement in decision making (e.g. attending Council meetings, consultation activities, public meetings, opportunity to contribute submissions etc.) ^(A)

FINANCIAL IMPACT

The 2017/18 Northern Beaches Council budget projects a strong financial position with a total expenditure of \$436.3 million, including a capital works program of \$114.2 million; a Surplus from Continuing Operations before Capital Grants and Contributions of \$7.6 million; Cash and Investments of \$160.4 million; and Net Assets of \$4.5 billion.

SOCIAL IMPACT

The Plan allows Northern Beaches Council to continue to deliver community services and capital works. It is expected that there will be an overall positive social impact as a result of the Plan, with benefits arising from expenditure on parks, playgrounds, road infrastructure, active travel, village and town centres in the 2017/18 financial year. Additional social benefits will also be derived from the realisation of merger savings funds proposed and NSW Government's community infrastructure grant of \$15 million.

ENVIRONMENTAL IMPACT

The Plan outlines a range of projects which will protect and enhance our natural environment through management of beach and coastal issues, implementing catchment management initiatives, and undertaking comprehensive environmental works in our urban and bushland settings. There will be a net positive benefit as a result of the planned investments into our environment, namely through upgrades of stormwater infrastructure throughout the local government area; and coastal and flood protection works across the local government area.

7.0 CUSTOMER & CORPORATE DIVISION REPORTS

ITEM 7.1	DELEGATION OF AUTHORITY TO THE CHIEF EXECUTIVE OFFICER
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE & ENTERPRISE RISK
TRIM FILE REF	2017/195835
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To provide delegations to the Chief Executive Officer.

SUMMARY

Under the *Local Government (Council Amalgamations) Proclamation 2016* (Proclamation), the Interim General Manager was given the delegations of the former General Managers of the former Pittwater, Warringah and Manly Councils. The Proclamation provides that these delegations may be revoked or amended.

To facilitate the consistent and integrated exercise of Council's functions, it is considered that:

- the delegations granted to the Interim General Manager (now referred to as the Chief Executive Officer) by the Proclamation should be revoked; and
- new delegations should be granted to the Chief Executive Officer.

This will assist with the efficient and effective operation of the organisation and the delivery of works and services to the community.

RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

- A. That all previous delegations of authority (other than the Minister's functions for plan-making under section 59 of the *Environmental Planning and Assessment Act 1979* (NSW) delegated by the then Minister for Planning and Infrastructure on or about 1 November 2012 and further delegated by the former Warringah Council to its then General Manager on 27 November 2012 and continued in force by virtue of the *Local Government (Council Amalgamations) Proclamation 2016*) to the General Manager or Interim General Manager (now referred to as the Chief Executive Officer), the position or office of the General Manager or Interim General Manager or Chief Executive Officer and to any person appointed or otherwise acting in these positions or office be revoked.
- B. That pursuant to sections 377 and 381 of the *Local Government Act 1993* (NSW) (the Act) Council delegates to the Chief Executive Officer (being the statutory general manager) of Northern Beaches Council, and to the person acting in the position of Chief Executive Officer during any period of vacancy in the office or absence from duty of the Chief Executive Officer, the functions set out in a), b) and c) below, subject to the limitations, conditions and restrictions set out in paragraph d):
 - a. All those functions of the Council under the Act and the Regulations made thereunder, and under any other Act, statutory instrument and law, except those functions that are

-
- declared to be non-delegable pursuant to section 377(1) of the Act;
- b. Subject to compliance with the provisions of clause 213 of the *Local Government (General) Regulation 2005*, to write off, by order in writing, debts to the Council up to an amount of \$20,000, being the amount hereby fixed for the purpose of clause 213;
 - c. Subject to compliance with the provisions of clause 131 of the *Local Government (General) Regulation 2005*, to write off, by order in writing, rates and charges and interest accrued on unpaid rates and charges owing to the Council up to an amount of \$20,000, being the amount hereby fixed for the purpose of clause 131;
 - d. The exercise of any function under paragraph (a), (b) or (c) above is subject to the following:
 - i. The Chief Executive Officer or the holder of any sub-delegation from the Chief Executive Officer, exercising such delegations in accordance with the policies of the Council as may be adopted by the Council from time to time;
 - ii. Any restrictions or conditions imposed upon any delegation by a policy or decision of the Council, being similarly restricted and/or imposed by the Chief Executive Officer in any sub-delegation under section 378(2) of the Act.
-

REPORT

BACKGROUND

Under clause 18(2) of the *Local Government (Council Amalgamations) Proclamation 2016* (Proclamation) which established Northern Beaches Council, the delegations by the former Pittwater, Warringah and Manly Councils to the General Managers of those councils (which were in force immediately prior to the Proclamation) are taken to be delegations by Northern Beaches Council to the Interim General Manager. The Proclamation provides that these delegations may be revoked or amended.

Council's statutory general manager is now referred to by title as the Chief Executive Officer in the adopted organisation structure. A review has revealed differences between the delegations previously granted to the General Managers of the former Councils. To facilitate the consistent and integrated exercise of Council's functions, it is considered that:

- the delegations granted to the Chief Executive Officer by the Proclamation should be revoked; and
- new delegations should be granted to Council's Chief Executive Officer for the purpose of the *Local Government Act 1993* (Act).

This will assist the efficient and effective operation of the organisation and the delivery of works and services to the community.

Functions of and delegations to the Chief Executive Officer

Section 335 of the Act outlines the functions of the Chief Executive Officer at Northern Beaches Council. The Chief Executive Officer is generally responsible for the effective and efficient operation of the Council.

Section 377 of the Act enables Council to delegate to its Chief Executive Officer, or any other person or body, functions of the Council excepting those functions specified in section 377(1)(a) – (u). Section 377 provides:

377 General power of the council to delegate

- (1) *A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:*
- (a) *the appointment of a general manager,*
 - (b) *the making of a rate,*
 - (c) *a determination under section 549 as to the levying of a rate,*
 - (d) *the making of a charge,*
 - (e) *the fixing of a fee,*
 - (f) *the borrowing of money,*
 - (g) *the voting of money for expenditure on its works, services or operations,*
 - (h) *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
 - (i) *the acceptance of tenders to provide services currently provided by members of staff of the council,*

- (j) *the adoption of an operational plan under section 405,*
 - (k) *the adoption of a financial statement included in an annual financial report,*
 - (l) *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
 - (m) *the fixing of an amount or rate for the carrying out by the council of work on private land,*
 - (n) *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
 - (o) *the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979 ,*
 - (p) *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
 - (q) *a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
 - (r) *a decision under section 234 to grant leave of absence to the holder of a civic office,*
 - (s) *the making of an application, or the giving of a notice, to the Governor or Minister,*
 - (t) *this power of delegation,*
 - (u) *any function under this or any other Act that is expressly required to be exercised by resolution of the council.*
- (1A) *Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:*
- (a) *the financial assistance is part of a specified program, and*
 - (b) *the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) *the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) *the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.*
- (2) *A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*

Changes to section 377 regarding tendering

In 2016, section 377(1)(i) of the Act was amended. Previously, section 377(1)(i) of the Act did not allow the delegation of *"the acceptance of tenders which are required under this Act to be invited by the Council"*. Following the 2016 amendments, section 377(1)(i) has been relaxed and now does not allow the delegation of *"the acceptance of tenders to provide services currently provided by members of staff of the Council"*. This amendment permits Council to delegate to its Chief Executive Officer the function of accepting certain tenders, enabling more operational matters to be dealt with by the Chief Executive Officer. It allows for the streamlining of procurement initiatives.

Other matters pertaining to delegations

Other Acts may require council staff to undertake certain functions. Section 381 of the Act addresses functions conferred or imposed on any council staff member under such other Acts. It relevantly provides that such functions may be delegated by the Council.

Section 378 of the Act provides Council's Chief Executive Officer with the ability to sub-delegate any of the functions delegated to the Chief Executive Officer (including to another employee of the Council), other than the power of delegation. Written sub-delegations are in place from the Chief Executive Officer to Council officers.

Decisions made under delegation

Decisions made by the Chief Executive Officer or a delegate of the Chief Executive Officer are taken to have been made by the Council or the Chief Executive Officer as the case may be. The exercise of these functions is legally binding on Council. There is no provision in the Act or in any regulation for Council to rescind or cancel any decisions made under delegated authority.

This does not prevent Council from making a decision which is different or contrary to a decision made under delegated authority. However, whether such a different or contrary decision can be implemented, legally and in practice, will depend on such things as:

- Whether a decision made under delegated authority was one that could be made once only for example, the determination of a development application where the decision has been formally communicated, in which case the Council has no legal power to make any further and different determination; or
- Whether the decision has been fully implemented for example, where works have been carried out or implemented to such an extent that the Council is bound to proceed, such as where a contract has been entered into.

The Council maintains registers of delegations given by the Council and the Chief Executive Officer. Such registers are available for public inspection during office hours.

The Chief Executive Officer will also review the sub-delegations he has granted in light of any resolution by Council in respect of this item.

TIMING

These delegations will come into effect once adopted by Council.

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

A harmonized and integrated system of delegations provides a more streamlined decision-making process and allows for more effective decision making. It will allow routine matters to be resolved efficiently.

ENVIRONMENTAL IMPACT

Nil

ITEM 7.2	MONTHLY INVESTMENT REPORT - MAY 2017
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2017/180834
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

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

SUMMARY

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

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

The Investment Report shows that Council has total cash and investments of \$185,799,425 comprising:

- Trading Accounts \$18,129,412
- Investments \$167,670,013

Performance over the period from 13 May 2016 to date was strong having exceeded the benchmark: 2.82%pa vs. 2.09%pa.

Certification – Responsible Accounting Officer

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

FINANCIAL IMPACT

Actual investment income for the period from 13 May 2016 to date was \$5,737,190 compared to budgeted income of \$4,445,971, a positive variance of \$1,291,219.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council receive and note the Investment Report as at 31 May 2017, including the certification by the Responsible Accounting Officer.

REPORT

INVESTMENT BALANCES

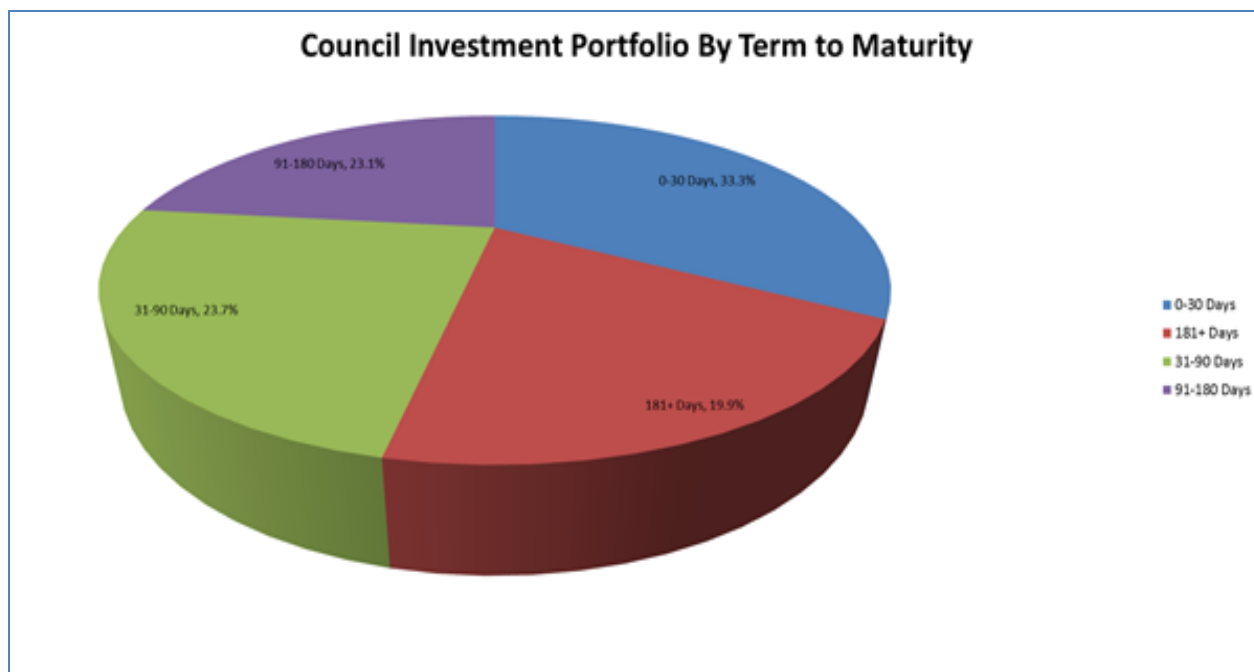
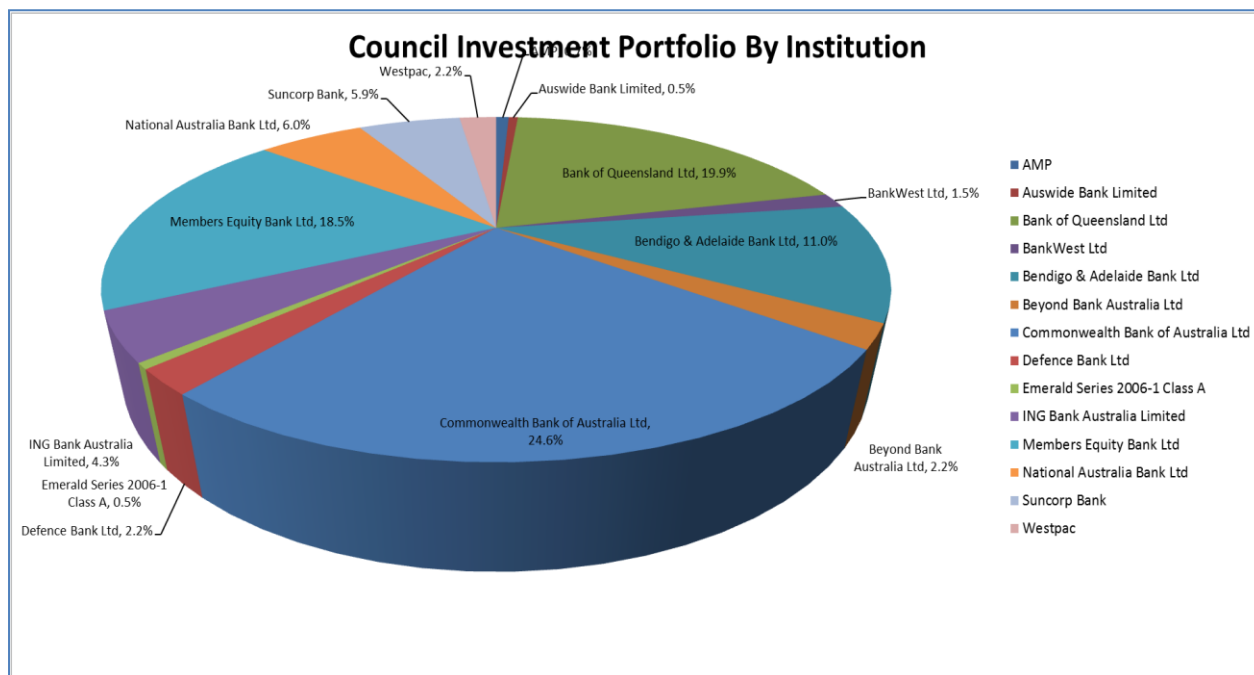
INVESTMENT BALANCES - CONSOLIDATED				
As at 31-May-2017				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	3,846,014		1.35%
National Australia Bank Ltd	A1+	2,692,043		1.50%
Commonwealth Bank of Australia Ltd	A1+	21,501		0.40%
Commonwealth Bank of Australia Ltd	A1+	4,118,685		1.35%
		10,678,242		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	936,546	At Call	1.85%
AMP	A1	1,142,146	At Call	2.05%
Commonwealth Bank of Australia Ltd	A1+	8,798,095	At Call	1.85%
National Australia Bank Ltd	A1+	5,700,000	At Call	2.00%
		16,576,787		
Mortgage Backed Securities				
Weighted Avg Life *				
Emerald Series 2006-1 Class A	AAA	967,395	21-Aug-51	2.185%
		967,395		
Term Deposits				
Bendigo & Adelaide Bank Ltd	A2	1,000,000	05-Jun-17	3.00%
AMP	A1	229,122	07-Jun-17	2.50%
Suncorp Bank	A1	3,000,000	07-Jun-17	2.81%
Bank of Queensland Ltd	A2	2,000,000	09-Jun-17	2.80%
Members Equity Bank Ltd	A2	1,000,000	13-Jun-17	2.70%
Bank of Queensland Ltd	A2	1,000,000	15-Jun-17	2.80%
Members Equity Bank Ltd	A2	2,000,000	19-Jun-17	2.80%
Suncorp Bank	A1	2,000,000	21-Jun-17	2.76%
Bank of Queensland Ltd	A2	2,000,000	22-Jun-17	2.80%
Members Equity Bank Ltd	A2	1,000,000	26-Jun-17	2.75%
Bank of Queensland Ltd	A2	1,000,000	27-Jun-17	2.80%
Members Equity Bank Ltd	A2	2,000,000	29-Jun-17	2.65%
Suncorp Bank	A1	2,000,000	04-Jul-17	2.80%
Bank of Queensland Ltd	A2	1,000,000	06-Jul-17	2.80%
National Australia Bank Ltd	A1+	719,877	10-Jul-17	2.70%
Members Equity Bank Ltd	A2	2,000,000	10-Jul-17	2.80%
Members Equity Bank Ltd	A2	1,000,000	11-Jul-17	2.70%
Members Equity Bank Ltd	A2	2,000,000	17-Jul-17	2.70%
Bank of Queensland Ltd	A2	1,000,000	19-Jul-17	2.80%
Members Equity Bank Ltd	A2	2,000,000	21-Jul-17	2.70%
Members Equity Bank Ltd	A2	2,000,000	24-Jul-17	2.70%
Bank of Queensland Ltd	A2	2,000,000	25-Jul-17	2.80%
Bank of Queensland Ltd	A2	1,000,000	27-Jul-17	2.80%
Bank of Queensland Ltd	A2	2,000,000	31-Jul-17	2.75%
Bank of Queensland Ltd	A2	2,000,000	01-Aug-17	2.75%
Bank of Queensland Ltd	A2	2,000,000	04-Aug-17	2.80%
National Australia Bank Ltd	A1+	2,000,000	08-Aug-17	2.80%
ING Bank Australia Limited	A2	2,000,000	10-Aug-17	2.80%
Bank of Queensland Ltd	A2	1,000,000	14-Aug-17	2.80%

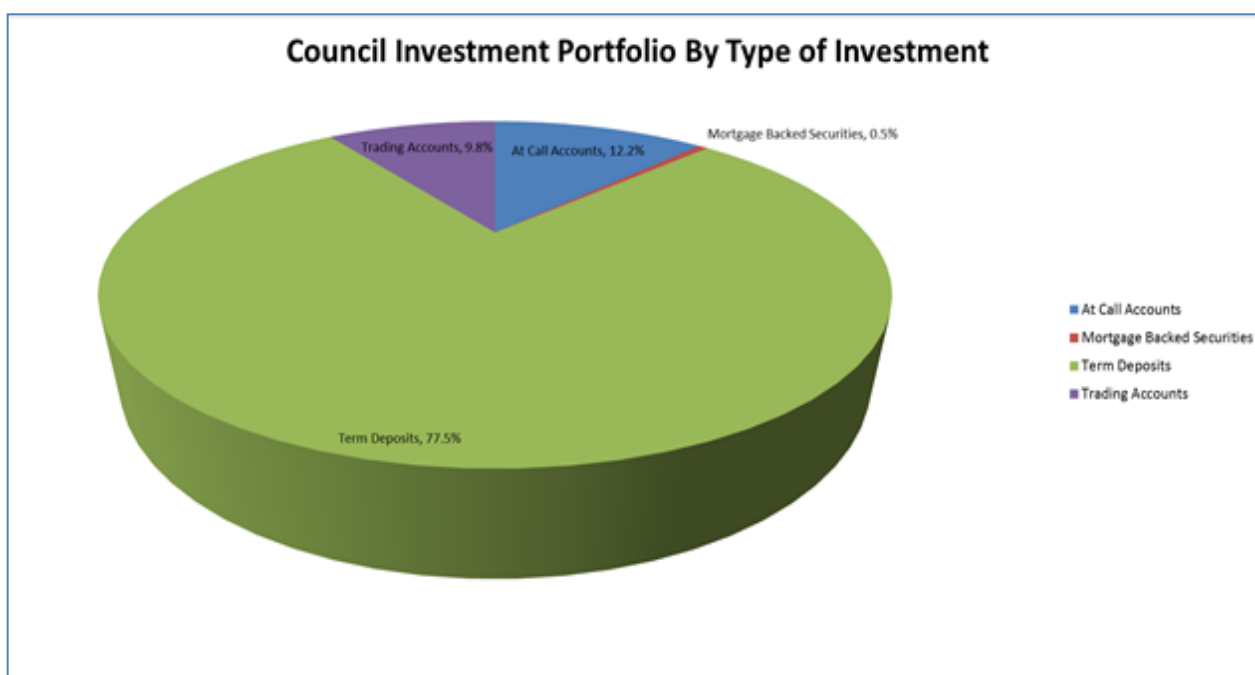
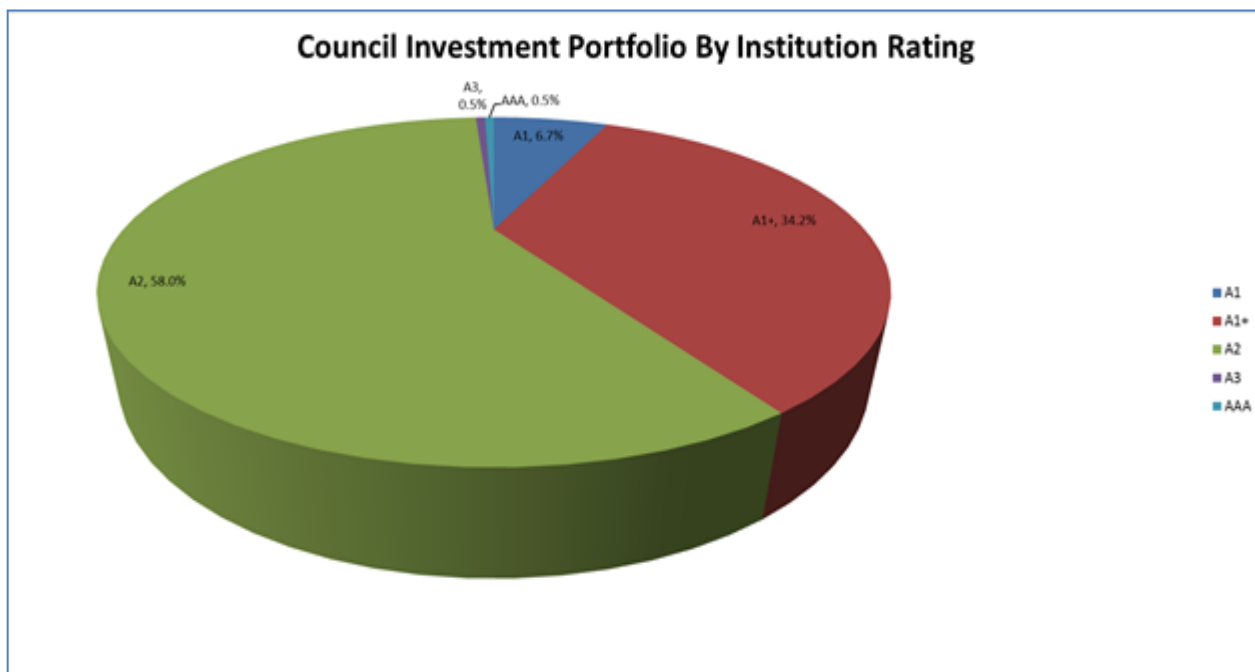
INVESTMENT BALANCES - CONSOLIDATED				
As at 31-May-2017				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
ING Bank Australia Limited	A2	2,000,000	15-Aug-17	2.79%
Westpac	A1+	1,000,000	18-Aug-17	3.00%
Westpac	A1+	1,000,000	18-Aug-17	3.00%
Westpac	A1+	1,000,000	18-Aug-17	3.00%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	22-Aug-17	2.85%
ING Bank Australia Limited	A2	2,000,000	22-Aug-17	2.80%
Suncorp Bank	A1	2,000,000	28-Aug-17	2.65%
Auswide Bank Limited	A3	1,000,000	05-Sep-17	2.70%
Westpac	A1+	1,000,000	08-Sep-17	3.00%
Bank of Queensland Ltd	A2	2,000,000	11-Sep-17	2.65%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	13-Sep-17	2.75%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	19-Sep-17	2.70%
Bank of Queensland Ltd	A2	1,000,000	21-Sep-17	2.80%
Suncorp Bank	A1	2,000,000	25-Sep-17	2.65%
Bank of Queensland Ltd	A2	2,000,000	26-Sep-17	2.65%
Bank of Queensland Ltd	A2	2,000,000	29-Sep-17	2.80%
Bank of Queensland Ltd	A2	2,000,000	29-Sep-17	2.75%
Members Equity Bank Ltd	A2	1,000,000	03-Oct-17	2.80%
Bank of Queensland Ltd	A2	2,000,000	03-Oct-17	2.65%
Bank of Queensland Ltd	A2	2,000,000	10-Oct-17	2.60%
Beyond Bank Australia Ltd	A2	1,000,000	12-Oct-17	2.75%
Bank of Queensland Ltd	A2	2,000,000	17-Oct-17	2.65%
Members Equity Bank Ltd	A2	1,000,000	24-Oct-17	2.70%
Bank of Queensland Ltd	A2	1,000,000	24-Oct-17	2.60%
Members Equity Bank Ltd	A2	2,000,000	26-Oct-17	2.67%
Bank of Queensland Ltd	A2	1,000,000	31-Oct-17	2.65%
Bank of Queensland Ltd	A2	1,000,000	01-Nov-17	2.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	07-Nov-17	2.65%
Members Equity Bank Ltd	A2	2,000,000	07-Nov-17	2.70%
Beyond Bank Australia Ltd	A2	1,000,000	10-Nov-17	2.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	14-Nov-17	2.64%
Beyond Bank Australia Ltd	A2	2,000,000	16-Nov-17	2.75%
Members Equity Bank Ltd	A2	2,000,000	21-Nov-17	2.70%
Members Equity Bank Ltd	A2	2,000,000	05-Dec-17	2.65%
Commonwealth Bank of Australia Ltd	A1+	500,000	08-Dec-17	2.68%
Members Equity Bank Ltd	A2	2,000,000	12-Dec-17	2.70%
Members Equity Bank Ltd	A2	2,000,000	12-Dec-17	2.70%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	15-Dec-17	2.67%
Members Equity Bank Ltd	A2	1,000,000	19-Dec-17	2.65%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	20-Dec-17	2.80%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	25-Jan-18	2.80%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	31-Jan-18	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	06-Feb-18	2.80%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	13-Feb-18	2.80%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	20-Feb-18	2.72%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Feb-18	2.68%

INVESTMENT BALANCES - CONSOLIDATED				
As at 31-May-2017				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Mar-18	2.65%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	06-Mar-18	2.73%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	13-Mar-18	2.72%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	16-Mar-18	2.71%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Mar-18	2.68%
Members Equity Bank Ltd	A2	1,000,000	15-May-18	2.75%
Defence Bank Ltd	A2	2,000,000	15-May-18	2.80%
Defence Bank Ltd	A2	2,000,000	22-May-18	2.80%
		124,448,999		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	7,451,170		1.55%
		7,451,170		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	5,258,949	At Call	1.45%
Commonwealth Bank of Australia Ltd	A1+	817,884	At Call	1.45%
		6,076,833		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	17-Jul-17	2.66%
		1,000,000		
New Council Implementation Fund				
Term Deposits				
Members Equity Bank Ltd	A2	800,000	16-Jun-17	2.65%
Bank of Queensland Ltd	A2	400,000	13-Jul-17	2.80%
BankWest Ltd	A1+	1,000,000	13-Jul-17	2.50%
BankWest Ltd	A1+	1,000,000	15-Aug-17	2.60%
Members Equity Bank Ltd	A2	750,000	15-Sep-17	2.60%
		3,950,000		
Stronger Communities Fund				
Term Deposits				
Bendigo & Adelaide Bank Ltd	A2	2,000,000	16-Jun-17	2.95%
ING Bank Australia Limited	A2	2,000,000	15-Aug-17	2.79%
BankWest Ltd	A1+	750,000	15-Sep-17	2.60%
Members Equity Bank Ltd	A2	900,000	24-Oct-17	2.70%
Bank of Queensland Ltd	A2	500,000	13-Nov-17	2.65%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	18-Dec-17	3.00%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	19-Dec-17	2.66%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	17-Jan-18	3.00%
Members Equity Bank Ltd	A2	1,000,000	17-Jan-18	2.70%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	16-Feb-18	3.00%
Bendigo & Adelaide Bank Ltd	A2	500,000	13-Apr-18	2.70%
		14,650,000		
Total Cash and Investments		185,799,425		

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

PORTFOLIO ANALYSIS





INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	2.68%	1.85%	1.50%
3 Months	2.74%	1.90%	1.50%
6 Months	2.77%	1.97%	1.50%
FYTD	2.82%	2.09%	1.56%
12 Months	2.83%	2.08%	1.54%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

MONTHLY INVESTMENT INCOME* VS. BUDGET

	31 May 17 \$	Year to Date \$
Investment Income	372,178	5,772,773
Adjustment for Fair Value	3,291	(35,583)
Total Investment Income	375,469	5,737,190
Budgeted Income	308,476	4,445,971

*Includes all cash and investment holdings

ECONOMIC NOTES

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

Global economic growth signals are looking a little more mixed through May. There are still regions where economic readings are surprising positively such as much of Europe and some developing economies elsewhere. China and the USA, the world's two biggest economies, however, have registered mostly weaker than expected economic readings through May, probably because of temporary factors, but possibly a first hint of weaker growth to come. As far as the US is concerned, the Federal Reserve still warns that the US economy is operating at capacity and that the prudent policy course is to continue lifting slowly the Federal funds rate. A complicating factor remains President Trump's proposed tax-cutting and budget spending boost which if they manage to run the gauntlet of Congressional scrutiny over the next few months could add a strong second wind to the ageing US economic recovery and the outlook for US interest rates and interest rates elsewhere internationally as well.

In the US, the softer turn in the economy was confirmed with the release of Q1 GDP showing initially only 0.7% annualised growth, compared with 2.1% reported in Q4 2016. The second estimate of Q1 GDP provided an upward revision to 1.2% annualised growth with much of the revision coming from an upgrade of consumer spending growth. The comparative weakness of consumer spending in Q1 has been attributed in part to severe winter weather persisting longer than usual and is at odds with elevated readings of consumer sentiment and confidence as well as evidence of rising household income and wealth. Housing activity has taken a noticeably weaker turn in April, notwithstanding strong home builder survey readings.

In China almost all April economic readings came in weaker than expected confirming deceleration from March. The softer edge to China's economic data is unsurprising as it reflects the policy efforts of the Peoples' Bank of China and its series of small steps tightening monetary conditions this year. Essentially, China's stated intention to maintain economic growth around 6.5% year on year or higher is incompatible in the near-term with a pressing need to contain residential construction and speculation as well as slow and reform bank and non-bank lending. The risk is that China's economic growth rate could slow by more than expected, but the authorities are well-positioned to lift government spending if that starts to occur.

Europe consolidated its improving economic position in May. Q1 GDP was relatively strong. Several smaller Eastern European economies registered GDP growth well above 1.0% quarter on quarter in Q1 and as a group are becoming one of the fastest growing regions in the world. The great promise that is starting to show in Europe is that it can grow without running in to capacity constraints. Europe's unemployment rate of has improved and is the lowest it has been in 8 years, but it has room to fall much further without presenting higher inflation risk. Therefore, the European Central Bank is still in a position to maintain very growth accommodating monetary policy for some time ahead. Europe still has problems including questions about excessive government debt, weak banks and whether the European Union and the euro currency can survive, but better economic growth prospects reduces the risk of any those problems becoming acute.

The Australian economy continued to show signs of both resilience and weakness in May and is starting to spawn a split in views about the growth outlook and the outlook for interest rates. On the stronger side business conditions and confidence are firm. The Government's 2017-18 Budget was relatively well received too although the limited change in the forecast underlying budget position relative to earlier forecasts means it will not directly add to economic growth prospects over the next year or so. On the weaker side of the economic growth ledger, even though home buying activity is just about holding up, home building activity is falling sharply. Retail sales were unusually weak. The data released in May provided a sense that the household sector is struggling to meet the servicing of record high household debt and may be starting to limit its retail spending to make ends meet.

The investment portfolio return over the period 13 May 2016 to 31 May 2017 was 2.82% versus the Ausbond Bank Bill Index return of 2.09%.

ITEM 7.3	ANNUAL FEE FOR MAYOR AND COUNCILLORS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE & ENTERPRISE RISK
TRIM FILE REF	2017/176025
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To determine the fees to be paid to the Mayor and Councillors for the 2017-2018 financial year.

SUMMARY

The Local Government Remuneration Tribunal has determined that an increase of 2.5% in fees for Councillors and Mayors is appropriate for the 2017-2018 financial year for the majority of councils. Six existing Councils will be eligible for increases of more than 2.5% as those Councils have been categorised into a higher or new category.

The fee range determined by the Tribunal for “Metropolitan Large” councils, which includes Northern Beaches Council, is:

Councillors	\$17,540 - \$28,950 p.a.
Mayor	\$37,270 - \$84,330 p.a.

RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That, pursuant to section 248 of the Local Government Act 1993, the Council fixes the annual fee for:

- A. Councillors for the period 1 July 2017 to 30 June 2018 at \$28,950 payable monthly in arrears and;
 - B. The Mayor for the period 1 July 2017 to 30 June 2018 at \$84,330 payable monthly in arrears.
-

REPORT

BACKGROUND

The Local Government Remuneration Tribunal, on 17 April 2017, provided its report and determination under sections 239 and 241 of the Local Government Act 1993.

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

In the 2017 review the Tribunal noted that there have been significant changes in the number of councils and to the boundaries since the 2015 fundamental review of categories, due to the amalgamation and creation of 20 new councils in 2016. The changes have resulted in a reduction of NSW councils from 152 to 128 and this has prompted a review of the council categories. Categories are based primarily on geographic locations, other factors which influence categorisation are population, the sphere of the council's economic influencing and the degree of regional servicing.

During the review the Tribunal found that:

- Changes to the existing categories were warranted
- The majority of the current categorisations of existing councils were appropriate and should remain, although some new categories should be added to reflect the NSW local government changes that have occurred since the last review.

After taking into consideration key economic indicators, the Tribunal determined that an increase of the full 2.5% in fees was appropriate for the majority of councils. Six existing councils will be eligible for increases of more than 2.5% as those councils have been categorised into a higher or new category

Section 239 of the LG Act requires the Tribunal to determine the categories of council and mayoral offices at least once every 3 years. In accordance with the Act, the Tribunal has reviewed the categories as part of the 2017 annual review and finds that change is warranted. Northern Beaches Council has been categorised in the 'Metropolitan Large' category.

The annual fees to be paid in each of the categories were determined by the Tribunal for 2017-2018 as follows:

		Councillor/Member Annual Fee \$		Mayor/Chairperson Additional Fee* \$	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	\$26,310	\$38,580	\$160,960	\$211,790
	Major CBD	\$17,540	\$32,500	\$37,270	\$105,000
	Metropolitan Large	\$17,540	\$28,950	\$37,270	\$84,330
	Metropolitan Medium	\$13,150	\$24,550	\$ 27,940	\$65,230
	Metropolitan Small	\$8,750	\$19,310	\$18,630	\$42,120

General Purpose Councils – Non-metropolitan	Regional City	\$17,540	\$30,500	\$37,270	\$95,000
	Regional Strategic Area	\$17,540	\$28,950	\$37,270	\$84,330
	Regional Rural	\$8,750	\$19,310	\$18,630	\$42,120
	Rural	\$8,750	\$11,570	\$9,310	\$25,250
County Councils	Water	\$ 1,740	\$ 9,650	\$ 3,730	\$ 15,850
	Other	\$ 1,740	\$ 5,770	\$ 3,730	\$ 10,530

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

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

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

Council is required to set by resolution the annual fees to be paid to Councillors and the Mayor within the range determined by the Tribunal. The previous practice of the former Warringah, Pittwater and Manly Councils has been to determine that fees for Councillors and the Mayor be set at the maximum of the range.

CONSULTATION

Nil

TIMING

The fees proposed by the Local Government Remuneration Tribunal are effective from 1 July 2017 and will be taken up by Northern Beaches Council following the Local Government Election on 9 September 2017.

FINANCIAL IMPACT

Fees at the maximum of the range would result in funds of \$518,580 being required for 2017-2018. Appropriate provision for this amount has been included in the Draft Budget for 2017-2018.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

ITEM 7.4	POLICY REVIEW PROJECT AND REVOKING OF POLICIES
REPORTING MANAGER	GENERAL MANAGER CUSTOMER AND CORPORATE
TRIM FILE REF	2017/187895
ATTACHMENTS	1 Policies Proposed for Revoking (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To provide an update on the Policy Review Project and revoke 52 policies of the former Manly, Warringah and Pittwater Councils.

SUMMARY

A Policy Framework is a key part of a Council's good governance therefore the Policy Review Project and the development of a Policy Framework Management Standard has been underway since January 2017. The Policy Framework Management Standard has been authorised by the Executive Management Team and establishes the parameters and ensures consistency in the review and development of policies.

94 policies have been actioned so far and are either adopted, on exhibition or proposed for exhibition, adoption or revoking at this meeting.

This report details the 52 policies that are proposed to be revoked, 4 of which are proposed to be replaced by Management Standards and 48 that are no longer relevant for Northern Beaches Council. Should the proposed policies be revoked, there will be over 200 policies in effect across Council to support a robust and effective policy environment that matches the organisation's current needs. The ongoing review will continue to enhance and strengthen Council's position as we move forward.

This report details the 52 policies that are proposed to be revoked, 4 of which are proposed to be replaced by Management Standards and 48 that are no longer relevant for Northern Beaches Council.

RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That Council revoke the following policies:

1. Allocation of Funds Obtained from the Sale of Council Real Property Policy
 2. Amending Council Policies
 3. Arts & Culture
 4. Brothels in Pittwater
 5. Charge Card Facility
 6. Charter of Political Reform
 7. Code of Conduct – Community and Other Council Committees
-

-
8. Competitive Neutrality Statements
 9. Council Chamber - Seating Arrangements
 10. Councillor Access to Information and Interaction with Staff
 11. Councillors – Reports from Council Officers
 12. Credit Card Utilisation
 13. Customer Service Charter
 14. Debt Recovery - Pensioner's Kerbing and Guttering Charges
 15. Decisions/Delegations During Christmas New Year Recess
 16. Development Application by Councillors and Council Staff
 17. Development Applications Previously Approved by the Elected Council - Amendment Of
 18. Elections – Poll of Electors to be held in conjunction with Ordinary and Extraordinary Elections of Council
 19. Financial Reporting - Measures of Council Liquidity
 20. Freedom of Collection and Access for Local Government Libraries
 21. Gathering Information
 22. Graffiti Reward
 23. Guaranteeing and or providing Loans to Community Organisations
 24. Home Based Business
 25. Issuing of Infringement Notices
 26. Kimbriki Recycling and Waste Disposal Centre Policy Principles for Fees and Recyclable Waste
 27. Lakeside Caravan Park
 28. Late Night Venues 2005 Development Control Plan
 29. Library
 30. Mayor and Councillor's Remuneration Fees
 31. Nuclear
 32. Overgrowth of Vegetation
 33. Pamphlets & Leaflets – Distribution on Public Roads and in Shopping Centres
 34. Policy Development and Management
 35. Printing and Stationary – Use of Recycled Paper
 36. Property Acquisition Reserve Fund
 37. Public Property Vandalism – Reward for Successful Prosecution
 38. Quadruple Bottom Line Reporting
-

-
- 39. Rates - Pensioners – Accrual of Rates and Charges and Writing off Interest
 - 40. Rates and Charges Administration
 - 41. Rates on Leased Council Property/Facilities
 - 42. Regional Collaboration and Forced Amalgamations of Councils
 - 43. Saturated and Trans Fat Reduction
 - 44. Section 94 Contributions Plan
 - 45. SHOROC Governance
 - 46. Siting of Microwave Base Stations Manly
 - 47. Smoke Free Zones around Pittwater
 - 48. Smoke Free Zones in Manly
 - 49. Smoke-free Public Places
 - 50. Sustainable Investment
 - 51. Unemployment Relief Schemes
 - 52. Use of Eggs from Non-Caged Hens
-

REPORT

BACKGROUND

The Policy Review Project has been underway since January 2017 where an analysis of the policy registers and existing policies of each of the former councils was carried out. This resulted in one policy register for Northern Beaches Council containing a total of 254 policies across 190 topics. This can be broken down into 143 unique policy topics, 66 policies on topics shared across two of the three councils and 45 policies on topics shared across all three councils.

Progress of Project So Far:

A phased and methodical approach was identified as the best way to complete the review of all policies to achieve the target of all policies reviewed by September 2018.

Considerable work has been carried out so far taking into account the complexity of reviewing

- 10 policies have been adopted by Council since the proclamation
- 7 draft policies are currently on exhibition and due to be adopted at July Council Meeting
- 1 draft policy is proposed to be placed on exhibition at this meeting
- 1 draft policy is put forward for adoption at this meeting
- The 19 new and drafted policies have replaced a total of 35 policies of the former three councils
- 4 policies are proposed in this report for revoking to a Management Standard (operational in nature)
- 48 policies are proposed in this report for revoking due to either being superseded by updates to legislation, alternative instruments or not needed within Northern Beaches Council

87 policies have been reviewed and action taken to provide clearer policy and strategic direction for the community which equates to over a third of the project being under way.

The remaining 167 policies have been scheduled for review over the next 12 months taking into account the complexity of the review (number of policies, community impact, approach taken by each former council and consultation required) and the work schedule for the relevant teams.

Policy Framework Management Standard

A key part of the project was the development of a Policy Framework Management Standard which has set the parameters for all policy documents to achieve a consistent approach to policy documents within Council.

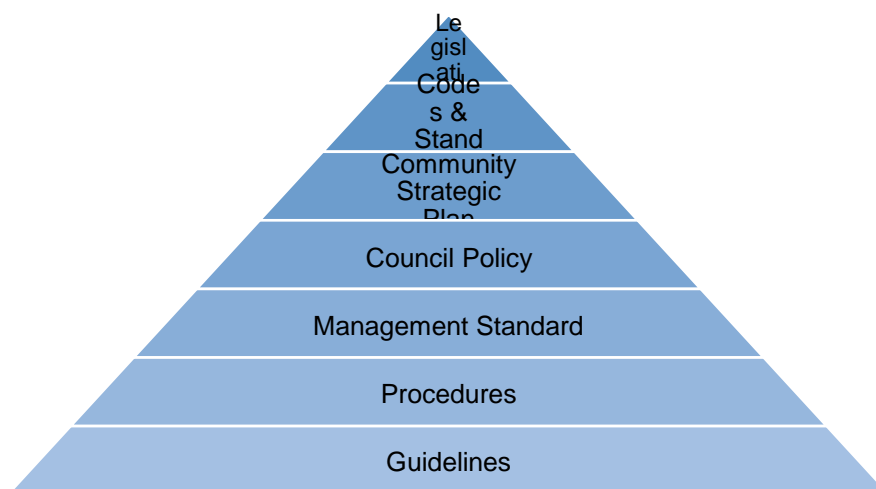
During the research carried out to develop a policy framework it was that a distinction needed to be made between the responsibilities/functions of the Governing Body and the Chief Executive Officer (CEO) in accordance with the *Local Government Act 1993*.

S223 Role of Governing Body

(e) to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,”

335 Functions of general manager

(a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council



Northern Beaches Council Policy Framework

The policy framework identifies clear distinctions between Council Policy and Management Standards as the main policy documents used to drive the strategic and operational focus of Council.

A Council Policy is a statement of Council's position on an issue. Policies guide current and future decisions of Council and outline Council's strategic directions and/or adhere to legislative requirements which usually have an external focus.

Management standards describe the agreed position on key operational activities/functions to guide staff, provide greater efficiency and ensure consistency in day to day decision making.

The Policy Framework states that Council Policies will be authorised by Council with the CEO authorising the operational Management Standards.

Policies Proposed for Revoking:

A number of policies contained in the Policy Register have been identified as being operational in nature and therefore not a policy in accordance with the Policy Framework. These have been proposed in the table below to be revoked as a Council Policy and be replaced by the relevant Management Standard. The remaining policies detailed below are proposed for revoking for reasons as identified in the table.

Policy Name	Former Council	Reason for Revoking
Allocation of Funds Obtained from the Sale of Council Real Property Policy	Warringah	For consistency proceeds from the sale of Council property should be transferred to working capital to be utilised under Council resolution. It is unnecessary to maintain a separate reserve.
Amending Council Policies	Manly	A Policy Framework Management Standard has been adopted by the Executive Management Team and implemented into the organisation.
Appointment of Community & Other Stakeholder Representatives Policy - Council Committees	Warringah	Once the newly elected Council considers the structure of its committees a new policy, if required, can be developed.

Arts & Culture Policy	Manly	The policy is largely an operational document for the Manly Art Gallery and Museum which can be addressed in the relevant team's procedures.
Brothels in Pittwater	Pittwater	Clause 7.12 of Pittwater Local Environment Plan covers locational restrictions of brothels making this policy redundant.
Charge Card Facility Policy	Manly	A Corporate Credit Card Management Standard has been adopted by the Executive Management Team and implemented into the organisation. This replaces both of these policies.
Credit Card Utilisation	Pittwater	
Charter of Political Reform	Manly	The content of this document is covered by the Code of Conduct currently in effect and, further to this, is set by legislation.
Code of Conduct – Community and Other Council Committees Policy	Warringah	This policy is a simplified version of a previous Code of Conduct of the former Warringah Council. Once the newly elected Council considers the structure of its committees a new policy, if required, can be developed based on the Code of Conduct currently in effect.
Competitive Neutrality Statements Policy	Warringah	Competitive Neutrality is covered in the Pricing Policy - Principles and Basis currently in effect and a separate policy is not required.
Council Chamber - Seating Arrangements	Manly	Seating arrangements will be considered by the newly elected council and can be incorporated into the Code of Meeting Practice if required.
Councillor Access to Information and Interaction with Staff Policy	Warringah	All of the information contained within this policy is covered by the Code of Conduct currently in effect.
Councillors – Reports from Council Officers	Manly	The process for councillors to access information is contained within the Code of Conduct currently in effect and Notices of Motion will be addressed during the induction for the newly elected Council.
Customer Service Charter	Pittwater	This policy has been replaced by a Northern Beaches Council Customer Service Charter which has been adopted by the Executive Management Team and implemented into the organisation.
Debt Recovery - Pensioner's Kerbing and Guttering Charges Policy	Warringah	The Kerb and Guttering Policy for the former Warringah was revoked a number of years ago resulting in this policy becoming redundant.
Decisions/Delegations During Christmas New Year Recess Policy	Warringah	This policy is considered procedural – the delegations for the Christmas/New Year recess are reviewed and approved by Council annually.
Development Application by Councillors and Council Staff	Pittwater	It has been identified that delegations and internal procedures are the appropriate methodology to control this issue therefore this policy is no longer

		required.
Development Applications Previously Approved by the Elected Council - Amendment Of	Pittwater	Delegations, internal procedures and availability of the Independent Assessment Panel are the best way to address this issue rather than a policy on the matter.
Elections – Poll of Electors to be held in conjunction with Ordinary and Extraordinary Elections of Council	Manly	This policy is considered procedural – a poll of electors would be considered as a unique item with supporting resolution/s.
Financial Reporting - Measures of Council Liquidity	Manly	This policy is no longer appropriate as effectively covered by Annual Financial Statements reporting requirements particularly Note 13 - Statement of Performance Measures.
Gathering Information Policy	Manly	The requirements outlined in this policy are contained within the Access to Information Policy and Access to Information Procedure.
Graffiti Reward Policy	Manly	The intent of these policies was to encourage the public to report acts of graffiti however few, if any, awards have been issued. These policies have not had the desired effect in the area.
Public Property Vandalism – Reward for Successful Prosecution	Pittwater	
Guaranteeing and or providing Loans to Community Organisations Policy	Warringah	This policy has never been utilised and any decisions regarding this matter should be made by Council resolution.
Home Based Business	Pittwater	This policy does not provide any clear direction in this matter and as such it is proposed to be revoked.
Issuing of Infringement Notices	Pittwater	A specific policy is not required for infringements. This will be covered by the new Compliance and Enforcement Policy and relevant team procedures.
Kimbriki Recycling and Waste Disposal Centre Policy Principles for Fees and Recyclable Waste	Warringah	Council no longer sets the fees for Kimbriki Recycling and Waste Disposal Centre therefore this policy is redundant.
Lakeside Caravan Park	Pittwater	Lakeside Caravan Park has an existing Plan of Management which details how the park should operate. The policy does not provide any additional information therefore it is no longer necessary.
Late Night Venues 2005 Development Control Plan	Manly	The information contained within this plan is now included in the Local Environment Plan.
Library Policy	Manly	The NSW Library Act covers all information contained within these two policies therefore these are no longer needed.
Freedom of Collection and Access for Local	Pittwater	

Government Libraries		
Mayor and Councillor's Remuneration Fees	Manly	This policy is deemed unnecessary as Council must decide on the remuneration fees on an annual basis from the range set by the Remuneration Tribunal.
Nuclear	Pittwater	The Pittwater LEP controls land use zoning permissibility within the former Pittwater local government area. Policy statements outside of this statutory framework are of limited value as 'nuclear' facilities are governed by overarching Commonwealth legislation. Accordingly, this policy is not required.
Overgrowth of Vegetation	Manly	A specific policy regarding this matter is not the appropriate way of addressing vegetation overgrowth concerns. Risk should be applied to each situation rather than a blanket approach. This would be addressed within the relevant team's procedures.
Pamphlets & Leaflets – Distribution on Public Roads and in Shopping Centres	Manly	The Local Government Act contains specific provisions for regulating this issue. The approach to enforcement can be effectively managed via internal guidelines.
Policy Development and Management Policy	Warringah	A Policy Framework Management Standard has been adopted by the Executive Management Team and implemented into the organisation.
Printing and Stationary – Use of Recycled Paper	Manly	This policy is no longer needed as this is part of Council's overall sustainability commitment.
Property Acquisition Reserve Fund	Manly	For consistency proceeds from the sale of Council property should be transferred to working capital to be utilised under Council resolution. It is unnecessary to maintain a separate reserve.
Quadruple Bottom Line Reporting Policy	Manly	The policy requires Council reports to specifically address economic, social and environment impacts. These are standard headings in the Northern Beaches Council report template.
Rates - Pensioners – Accrual of Rates and Charges and Writing off Interest	Manly	The content in these policies is covered by the Rates and Annual Charges Hardship Policy currently in effect.
Rates and Charges Administration	Pittwater	
Rates on Leased Council Property/Facilities	Pittwater	This issue is effectively covered in Council's Pricing Policy – Principles and Basis and a separate policy is not required to deal with a Rates component.
Regional Collaboration and Forced Amalgamations of	Manly	This policy was created to address a specific issue facing Councils. This issue has now been resolved and therefore this policy is no longer required.

Councils		
Saturated and Trans Fat Reduction Policy	Manly	This is not a statutory area of responsibility for Council and we take our lead from other agencies such as NSW Health in such matters. A specific policy is therefore not required. Council works with other agencies as appropriate to promote positive health messages through its existing work programmes.
Section 94 Contributions Plan	Manly	This is not a policy in accordance with Policy Framework, it is a guiding document to support Section 94 contributions.
SHOROC Governance Policy	Warringah	Governance arrangements for SHOROC are in accordance with the SHOROC Constitution.
Siting of Microwave Base Stations Manly	Manly	Federal legislation covers the issues of microwave bases therefore this policy is not required.
Smoke Free Zones around Pittwater	Pittwater	Smoke free areas can be effectively managed by regulating as an activity contrary to Council signs across the Local Government Area and therefore a Council policy is not required.
Smoke Free Zones in Manly	Manly	
Smoke-free Public Places Policy	Warringah	
Sustainable Investment Policy	Manly	This policy is covered by the Investment Policy currently in effect.
Unemployment Relief Schemes	Manly	Council is developing the Community Strategic Plan, as this is the major driving document for the Local Government Area it is not necessary to have individual policies for specific demographics.
Use of Eggs from Non-Caged Hens	Manly	This policy is not possible to fully implement due to outsourcing and inadequate labelling of pre-packaged goods. Council will continue to support the use of non-caged eggs where possible.

CONSULTATION

Extensive consultation has occurred with Executive Management Team, Leadership Group and relevant Executive Managers.

TIMING

Policies will be revoked immediately following the decision of Council.

FINANCIAL IMPACT

There is no financial impact through revoking these policies.

SOCIAL IMPACT

The community benefits from the enhanced transparency and accountability of the Council by having access to current and consistent policies on Council's website.

ENVIRONMENTAL IMPACT

The revoking of the identified policies will not have significant environment impacts.

ITEM 7.5	DRAFT MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD 16 MAY 2017
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE & ENTERPRISE RISK
TRIM FILE REF	2017/096910
ATTACHMENTS	1 Download Draft ARIC Minutes

REPORT

PURPOSE

To report the draft minutes of the Audit, Risk and Improvement Committee (ARIC) Meeting held on 16 May 2017.

REPORT

The ARIC plays a pivotal role in the governance framework to provide Council with independent assurance and assistance in the areas of risk management, control, governance and external accountability responsibilities.

According to the draft ARIC Charter the minutes of ARIC Meetings are to be reported quarterly to Council. However, as ARIC minutes may contain confidential or sensitive information, it is stipulated that broader public access may be subject to privacy and confidentiality considerations.

The draft minutes of the meeting held on 16 May 2017 are reported in full as per attachment.

FINANCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

SOCIAL IMPACT

Nil

RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That the draft minutes of the Audit, Risk & Improvement Committee Meeting held on 16 May 2017 be noted.

NORTHERN
BEACHES
COUNCIL

AUDIT, RISK &
IMPROVEMENT COMMITTEE
MEETING

MINUTES

16 May 2017

Commenced at 3.03pm
3rd Floor Conference Room
Northern Beaches Council
5 Vuko Place, Warriewood

WWW.NORTHERNBEACHES.NSW.GOV.AU

Attendance:

Members of the Committee:

Mr Robert Dobbie
Mr John Gordon (Chairperson)
Mr Brian Hrnjak
Ms Liezel Preller

Council Officers (non-voting):

Mr Mark Ferguson, Chief Executive Officer, Northern Beaches Council
Ms Helen Lever, General Manager, Customer and Corporate
Ms Melinda Aitkenhead, Acting Executive Manager, Governance and Enterprise Risk
Mr David Walsh, Chief Financial Officer
Ms Sonya Gallery, Executive Officer
Mr Mark Jones, Program Director, Transformation
Mr Richard McManus, Chief Information Officer (Operations)
Ms Marnie van Dyk, Acting Risk Co-ordinator
Ms Pamela Tasker, Secretariat

Council Auditors (non-voting):

Mr Michael Quirk, Head of Internal Audit, North Shore Councils
Mr Louis Wellard, Senior Manager, Ernst & Young
Ms Melissa Broadhead, Partner, Ernst & Young
Ms Weini Liao, Director of Financial Audit Services, Audit Office of NSW
Mr Brett Hanger, Hill Rogers

Audit, Risk and Improvement Committee (ARIC)

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1.0 Apologies

Notes:

1. All voting members of the ARIC were in attendance.
2. An apology was received from the General Manager – Planning, Place and Community.

2.0 Declarations of Conflict / Pecuniary Interest

Note:

Mr John Gordon (Chair) made a precautionary disclosure that he has been appointed to the Audit and Risk Committees of Central Coast Council and Sutherland Shire Council.

3.0 Confirmation of Minutes

COMMITTEE RECOMMENDATION

That the Minutes of the ARIC Meeting held on 21 February 2017, copies of which were circulated to all members, be accepted as a true and accurate record of that meeting.

(Mr Robert Dobbie / Mr Brian Hrnjak)

4.0 Action Items from Minutes

Proceedings in Brief:

The Acting Risk Management Coordinator addressed the meeting on this item.

Notes:

1. The ARIC noted the various Action Items arising from previous meetings including those items which had been deferred pending appointment of the Head of Internal Audit.
2. Mr Jones joined the meeting at 3.10pm.
3. Mr Ferguson joined the meeting at 3.15pm.

5.0 NSW Audit Office – Client Service Plan

Proceedings in Brief:

Ms Weini Liao, Director of Financial Audit Services, Audit Office of New South Wales, and Mr Brett Hanger, Hill Rogers, addressed the meeting on the Client Service Plan for the audit of the Northern Beaches Council financial statements for the period ending 30 June 2017.

ACTION ITEM:

- *Internal Audit to determine if and when Section 94 Development Contributions were audited in the former Councils*

Notes:

1. The presentation of the Client Service Plan was noted by the ARIC.
2. The Chair advised that he has examples of a comprehensive issues paper prepared by management for an Audit and Risk Committee on significant judgements and assumptions used in preparing the financial statements and related disclosures if required.
3. Ms Liao and Mr Hanger left the meeting at 3.27pm.

6.0 Transformation

6.1 Northern Beaches Council Integration Update

Proceedings in Brief:

The Program Director - Transformation addressed the meeting on this item.

ACTION ITEMS:

- *That the Program Management Office internal audit by Ernst & Young be integrated into the IAAP timeline as soon as practicable*
- *That the Steering Committee update the ARIC on transition issues as appropriate*

Note:

The report on work undertaken to date was noted by the ARIC.

6.2 IT Transition Projects and Risks Update

Proceedings in Brief:

The Chief Information Officer addressed the meeting on this item.

Notes:

1. The report on work undertaken to date was noted by the ARIC.
2. Mr Jones and Mr McManus left the meeting at 4.03pm.

6.3 Northern Beaches Hospital and Warringah Aquatic Centre Valuation Update

Proceedings in Brief:

The General Manager – Customer and Corporate addressed the meeting on this item.

Note:

The update on the Northern Beaches Hospital Structure Plan was noted by the ARIC.

7.0 Governance and Risk Management

7.1 Governance and Risk Management Report

Proceedings in Brief:

The Acting Executive Manager, Governance and Enterprise Risk, and the Acting Risk Coordinator addressed the meeting on this item.

ACTION ITEMS:

Governance:

- *Internal Audit input to be considered in development of the Policy Framework*

ERM Policy Review:

- *That the definitions of 'risk' on the draft policy be expanded as appropriate*
- *That the 11 key principles cited on dot point 4 – Risk Management Principles – be delineated*
- *That input into the ERM Policy be obtained from Internal Audit*
- *That consideration be given to including examples of quantification when clarifying Risk Appetite, Risk Tolerance, etc.*
- *Dot point 6 – Roles and Responsibilities – Council – remove the word 'fully'*
- *That consideration be given to the development of a high level policy statement together with the framework*

Notes:

1. The ARIC noted the report and endorsed the work undertaken to date.
2. The Enterprise Risk Management (ERM) Policy was endorsed for submission to Council on 30 May 2017 subject to those amendments recommended by the ARIC.

8.0 Internal Audit Matters

8.1 Recruitment of Head of Internal Audit Update

Proceedings in Brief:

The Acting Executive Manager, Governance and Enterprise Risk, addressed the meeting on this item.

Note:

1. The update was noted by the ARIC.
2. Mr Gordon and Mr Dobbie advised that they were available to sit on the recruitment panel if required.

8.2 Internal Audit Annual Plan (IAAP) 2017

Proceedings in Brief:

The Acting Risk Coordinator addressed the meeting on this item.

ACTION ITEMS:

- ***That the Program Management Office internal audit by Ernst & Young be integrated into the IAAP timeline as soon as practicable***

Notes:

1. The ARIC noted the letter sent on 11 April 2017 by the Acting Deputy General Manager - Corporate.
2. The ARIC noted the amended Internal Audit Annual Plan 2017 subject to escalation of the Program Management Office internal audit.
3. The ARIC endorsed Council obtaining quotes on the following projects with a view to potentially progressing the consultation engagements based on the quotations received:
 - Review of the Signage Fabrication Project Business Case
 - Review of the Mechanics Workshop Project Business Case
 - Review of the Business Case on the Integration of Stores project

8.3 Implementation of Audit Recommendations

Proceedings in Brief:

The Acting Risk Coordinator addressed the meeting on this item.

Note:

The ARIC noted the implementation of Audit Recommendations across the former three Councils.

8.4 Completed Audit of Manual Journal Transactions

Proceedings in Brief:

The Head of Internal Audit, North Shore Councils, addressed the meeting on this item.

ACTION ITEMS:

- *That the Audit of Manual Journal Transactions be circulated by Northern Beaches Council to ARIC members when finalised*

Notes:

1. The ARIC noted the report.
2. Mr John Gordon and Mr David Walsh left the meeting at 5.12pm.
3. Mr Brian Hrnjak assumed the Chair for the remainder of the meeting.

8.5 Completed Grants Audit

Proceedings in Brief:

Mr Louis Wellard, Senior Manager, Ernst & Young, addressed the meeting on this item.

ACTION ITEMS:

- *That the Grants Audit be circulated by Northern Beaches Council to ARIC members when finalised*

Notes:

The presentation on the completed Grants Audit by Ernst & Young was noted by the ARIC.

9.0 General Business

9.1 Verbal Update by the Chief Executive Officer

The Chief Executive Officer provided an update on matters of interest to ARIC relating to both operational and transition matters for the Northern Beaches Council.

9.2 Audit, Risk and Improvement Committee Membership

Proceedings in Brief:

The General Manager – Customer and Corporate addressed the meeting concerning the composition of the ARIC going into caretaker mode and following election of the new Council in September 2017.

ACTION ITEMS:

- *That this matter be further discussed at the ARIC meeting on 15 August 2017*
-

10.0 Next Meeting

The next meeting of the Audit, Risk and Improvement Committee to consider the Financial Statements is scheduled to be held on Tuesday 15 August 2017 in the Councillors Meeting Room, Manly Town Hall, commencing at 3.00pm.

**There being no further business
the meeting of the Audit, Risk and Improvement Committee
was concluded at 5.36pm on Tuesday 16 May 2017**

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

ITEM 8.1	CAPITAL WORKS PROCUREMENT REVIEW
REPORTING MANAGER	EXECUTIVE MANAGER MAJOR PROJECTS
TRIM FILE REF	2017/186500
ATTACHMENTS	<p>1 Value Network - Major Capital Works Procurement Review dated 30 May 2017 (Included In Attachments Booklet)</p> <p>2 Capital Works Procurement Implementation Plan (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To seek Council approval to accept the key findings and take action to implement the recommendations of the Major Capital Works Procurement Review.

SUMMARY

Northern Beaches Council delivers a significant annual program of capital works to renew existing and build new assets across the local government area, with \$114.2 million budgeted for 2017/18.

The formation of the Council provided an opportunity to ensure value for money for the community and seek best practice through a review of the former Council's Capital Works procurement policies and practices.

The review has been undertaken by a working group made up of senior Council staff responsible for the procurement and delivery of capital works together with consultants Value Network, engaged to provide expert advice and an independent view on opportunities for improvement.

The review was completed in late May 2017 and the final report has been received. Value Network has made four key findings and fifteen (15) recommendations to improve and harmonise Major Capital Works procurement across Council.

The review recommendations represent significant improvements which will deliver opportunities for more innovative procurement practices, provide consistency for policy and processes and close gaps in best practices for capital works procurement. For example: governance, business case / investment decisions, procurement strategy and project budget management.

Implementation of the recommendations is expected to deliver greater value for money outcomes for the community.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council accept the key findings and approve the implementation plan for the Major Capital Works Procurement Review as noted in the report.

REPORT

BACKGROUND

Northern Beaches Council delivers a significant annual program of capital works to renew existing and build new assets across the local government area, with \$114.2 million budgeted for 2017/18.

The Administrator identified that the formation of the Council provided an opportunity to ensure value for money for the community and seek best practice through a review of the former Council's Capital Works procurement policies and practices.

Council resolved at the September 2016 meeting - *That a review of the capital works procurement process be undertaken and the outcomes reported back to Council within twelve months.*

Subsequently, a working group of senior staff that manages all infrastructure asset classes and undertake major capital works procurement was formed to undertake the review.

The working group developed a scope of works and objectives for the review, with a view to developing best practice in procurement for the Northern Beaches Council. Consultants Value Network, were appointed to undertake the review and provide a report back to Council.

The review was completed in May 2017 and the final report has been received (Attachment 1). This report was further considered by Council's leadership group as well as Council's procurement, finance and legal representatives.

Value Network has made four key findings and fifteen (15) recommendations to improve and harmonise Major Capital Works procurement across Council. Value Network has also worked with this group to develop a staged Implementation Plan for the recommendations made.

REVIEW PROCESS

The scope provided to Value Network was to review Council's Major Capital Works Procurement, to enable Northern Beaches Council to develop a best practice model. Value Network provided a review of the following;

- Current procurement practice and procedures of the former Pittwater, Warringah and Manly Councils, including Procurement Policy Review.
- Identification of the gap between current Northern Beaches Council's procurement policy and processes and best practice in capital works, including sustainability principals and practice.
- How cost estimates for capital projects, that are used in budget allocation are determined.
- The role and responsibility of the Capital Projects team.
- Investigation of alternative options and practices for procurement, including alternate forms of contract.

Further to the above, a series of one on one interviews were conducted with key staff to discuss their current procurement practice and areas for future process improvement that may be implemented through the recommendations of the review.

The review identified that all three former Council areas conformed to the requirements of the NSW Local Authority Guidelines.

The review report has identified the key issues and areas for improvement as:

- Governance and uniformity in take-up and implementation of policies and procedures.

- Consideration being given to key project investment and initiations decisions, including service and or procurement delivery options.
- Good practice within one group or project should be available and uniform on a whole of Council basis.
- The roles and responsibilities of key groups involved in the delivery of capital works, in particular the role of Capital Projects in major projects at project initiation, the forms of contracts used and contract management.

REVIEW OUTCOMES

Fifteen (15) recommendations have been made in the review report by Value Network (VN) and are listed below.

Value Network has also worked with this group to develop a staged Implementation Plan for the recommendations made, to enable a suitable transition from the existing state to the stated outcome identified by the key findings.

This implementation plan is attachment 2 – Implementation Plan for Major Capital Works Procurement Review Recommendations and is supported by the working group.

The Implementation Plan is divided into 6 groups;

- | | |
|----------------------------|-----------------------------------|
| • Governance | Recommendations 1 and 2 |
| • Service / Investment | Recommendations 3, 4 7 and 8 |
| • Strategic Procurement | Recommendations 5 and 6 |
| • Project Budgets | Recommendations 9 |
| • Procurement and Delivery | Recommendations 12, 13, 14 and 15 |
| • Contracts | Recommendations 10 and 11 |

VN Report Recommendation 1 – Governance (ownership)

Assign the following organisation roles and responsibilities to enhance governance arrangements in Capital Works procurement:

- Procurement Group to retain ownership and responsibility for the Procurement Framework (Manual, Tendering, Supplier Evaluation and Contract Forms) and governance of the processes
- Capital Projects Group to take ownership and responsibility for the Project Management Methodology and design / delivery strategies for major capital projects. The group is to provide expert advice on contract forms, including being involved when any changes to standard forms are considered
- Asset Management Groups to retain ownership and responsibility for the management of their programs (including construction of non-major capital works) and the development and maintenance of up-to-date forward estimates.

Proposed Action 1 – adopt report recommendation, ensuring direction is provided regarding roles and responsibilities as well as process ownership.

VN Report Recommendation 2 – Governance (discipline)

Changes or amendments to any of Council standard Capital Works procurement processes (documentation or procedures) should only occur with the approval of the process owner (refer to Recommendation 1).

Proposed Action 2 – adopt report recommendation to provide consistent approach across Council.

VN Report Recommendation 3 – Service Delivery Test

Introduce a 'service delivery' process requirement / test at the very beginning of Council's Project Management Methodology. The requirement / test should as a minimum address alternative service delivery (non-build solutions, demand management, etc.) and delivery methods such as joint ventures and aggregation.

Proposed Action 3 – adopt report recommendation

VN Report Recommendation 4 – Delivery Strategy

The full range of delivery strategies should be considered for major capital works including Alliance /Joint Venture style contracts, D&C, DD&C, Lump Sum and Construction Management. This should include the adoption of a formal hold point which requires executive management level signoff of the recommended delivery strategy.

Proposed Action 4 – adopt report recommendation

VN Report Recommendation 5 – Develop a Strategic Procurement Program

Undertake a strategic review of procurement opportunities to establish a strategic procurement program, and thereby realise value add opportunities across the full gamut of Council's capital works programs. The opportunities include:

- Aggregation of projects over time, geographically and between Council Asset Groups e.g. bundling a series of amenity blocks would offer a contractor a program of work that would provide economies of scale and work certainty, attract more capable contractors, resulting in a downward pressure on tender prices. Additionally, Council's tender management costs will be reduced with resources available for higher value activities
- Combining services and infrastructure to create partnerships or joint venture opportunities.

Following establishment of the strategic procurement program, an annual review should occur as a Council planning cycle requirement.

Development of the Strategic Procurement Program should be undertaken as priority action as part of the procurement strand of Council's services integration program.

Proposed Action 5 – adopt report recommendation and immediately review strategic procurement program for 2017/18 CAPEX program.

VN Report Recommendation 6 – Project Impact Assessment

Adopt a Project Impact Assessment tool as a basis for identifying projects that would:

- Require Capital Works Group's involvement in the project's scope development
- Be subjected to enhanced project feasibility and implementation requirements e.g. business case and procurement strategy assessment.

Proposed Action 6 – adopt report recommendation and implement a project impact assessment tool for new projects.

VN Report Recommendation 7 – Business Case and Investment Decision

Expand the project initiation process to require preparation of a business case for major or high impact projects that will clearly identify project objectives, cost and benefits and facilitate an informed investment decision.

To ensure that the capital procurement process is not over burdened with unnecessary business case documentation, the scale / extent of the business case requirement could be linked to the Project Impact Assessment process (Recommendation 6 above).

The Business Case should be reviewed prior to accepting a tender and following project completion (refer Recommendation 14) to identify any differences between actual outcomes and the Business Case objectives / desired outcomes.

Proposed Action 7 – adopt report recommendation. This is to undertaken in collaboration with Finance and Major Asset Groups for significant projects.

VN Report Recommendation 8 – Sustainability

Clearly identify sustainability objectives to be included / realised by the project early in project definition and incorporate these objectives in all stages of project implementation and delivery i.e. the objectives become part of the value for money measure of project success.

Proposed action 8 – adopt report recommendation. This is to undertaken in collaboration with the Natural Environment and Climate Change Group for major capital projects.

VN Report Recommendation 9 – Budget Reliability

Adopt the following 5 Step 'Best Practice' approach for the preparation and management of capital works budgets:

1. Project Scope Definition – ensure initial project scope clearly defines the required functionality / performance requirements
2. Base Estimate – adopt a consistent whole-of-council approach and / or understanding to estimate preparation. The Base Estimate should include all costs such as staff, approval / certification, design, construction, contingencies (risk based and general) and administrative costs
3. Risk and Contingency Allowances – apply a risk based approach to contingency allocation i.e. the contingency allowance to reflect the project phase, market conditions and associated risk profile
4. Budget Review – establish an annual budget review process (including CPI variances) to ensure projects included in forward programs reflect the anticipated final out turn cost.
5. Change Management – implement a project change management process that will manage scope change and ensure any scope change request identifies the budget / cost impacts.

Proposed Action 9 – adopt report recommendation

VN Report Recommendation 10 – Principal's Authorised Person Contract Model

Council transition to a Principal's Authorised Person contract model in place of the current AS4000 suite of contracts.

Proposed Action 10 – adopt report recommendation in co-ordination with recommendation 11.

VN Report Recommendation 11 – General Conditions of Contract

On the basis that Council adopts Recommendation 10, the following General Conditions of Contract are recommended:

1. For low risk – low impact works up to \$250K, adopt the NSW Government nine (9) page Mini Minor Works General Conditions of Contract
2. For medium risk – medium impact works over \$150K and up to \$1.0M, adopt the NSW Government MW21 General Conditions of Contract
3. For high risk – high impact works over \$1.0M, adopt the NSW Government GC21 (Edition 2) General Conditions of Contract.

Proposed Action 11 – undertake a comparison of the current AS suite of contracts with alternative contracts GC21, Minor Works21 and Mini Minor contracts with internal contract users, legal and procurement representatives. Following this comparison work the working party in conjunction with procurement, finance and legal teams standardise contract forms for future contracts. It is noted that this will be a transitional process as many contracts are currently in place.

VN Report Recommendation 12 – Procurement Manual

Review / recast (medium to longer term) the Procurement Manual to place a greater emphasis on what can be done i.e. encourage innovation in procurement.

Proposed action 12 – adopt report recommendation

VN Report Recommendation 13 – Contract Management

Establish a whole-of-council contract management system that would be incorporated as part of the Project Management Methodology. Significant elements of the system exist in the practices variously used by different groups within Council and / or project e.g. the major projects 'Project Dashboard'.

Proposed Action 13 – adopt report recommendation

VN Report Recommendation 14 – Post Completion Reviews

A Post Completion Review should be carried out on all major capital works, identifying any differences to actual outcomes with the project objectives and desired outcomes identified in the Business Case. The lessons learnt from these reviews should be recorded and maintained by the Capital Works Group and provided to those responsible within the Asset Groups for the initiation / planning of major works.

Proposed Action 14 – adopt report recommendation

VN Report Recommendation 15 – Centre of Excellence

Consistent with Recommendations 1, 2 and 6, the Capital Projects Group should be developed as a centre of excellence in capital works procurement. This would include:

- Identifying (from existing good practice) developing and maintaining whole-of-council practice
- Involvement in decisions on the project initiation phase especially project scope, service delivery and procurement strategies for all major projects
- For any current AS4000 series contracts, the Executive Manager, Capital Projects Group should be nominated as the Superintendent for those contracts
- Administer and co-ordinate training in administering capital works contracts and in the use of Council's Project Management Methodology

Proposed Action 15 – adopt report recommendation

The working group, council's senior asset managers group as well as procurement, finance and legal representatives that have considered this report recommend taking action as noted above to address the key issues for improvement identified.

NEXT STEPS

- Commence implementation as set out in attachment 2 – Implementation Plan for Major Capital Works Procurement Review Recommendations, as developed by Senior Managers in conjunction with Value Network.
- Implementation is to include the nomination of a Change Manager who will coordinate implementation and ensure alignment with the intent of the proposed actions as noted above.
- The comparison of the current AS suite of contracts with alternative contracts GC21, Minor Works21 and Mini Minor contracts be conducted with internal contract users, legal and procurement representatives.
- The transfer of the contract Superintendent functions to the Executive Manager, Capital Projects Group for any current or impending AS 4000 contracts.
- The working group also recommends that Council allocate resources to effect the implementation of the review findings and ongoing training and development of staff.

CONSULTATION

A working group of senior staff that manages all infrastructure asset classes and undertake major capital works procurement was formed to undertake the review. The review was undertaken by consultants Value Network and was completed in May 2017, the final report has been received, together with a proposed implementation strategy. This report was further considered by council's senior asset managers group as well as council's procurement, finance and legal representatives.

TIMING

It is recommended that the timings indicated in the Implementation Plan for Major Capital Works Procurement Review Recommendations be adopted.

FINANCIAL IMPACT

Implementing the Review recommendations will have the following minor financial implications:

Costs

For the implementation phase:

- Administration costs and staff time for the updating of project management processes and contract documentation.
- Training of staff on the use and administration of new / altered forms of contract and in project management methodology.
- Legal fees for advice on new / altered forms of contract.

Benefits

It is expected that through the implementation of the recommendations that the following benefits will be realised;

- Reduction of staff costs through;

- The use of consistent template documentation for procurement processes across the whole of Council.
- Time saved by the use of forms of contracts that are more user friendly.
- Time saved through the reduction in the number of tender processes undertaken and reports written for Council approval, through smarter procurement e.g. aggregation or bundling.
- Time saved with a more streamlined contract management tool.
- Reduced risks associated with contracts;
- More competitive pricing through strategic procurement, enabling differing forms of procurement e.g. design and construct contracts, bundling projects, joint ventures or public private partnerships.
 - Competitive tenders from more businesses due to Council having a more user friendly procurement process.
 - Competitive tenders with larger firms tendering for Council projects for larger contracts.
- More comprehensive budget estimates for major capital works projects at the initiation phase of the project, providing the community with more detailed information with which to support or reject the project.

SOCIAL IMPACT

The social and community impact of implementing the review report recommendations will be that ratepayers are provided with improved practice undertaken by Council with regards to procurement. This includes greater transparency and best practice in value for money for projects undertaken by Council.

Council and the community will be provided with whole of project budget information and estimates for major capital works projects at the initiation phase of the project, in order to provide the community with comprehensive information with which to support or reject the project.

The community will be provided with greater value for money for capital projects that are implemented in their local government area and delivering project outcomes that have been defined in the approved business case.

ENVIRONMENTAL IMPACT

Sustainability policies and principals are proposed to be undertaken through the Review Recommendation number eight (8). This will result in a better value for money equation for the community and the environment, by utilising a whole of life system approach for capital projects.

Through the implementation of sustainable procurement principals the natural environment will be protected and potential savings may be made through energy, water and environmentally sustainable measures.

ITEM 8.2	WALK MANLY - DRAFT PEDESTRIAN ACCESS & MOBILITY PLAN
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT & CIVIL INFRASTRUCTURE
TRIM FILE REF	2017/185640
ATTACHMENTS	<p>1 ⇒ Walk Manly Pedestrian Access & Mobility Plan - Draft (Included In Attachments Booklet)</p> <p>2 ⇒ Draft Prioritised Schedule of Recommended Works (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To seek Council's endorsement to publicly exhibit the Walk Manly Draft Pedestrian Access and Mobility Plan (PAMP).

SUMMARY

A PAMP study is a strategic document providing a framework for developing or improving pedestrian routes through key areas to maximise their accessibility. It aims to identify and coordinate the mobility needs of all sections of the community. The outcome once recommended actions have been implemented should be a safe, convenient and integrated pedestrian network.

This report outlines the study process and reports on the community engagement which has taken place to assist in developing the draft PAMP. The draft PAMP is presented for consideration prior to it being placed on exhibition

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Place the Walk Manly Draft Pedestrian Access and Mobility Plan (PAMP) on public exhibition for a period of 28 days and invite submissions from the public.
 - B. Give further consideration to the Walk Manly Draft Pedestrian Access and Mobility Plan (PAMP), and any submissions received, following the exhibition period.
-

REPORT

BACKGROUND

The attached Walk Manly PAMP is a comprehensive strategic and action plan developed to identify existing pedestrian access needs, manage future demand and enhance pedestrian access for all ages and mobility. The PAMP is based on the following priority principles:

- Facilitate sustainable improvements regarding pedestrian access and priority, particularly in areas of pedestrian concentration;
- Reduce access severance, as well as enhance safe and convenient crossing opportunities on major roads;
- Identify and propose solutions to any pedestrian “crash clusters”;
- Improve personal mobility and safety of persons with a disability and senior citizens by favouring pedestrian infrastructure and facilities which cater to all users;
- Provide links with other transport services to achieve an integrated network of transport facilities that comply with best practice technical standards;
- Develop a guiding policy and strategy for the key areas, coordinating current Council plans including for example, the Development Control Plans (DCP) and the Local Environment Plans (LEP);
- Ensure that pedestrian facilities remain appropriate and relevant to the surrounding land use and pedestrian user groups;
- Enable pro-active infrastructure planning from all available funding sources, and identify required partnerships with other government agencies;
- Further Council’s obligations under the Disability Discrimination Act (DDA) (1992) with a focus on the requirements of DDA compliant bus stops; and
- Establish a prioritised works program that includes works schedules, maintenance and upgrade programs to integrate into the Northern Beaches Council plans.

The study area for the PAMP includes the Manly Beachfront, Town Centre and Wharf areas and streets within approximately a 400m walking catchment of those areas. The PAMP also gives consideration to key pedestrian links to facilities lying just outside the study area such as the Andrew Boy Charlton Swim centre.

A significant part of the PAMP project is an audit of all existing pedestrian facilities and the identification of pedestrian needs within the study area with the aim of providing a consistent standard of facilities for all pedestrians. The PAMP proposes a set of criteria by which to prioritise recommendations and as such has established a prioritised schedule of recommended works for implementation and action in future works programs as per attachment. The recommended measures will result in a safer and more accessible transport network for residents and visitors. These priority improvements aim to increase pedestrian activity and improve links to and between facilities and other transport modes.

The PAMP is a strategic document that identifies the pedestrian network hierarchy and an associated action plan for ongoing management.

The PAMP report has been structured to provide:

- A background on the study area, including demographics and existing public transport facilities;

- A review of relevant documentation, crash data and previous studies in the area;
- The findings of the study investigations, route audits, and stakeholder responses; and
- Recommendations to improve pedestrian facilities and encourage walking and the use of public transport within the study area.

CONSULTATION

In developing the PAMP, Community engagement was undertaken in March and April 2017 to determine the community's views, concerns and ideas relating to pedestrian facilities. This engagement included an online survey from which 102 responses were received. Targeted consultation with key stakeholders such as schools, churches, clubs, and hotels was also undertaken. A total of three community information sessions have also been held.

FINANCIAL IMPACT

The identified works within the PAMP study are recommended for implementation over a 25 year time frame with the majority of the works being minor in nature and able to be absorbed within existing maintenance budgets. Larger scale works will be the subject of further investigation and future funding applications to RMS. Council's share of the funding is anticipated to be provided from within existing operational budgets.

No financial impacts are expected during the exhibition phase of this project.

SOCIAL IMPACT

The strategies outlined in the PAMP will benefit the local community by creating an active and walkable neighbourhood and village. Through improved walking opportunities we can encourage and support modal shifts from private motor vehicle to an active or sustainable mode of travel. This in turn reduces parking and traffic congestion within the study area.

ENVIRONMENTAL IMPACT

More active travel will act to reduce motor vehicle use providing benefits to the environment through reduced car emissions, which will result in cleaner air and less traffic on our roads.

ITEM 8.3	DRAFT POLICY ON WASTE MINIMISATION FOR FUNCTIONS AND EVENTS APPROVED BY COUNCIL
REPORTING MANAGER	EXECUTIVE MANAGER WASTE MANAGEMENT & CLEANSING
TRIM FILE REF	2017/121080
ATTACHMENTS	1 ↓ Draft Policy for Waste Minimisation for Functions and Events Approved by Council

REPORT

PURPOSE

To seek Council's endorsement to publicly exhibit the draft Policy Waste Minimisation for Functions and Events Approved by Council (draft Policy).

REPORT

The three former Councils each had their own set of policies, which differed in style, layout, details and currency. Of the three former councils, both Manly and Pittwater Councils had policies on waste minimisation at functions and events held on public land within the LGA:

- The former Manly Council reviewed and adopted Policy W20. Waste Minimisation – Functions and Events in Manly, on 3 March 2014, and
- The former Pittwater Council reviewed and adopted Policy No. 192 Council Event Management – Sustainability, on 4 April 2013.

A harmonised draft Policy (Attachment 1) for waste minimization at all events and functions approved by Council is a high priority due to their environmental impact, significant public interest and community focus. The draft Policy will demonstrate Council's commitment to acting as a leader in the community for sustainable behaviour by modelling responsible waste management practices and ensuring that Council and community events are as sustainable as possible.

FINANCIAL IMPACT

Charges for Council's approval for events are set out in the Schedule of Fees and Charges 2016 – 2017, and are reviewed annually.

ENVIRONMENTAL IMPACT

The items prohibited under the draft Policy, including single-use plastics and non-recyclable items, have consistently been identified as the most commonly littered categories of items on Sydney beaches. This is concerning as littered plastic often ends up in waterways, where research has found it to significantly impact multiple marine species, both directly via choking and ingestion, and indirectly via the absorption of plastic chemicals which are known to cause reproductive issues and result in population declines.

In addition to reducing the amount of litter on beaches and waterways, the draft Policy promotes a best practice model for sustainable event management. The Northern Beaches Council has a commitment to maintaining a safe and healthy environment for current and future generations. By prohibiting the use of unnecessary throw-away items that require significant non-renewable resources to produce, and will take generations to break down, Council is maintaining this commitment to its community and future generations of Northern Beaches residents.

By encouraging event organisers to consider their environmental impact and find alternatives to unsustainable items, Council is educating and promoting a model of sustainable event

management and packaging choices which may be adopted more broadly at future events in other locations.

The adoption of the draft Policy will demonstrate Council's commitment to acting as a leader in the community for sustainable behaviour.

SOCIAL IMPACT

The adoption of the draft Policy will demonstrate Council's commitment to social cohesion via well managed public events and functions, such as Market Days, Manly Food and Wine Festival, Australian Open of Surfing, Manly Jazz, Christmas Choral Concerts, New Year's Eve functions, and Australia Day celebrations.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Place the draft Policy Waste Minimisation for Functions and Events Approved by Council on public exhibition for a period of 28 days inviting submissions.
 - B. Report back following close of the public exhibition period.
-

Draft Policy

Waste Minimisation for Functions and Events Approved by Council

Policy Statement

Council aims to promote best practice waste management through waste avoidance, resource recovery and sustainable procurement practices at all public events held in the Northern Beaches local government area.

All public events and functions held on Council property and public open space must adhere to the Event Waste Management Guidelines.

Principles

Event organisers are required to promote and practice waste avoidance principles by:

- minimising the amount of waste generated
- prohibiting the sale and/or distribution of single-use plastic products and single use sachets, polystyrene, plastic bags, plastic straws and/or balloons
- prohibiting the sale/and or distribution of bottled water. Alternative sources of water must be considered.
- responsibly managing any waste to ensure the cleanliness of the area is maintained during and after the event
- maximising recycling
- promoting and engaging in sustainable procurement practices
- minimising the environmental impact of any products, supplies and promotional materials used at the event

Scope & Application

This policy applies to any individual or organisation applying to hold an event on Council land or Council facilities within the Northern Beaches local government area, and includes events produced by Council.

References and related documents

- NBC Event Waste Management Guidelines and Application Form
- NBC Events Management Policy.
- Local Government Act, 1993
- Protection of the Environment Operations Act, 1997
- Waste Avoidance and Resource Recovery Act, 2007

Definitions

"Waste" includes any substance that is discharged or deposited in the environment in such volume, constituency, or manner as to cause an alteration in the environment.

"Single use plastics" include any disposable plastic and polystyrene items such as straws, balloons, bags, cutlery and food and drink packaging designed to be used once and then discarded.

"Single use sachets" include tomato sauce, sugar, salt & pepper sachets, sunscreen sachets, or giveaways such as shampoo sachets.

Responsible Officer

Executive Manager Waste Management and Cleansing

Review Date

At least every two years or as required. Any recognised change to relevant legislation will activate an immediate review of this policy to ensure it remains current and aligned to best practice.

Revision History

Revision	Date	Change	HPE CM Ref
1			
2			

Policy Detail

This is not used for all policies but only where substantial details MUST be included in a policy adopted by Council.

ITEM 8.4	DRAFT CONSERVATION MANAGEMENT PLAN FOR THE MONA VALE CEMETERY
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY MANAGEMENT & COMMERCIAL
TRIM FILE REF	2017/182804
ATTACHMENTS	<p>1 ⇒ Draft Conservation Management Plan for the Mona Vale Cemetery - Part 1 (Included In Attachments Booklet)</p> <p>2 ⇒ Plan for the Mona Vale Cemetery - Part 2 (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To receive the draft Conservation Management Plan for the Mona Vale Cemetery, prepared by Musecape Pty Ltd, for Northern Beaches Council and authorise the public exhibition of the draft plan for a period of 42 days.

SUMMARY

Mona Vale Cemetery was established in 1905 and is listed on Council's Local Heritage register. In 2012, the former Pittwater Council adopted a Plan of Management (PoM) for the Mona Vale Cemetery, which was subsequently adopted by the Minister for Lands in 2013. The PoM noted that as the cemetery is listed as a heritage item on the LEP, there should be a Conservation Management Plan (CMP) in place to allow the continued operation of the cemetery as a place for burials and deposition of cremated remains while retaining and preserving the heritage values of the place.

This report recommends Council receives the draft CMP (Attachment 1) and places the plan on public exhibition for a period of 42 days. A report will be brought back to Council addressing any issues that have been raised.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Receive the draft Conservation Management Plan for the Mona Vale Cemetery.
 - B. Authorise the public exhibition of the draft Conservation Management Plan for the Mona Vale Cemetery for a period of 42 days.
-

REPORT

BACKGROUND

In 2012, the former Pittwater Council adopted a Plan of Management for the Mona Vale Cemetery, which was subsequently adopted by the Minister for Lands in 2013. The PoM noted that as the cemetery is listed as a heritage item on the LEP, there should be a Conservation Management Plan (CMP) in place to allow the continued operation of the cemetery as a place for burials and deposition of cremated remains while retaining and preserving the heritage values of the place. The draft CMP has now been prepared and the next step is to present it for public exhibition and consultation.

The CMP provides an overview of Mona Vale Cemetery within its regional and historical context and highlights the significance of heritage attributes of the cemetery. It also provides policies and practical guidance for a balanced approach to conserving and managing this significance including a schedule of recommended conservation works with priorities for implementation. The historical, associational, aesthetic, cultural and social significance of items has also been explored.

It also includes comprehensive advice on the conservation methods appropriate for the various types of monuments and monumental fabric in the cemetery, and highlights the need to develop an Interpretive Plan containing strategies for enhanced presentation, interpretation and communication of the Mona Vale Cemetery's various heritage attributes in the future

FINANCIAL IMPACT

The cost of the public exhibition is expected to be minimal with all costs associated with public exhibition to be borne by the Mona Vale Cemetery Reserve Trust.

SOCIAL IMPACT

The public exhibition of the draft CMP is not expected to have any social impacts.

ENVIRONMENTAL IMPACT

The public exhibition of the draft CMP is not expected to have any environmental impacts.

ITEM 8.5	DRAFT PALM BEACH (SOUTH) LANDSCAPE MASTERPLAN
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RESERVES
TRIM FILE REF	2017/184233
ATTACHMENTS	1 Download Draft Palm Beach (South) Landscape Masterplan

EXECUTIVE SUMMARY

PURPOSE

To seek Council's approval to publicly exhibit the Draft Palm Beach (South) Landscape Masterplan.

SUMMARY

In November 2016, Council began a process to develop a Palm Beach masterplan for the beachfront area from Beach Road, along Ocean Road to the southern end of Palm Beach and the rockpool. The objectives included to conserve, protect and enhance the natural features of the beach and foreshore while improving the amenity and aesthetics of the area. Through November and December 2016, community input was sought on the objectives and issues to be considered in the masterplan.

A Draft Palm Beach (South) Landscape Masterplan (Attachment 1) has been developed based on the community feedback received. The draft Masterplan aligns with Council's Palm Beach to Manly coastal walkway and cycleway project and seeks to improve the aesthetics, function and access of the area. There is also consideration of environmental qualities and cultural and heritage values and adopts a 'less is more' design approach.

It is proposed to seek community feedback on the draft Masterplan in June and July 2017. Following this community engagement and analysis of submissions received, a final Masterplan and report is planned to be presented to the August 2017 Council meeting.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That the Draft Palm Beach (South) Landscape Masterplan is placed on public exhibition for a period of 28 days and the final Masterplan be reported back to Council for consideration and adoption.

REPORT

BACKGROUND

Palm Beach is one of Sydney's most significant and iconic destinations. It is highly valued by the community and visitors to the area due to its secluded location, natural beauty and heritage and recreation opportunities.

In November 2016, Council began a process to develop a Palm Beach masterplan for the beachfront area from Beach Road, along Ocean Road to the southern end of Palm Beach and the rockpool. Initial objectives included to conserve, protect and enhance the natural features of the beach and foreshore while improving the amenity and aesthetics of the area.

Through November and December 2016 community input was sought on the objectives and issues to be considered in the masterplan. Over 70 people attended drop in sessions and 24 written submissions were received. The community's requests were reasonably consistent. Key points raised by the community include:

- Retain and enhance the environmental, social and heritage significance of Palm Beach.
- Restrict interventions / development to essential and functional purposes.
- Ensure planned works are high quality and low impact (classic, less is more).
- Fix problems such as; drainage, water ponding on the roadside, cluttering especially signage, upgrade park infrastructure such as bins and seating.
- Provide safer pedestrian access along Beach and Ocean Roads.
- Improve the cleansing and maintenance of the area.

Discussions and submissions were detailed particularly in relation to the desired aesthetic, current opportunities and constraints and how the area is used at different times of the year particularly the parking areas and road network.

A Draft Palm Beach (South) Landscape Masterplan has been developed based on the community feedback received. The draft Masterplan aligns with Council's Palm Beach to Manly coastal walkway and cycleway project.

Key aspects of the draft Masterplan:

- Improves the aesthetics, function and access of the area.
- Emphasises environmental qualities and cultural and heritage values.
- Adopts a 'less is more' approach with minimal interventions and high quality materials and finishes.
- Provides an accessible pathway linking to the northern end of the planned Palm Beach to Manly coastal walkway.
- Integrates the shared pedestrian / traffic zone with the beach reserve.
- Proposes principles to guide future development.

CONSULTATION

It is proposed to place the draft Masterplan on public exhibition for 28 days in June and July 2017 to seek community feedback. Community engagement will include an on-line feedback form and

drop in sessions. Information about the draft Masterplan and how to provide feedback and register for project updates will be available on Council's website.

TIMING

Following this community engagement and analysis of submissions received, a final Masterplan and report is planned to be presented to the August 2017 Council meeting.

FINANCIAL IMPACT

Capital and operational funding for the implementation of the final Masterplan will be considered through Council's annual budgeting processes. Where opportunities arise Council will also seek grant funding partnerships including from the State and Federal Government.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

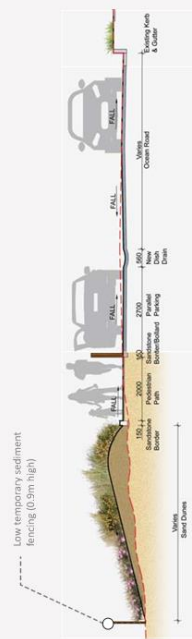
PALM BEACH (SOUTH) LANDSCAPE MASTERPLAN REPORT

Palm Beach is highly valued for its unique natural setting, seclusion, and cultural heritage. The masterplan aims to:

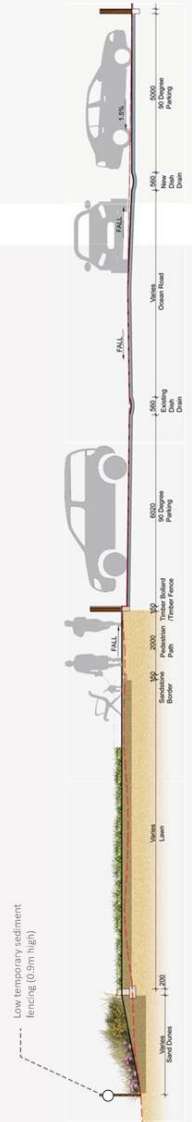
- Improve the aesthetics, function and access at Palm Beach (south) as befitting an important Sydney landmark and destination for Australian and overseas visitors.
- Provide an accessible pathway at the northern end of the popular Bicentennial Coastal Walkway.
- Adopt a 'less is more' approach with minimal interventions and high quality materials and finishes.
- Integrate the shared pedestrian / traffic zone with the beach reserve.

(Note: Montages tend to look structured and include more elements in a concentrated space than what is intended).

1 Vision Statement



2 Section AA - Northern Ocean Road looking South



3 Section BB - Southern Ocean Road looking South



4 Perspective Montage, looking South

PALM BEACH (SOUTH)

LANDSCAPE MASTERPLAN



GUIDING PRINCIPLES

The guiding principles of the Palm Beach (south) Draft Landscape Masterplan are based on discussions and submissions received during preliminary meetings with the community.

- Ensure works are complementary to the local environment (natural materials), heritage (furnishings) and culture (references).
- Improve aesthetics and function as befitting an important Sydney landmark and destination for Australian and overseas visitors.
- Reclaim the sand near the road and provide a safe and accessible pedestrian pathway along the length of the beach as part of the Bicentennial Coastal Walkway.
- Minimal intervention using high quality natural materials and finishes: timber, stone and crushed sandstone to reference the natural shape of the coastline.
- Coastal Ocean Reserve as a unified park reserve. Ensure elements are complementary and function as a whole; rather than a beach with a road adjacent. (See perspective montage on Page 1).
- Reinforce cultural and heritage values including surfing, life savers, life savers, distinctive local buildings including the Pavilion on the beach, Cabbage Tree Club, SLS building, heritage picnic shelters at Governor Philip Park, and the existing heritage-style street lighting.



Figure 4
Cabbage Tree Palms



Figure 5
Norfolk Island Pine Trees



Figure 6
Extensive lawns

Use high quality natural materials and finishes

PROPOSED DESIGN ELEMENTS AND MATERIALS

- Retain and extend the existing use of sandstone (Figures 10, 11 and 12).
- Install a crushed sandstone (or sandy coloured granite) pathway (except Beach Road) two metres wide (Figure 13) with a combination of timber and sandstone block edge as required.
- Install hardwood bollards where required and to prevent vehicles driving onto the beach (Figure 14).
- Install sandstone flagging at transitional points and integrated seating where required (Figure 15).
- The new adjacent to the beach parking areas as a consistent strategy that the interrupted areas of turf.
- Install a durable, low maintenance, and weather-resistant material for the new parking areas, such as the Macadam.
- Continue the existing sandstone edging around the garden beds and the road edge to secure the blumen (Figure 12).
- Provide low taps at regular intervals adjacent to the low timber fences, so people can wash their feet before getting into vehicles.
- Provide bollards above the taps. Ensure water drains onto the sand.
- Install low hardwood post and rail fencing (similar design as existing) in short sections to provide pedestrian access. The community rest against the railing to watch the surf, sit boards against it, and dry towels and clothing on the rails (Figure 16).
- Install hardwood bollards with square chamfered edges as required and to prevent vehicles on the beach.
- Retain the outdoor showers, ensuring waste water flows towards the sand. Showers may need to be relocated closer to the carparks to accommodate the proposed pathway.
- Retain as much turf as possible. It is highly valued for its green, cooling effect. Grade the lawns to a smooth surface and repair as required. Provide additional shady places to sit, taking care not to obstruct views onto the beach.
- Provide a consistent furnishing and colour palette. Residents support the large square deck seats due to their flexibility of use.
- Retain the Brunswick / heritage green colour palette. This is consistent with the Cabbage Tree Club and heritage-style street lights in the shared pedestrian / traffic zone.
- Locate furnishings, signage, lighting, outdoor showers in a more structured and tidy aesthetic.
- New bins are being proposed for the Northern Beaches Local Government Area. The proposed design includes a set of three bins (one general and two recycle), with a panel on each that accommodates pictures or information. Provide black and white heritage images in a matte finish (no colourful, glossy images). Include information on one of the panels, such as 'welcome to Palm Beach', 'swim between the flags', 'shared pedestrian, traffic zone', 'consider marine life, and carefully dispose of plastic bags', etc. Locate bins at entry/exit points for ease of use, near car parks and avoid blocking view over the beach with bins.
- Retain the heritage-style street lamps. Freshen up with new paintwork in Brunswick green and retrofit with LED lighting.

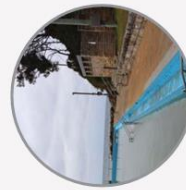


Figure 10
Existing stone walls and change rooms



Figure 11
Existing sandstone walls



Figure 12
Existing sandstone road edge

DESIGN CONSIDERATIONS / PRINCIPLES

SENSE OF PLACE AND CONTEXT

Palm Beach is highly valued for its natural setting, seclusion and cultural heritage. It has a distinct 'feel'. The qualities of the beach are closely associated with the surrounding area (Figure 1). Palm Beach is:

- The most northerly located beach within the Greater Sydney Metropolitan area
- Located in an area of unique topographical and geological features - sandstone caps (ridge tops) shale slopes (hillsides) sand dunes and Beach. It enjoys northerly views towards Sarriney Headland and its heritage lighthouse (100m high) and the Central Coast (Figure 2).
- A 3.5 kilometre long stretch of beach. (The masterplan covers 0.6km at the southern end). The southern end culminates in a gentle arch
- Richly vegetated with coastal trees, forests, dry eucalypt woodland, shrublands (ridge tops), local rainforest gully's (e.g. Hardern and Wilshire Parks) coastal heath and woodlands (lowlands). In addition, locally native Cabbage Tree Palms (Xanthorrhoea australis) are present in the parks (Figure 4).
- Heritage Norfolk Island Pine Trees (Araucaria heterophylla) provide shade and character to Ocean Road (Figure 5).
- Series of permanent and ephemeral creeks. An existing parkland setting - comprising Ocean Road, extensive lawns (Figure 6) adjoining the sandy beach, Hardern and Wilshire Parks
- Rich in local culture and establishments including the Surf Life Saving Club.



Figure 1
Palm Beach



Figure 2
Views to the north



Figure 3
Southern end of the beach

Emphasise environmental qualities, heritage and culture

HERITAGE ITEMS

NSW State Heritage Register

- Palm Beach Pavilion - High Local Significance. Description: "... an elegant polychrome brick inter-war public amenities building designed as a free standing element in the landscape. It features Art Deco, 'Modern' and Spanish Mission style elements and details..." (Figure 7)

Schedule 5 Environmental Heritage, Pittwater Local Environmental Plan, 2014

- Palm Beach change rooms and toilets
- Palm Beach Surf Club 27-28 Ocean Road
- Norfolk Island Pine Trees (Araucaria heterophylla) - Ocean Road reserve (Figure 6)
- Palm Beach Memorial to Douglas Marks 31-32 Ocean Road
- Spotted Gums (Corymbia maculata) and Cabbage Tree Palms (Xanthorrhoea australis) in Hardern and Wilshire Parks (Figure 4)
- Indigenous sites on the Palm Beach Barrier. An Archaeological Survey of the Northern Section of the Palm Beach Sand Barrier, July 1984.

SUSTAINABILITY – SOCIAL, ENVIRONMENTAL AND ECONOMIC

- Ensure the design and materials recommended in the masterplan will help to reduce environmental impacts, are long lasting and low maintenance
- Incorporate sustainable technologies, energy efficient lighting and install public place recycling bins
- Raise public awareness of the need to reduce litter, recycle and to correctly dispose of plastic bags.
- Support the life guards, life savers and other community groups who provide a safe environment for the community.
- Encourage social equality and lobby for public transport and access improvements that will benefit both local residents and visitors.
- Consider climate change and risk management – incorporate principles recommended in the Pittwater Council, Coastline Hazard Definition and Climate Change Vulnerability Study, Worley Parsons, 4 May 2015



Figure 7
Palm Beach Pavilion



Figure 8
SLS Building



Figure 9
Cabbage Tree Club

DESIGN DETAILS BY AREA

The proposed works are outlined below according to sections of Beach Road and Ocean Road. Ensure consistent design and materials throughout the site as suggested in the Design Elements and Materials on Page 3. The final choice of materials and design specifics are subject to detailed design work prior to construction.

BEACH ROAD - BARRENJOEY ROAD TO OCEAN ROAD

Pedestrian upgrades along Barrenjoey Road and at the eastern end of Beach Road will provide a flat pathway from one end of Palm Beach to the other as part of the Bicentennial Coastal Walkway with links to the beach, Barrenjoey Headland and the historic lighthouse.

- Install a meandering concrete footpath two metres wide (sand coloured with aggregate) through Governor Phillip Park, behind the playground.
- Upgrade the existing footpath in front of the golf course where required to link with Pittwater Estuary and Barrenjoey Road.
- Retain the pedestrian crossing in its existing location opposite Palm Beach Golf Club.

OCEAN ROAD - FROM THE CORNER OF BEACH ROAD TO BLACK ROCK

Experienced surfers use this area for surfing, swimmers should use the area between the flags.

- Retain good surveillance over the beach, particularly in relation to water safety
- Replenish and reshape the sand adjoining the road, stabilise with plants and install a pathway with stone or timber treads, east of the parallel parking.
- Provide pedestrian access onto the beach at regular intervals (Figure 17).
- Upgrade the existing maintenance/emergency vehicle ramp onto the beach with timber treads and bollard.
- Improve drainage near the Norfolk Island Pines.
- Install bins with signs directing users to swim between the flags.



Figure 13
Crushed sandstone or granite



Figure 14
Sandstone flagging



Figure 15
Hardwood bollards

Consistency in design and materials - stone and timber

OCEAN ROAD: BLACK ROCK TO THE PAVILION

This area contains the bus stop, carpark and a popular area of elevated lawn with views over the beach.

- Reshape the sand bank and stabilise with plantings.
- Provide a pathway east of the parking area between Black Rock and the Pavilion.
- Incorporate a stone headwall around the drainage outlet, reshape and stabilise the sand around the headwall.
- Retain the existing layout of the carpark, resal, line-mark, landscape and install low railing fence.
- Reinforce the link between the bus stop and the beach.



Figure 19
Boardwalk at the southern end



Figure 20
Improve signage at shared zone - similar design but different colour and smaller scale

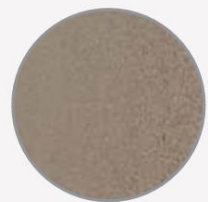


Figure 21
Shared zone sand coloured asphalt

OCEAN ROAD: PAVILION TO OCEAN PLACE

This area contains the heritage listed Palm Beach Pavilion that provides unique open-air public amenities for the public and is used by the lifeguards for storage and shelter. The western side of Ocean Road contains several cafes / retail outlets.

- Undertake restoration works on the pavilion in accordance with the Palm Beach Conservation Management Strategy, 2004. This work is scheduled for the 2017-2018 financial year.
- Install the pathway towards the north and southern sides of the Pavilion.
- Install bollards next to the Pavilion where required to prevent vehicles driving onto the beach from this area.
- Install low timber fences, stone edging to carpark and garden beds, mass plant, regrade and repair the lawn.
- Retain the existing Gazania's on the beach around the Pavilion to reinforce the existing heritage / garden setting at this end of the Beach.



Figure 16
Low post and rail fencing



Figure 17
Retain heritage style lighting (and remove excess posts/signage etc)



Figure 18
Stairs onto the beach

Integrate the shared pedestrian traffic zone into the beach reserve, rather than a road next to a beach

OCEAN ROAD: OCEAN PLACE TO THE OCEAN POOL

The southern end of the beach contains a small sheltered bay named Cabbage Tree Boat Harbour and informally known as 'Kiddies Corner'. It is the safest place to swim or learn to surf. It contains the flags and is well monitored during the day when the lifeguards and lifecovers patrol the beach. A surf school conducts formal lessons here.

There is a shared traffic/pedestrian zone in place. The Traffic and Pedestrian Study Ocean Road, South of Ocean Place, Palm Beach, April 2003 was undertaken prior to the shared road and the village shops being built.

- Provide a pathway from the Pavilion to the northern side of Wilshire Park.
- Install a short boardwalk on the beach in alignment with the northern side of Wilshire Park to Hordern Park (Figure 19).
- Provide a coloured asphalt pedestrian walkway (to match the road) to the eastern side of the turning circle. Repair and extend the existing sandstone boulder revetment to stabilise the slope against wave action.
- If possible, retain the existing 10km/hr shared pedestrian/traffic section of Ocean Road. Provide 10km/hr markings on the road and highlight signage (Figure 20). (Additional signage is not supported).
- Regardless of whether it is possible to retain the 10km/hr zone, reinforce that this area is part of the beach reserve, rather than a beach with a road beside it. Investigate sand coloured asphalt or other suitable surface material or stone sets to form 'thresholds' for sections of road. At the entrance to the shared zone, mass plant both sides of the road for a stronger park-like aesthetic.
- Rainwater ponds on the western side of Ocean Road. Remove the clay soil as soon as possible. Install a dish drain. If possible, inlay dish drains (existing and proposed) with stone sets or materials to match the proposed road 'thresholds'. Funding has been allocated for a dish-drain in the 2017-2018 financial year.
- Upgrade the shanty area opposite the SLSC building. Raise the sandstone wall and extend along the sides to form a level base, top with crushed sandstone or granite. Consider several safe-style tables and chairs (Figure 22) to maximise the use of this area, increase functionality, provide social opportunities and improve conditions along the Bicentennial Coastal Walkway.
- Upgrade the authorised vehicle access onto beach with removable bollard opposite the SLSC.
- Upgrade existing carpark, renew line marking, install low post and rail fencing and extend sandstone edging.
- Improve the three drainage outlets in this area.
- Retain and reinforce the existing gazania's as ground covers adjacent to the turf in keeping with the heritage garden style.
- Remove bitumen from the base of the existing Norfolk Island Pine tree, install a garden bed with stone edging and mass planting.
- Upgrade the ocean pool floor and walls, paving surrounds and provide accessible access to the pool (Figure 23).
- Install picnic shelters in Hordern and Wilshire Parks with hip roofs similar to the heritage shelters in Governor Phillip Park (Figure 24) but with Brunswick green roofs to match the Cabbage Tree Club.



Figure 22
Several small round settings under Norfolkis (Bolted down)



Figure 23
Upgrade the ocean pool and provide accessible access



Figure 24
Provide picnic shelters in Wilshire and Hordern Parks

PALM BEACH (SOUTH)

DRAFT

NORTHERN
BEACHES
COUNCIL

sym. studio
Issue Date: 24/03/17

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P4

ITEM 8.6	RFT 2017/067 - DESIGN CONSULTANCY SERVICES FOR MONA VALE SURF LIFE SAVING CLUB RENEWAL
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY MANAGEMENT & COMMERCIAL
TRIM FILE REF	2017/174392
ATTACHMENTS	1 RFT2017 067 - Signed Tender Evaluation report (Included In Attachments Booklet) (Confidential)

EXECUTIVE SUMMARY

PURPOSE

To consider, in accordance with Clause 178 of the *Local Government (General) Regulation 2005*, the Tender Evaluation Committee's recommendations following its assessment of the tenders received for RFT2017/067 – Design Consultancy Services for Mona Vale Surf Life Saving Club Renewal.

SUMMARY

Council resolved on 21 December 2015 to undertake preliminary investigations and prepare a detailed business case for the project including scope, costings and timeframes and be brought back to Council for consideration.

Council requested submissions through a public tender process for a design consultancy team for the Mona Vale Surf Life Saving Club renewal. This process aims to engage the services of a suitably qualified architectural consultant to lead a design team to deliver a design that meets or exceeds Council's requirements as well as providing certification of the project.

The tender evaluation committee has evaluated the submissions received and recommend the preferred supplier to Council for its consideration.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council adopt the recommendation contained in the Confidential Attachment to this report.

REPORT

BACKGROUND

For many years the renewal of the existing Mona Vale Surf Life Saving Club (MVSLSC) building has been proposed. A new larger building is proposed to address the needs of the MVSLSC and the local community, and to develop commercial activities to fund the project and surrounding precinct.

This project includes the demolition and rebuild of a new surf club building with the new building to be constructed on the existing surf club building site and the total floor area is expected to be twice the existing facility (approximately 1,400m²). The building will cater for the surf club's needs, lifeguards and the community in general. A portion of the new building will be leased to the MVSLSC and there are proposed to be other leases for commercial activities to assist in funding the project.

The request for tender RFT 2017/067 was issued on 11/04/17 and closed at 2pm on 9/05/17 to engage the services of a suitably qualified architectural consultant to lead a design team to deliver a design that meets or exceeds Council's requirements as well as providing certification of the project. A tender site briefing was organised on 20/04/17 and nineteen companies attended the meeting. The briefing included a summary of the tender requirements and relevant WH&S items. The tenderers were also required to use the Tenderlink forum to obtain a formal response to any queries.

Eleven (11) submissions were received from:

- NBRS & Partners
- BKA Architecture
- Warren & Mahoney Architects
- Team2 Architects
- Facility Design Group
- Michael Davies Architecture
- Brewster Hjorth Architects
- Crone Architects
- Richard Cole Architecture
- Peter Stutchbury Architecture
- Archisoul

A tender evaluation committee (TEC) was formed to assess the tenders received against the following criteria:

Criteria	Schedules to be evaluated	Weighting or Pass/Fail	Minimum Acceptable Score (MAS) or 'M' if Mandatory
Submission of all documentation required for initial cull.	All schedules	Pass/Fail	M
Tender Form	Schedule F1	Information only	M

Departures and Qualifications	Schedule F2	Pass/Fail	M
Business Information & Performance Information	Schedule F3 & F5	Weighted	15% MAS 60
Financial Information	Schedule F4	Pass/Fail	M
Work Health and Safety	Schedule F7	Pass/Fail	M
Personnel & Subconsultants	Schedule F8 & F9	Weighted	20%, MAS 60
Conflict of Interest and Fair Dealing Declaration	Schedule F10	Information Only	-
Insurances	Schedule F11	Pass/Fail	M
Quality Assurance & Proposed Methodology	Schedule F6 & F12	Weighted	35%, MAS 60
Schedule of Fee	Schedule F13	Weighted	35%

The evaluation was conducted in three (3) stages as follows:

Stage 1 – Initial cull

Stage 2 – Detailed evaluation of remaining tenders

Stage 3 – Comparative analysis

Detail of the tender assessment is contained in the confidential attachment.

CONSULTATION

The Mona Vale Surf Life Saving Club was consulted to provide a draft needs brief for inclusion in the request for tender documents.

TIMING

The design consultancy is proposed to commence in July 2017 and completion in April 2018 for the concept development stage of the consultancy services. At Council's discretion, the tenderer will then be engaged for development application, design development and construction for completion in June 2020.

FINANCIAL IMPACT

The recommended tender submission is within the budget allocated in Council's Capital Works Program for 2017/18, 2018/19 and 2019/20.

SOCIAL IMPACT

The new surf club building will address current shortcomings in terms of storage and operational requirements, and meet council's and the community's long term needs.

ENVIRONMENTAL IMPACT

The existing building location is in a wave impact zone. Preliminary coastal engineering was carried out to assess the acceptable risk levels and identify the types of foundation requirements

for the new building to achieve a 100 year design life. Detailed engineering is included as part of the design consultant scope of works.

ITEM 8.7	RFT 2017/069 - NARRABEEN BEACH LIFEGUARD HUT
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY MANAGEMENT & COMMERCIAL
TRIM FILE REF	2017/176230
ATTACHMENTS	1 2017 RFT 2017 069 Narrabeen Beach Confidential Evaluation Report (Included In Attachments Booklet) (Confidential)

EXECUTIVE SUMMARY

PURPOSE

To consider, in accordance with Clause 178 of the *Local Government (General) Regulation 2005*, the Tender Evaluation Committee's recommendations following its assessment of the tenders received for RFT2017/069 – Narrabeen Beach Lifeguard Hut.

SUMMARY

Council requested submissions through a public tender process for the construction of a new Lifeguard Hut at Narrabeen Beach, similar in design to the one installed at Dee Why Beach.

The Tender Evaluation Panel reviewed the submissions and has made a recommendation as to the best value for money supplier.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council adopt the recommendation contained in the Confidential Attachment to this report.

REPORT

BACKGROUND

The Council invited tenders for the construction of a new lifeguard viewing hut at Narrabeen Beach (similar to that at Dee Why beach).

The project includes the construction of a new Lifeguard viewing hut which includes piers and supporting structures, flooring structures, viewing hut, landing, handrails and staircase, and Services i.e. electrics, communication, water, and drainage.

The Request for Tender (RFT) 2017/069 was issued on 6/05/2017 and closed at 2:00 pm on 30/05/2017.

A tender site briefing was organised for 11 May 2017 at 11:00 am and three (3) companies attended. The briefing included a summary of the tender requirements, WH&S items and a site inspection. The tenderers were also advised to upload all queries on the Tenderlink forum to obtain a formal response.

Three (3) submissions were received from:

1. TCM Pty Ltd
2. Sudiro Construction Pty Ltd
3. Shericon Pty Ltd

A tender evaluation committee (TEC) was formed to assess the tenders received against the following criteria:

Criteria	Schedules to be evaluated	Weighting or Pass/Fail	'M' if Mandatory Weighting Applied
Submission of all documentation required for initial cull	All schedules	Pass/Fail	M
Tender Form	Schedule F1	Pass/Fail	M
Departures and Qualifications	Schedule F2	Pass/Fail	M
Business Information & Performance Information	Schedule F3 & F5	Weighted	20%
Financial Information	Schedule F4	Pass/Fail	M
Industrial Relations	Schedule F6	Pass/Fail	M
Quality Assurance & Proposed Methodology	Schedule F7 & F14	Weighted	20%
Work Health and Safety	Schedule F8	Pass/Fail	M
Personnel & Subcontractors	Schedule F10 & F11	Weighted	20%

Conflict of Interest and Fair Dealing Declaration	Schedule F12	Information Only	M
Insurances	Schedule F13	Pass/Fail	M
Schedule of Fees	Schedule F21	Weighted	40%

The evaluation shall be conducted in three (3) stages as follows:

Stage 1 - Initial Cull

Stage 2 - Detailed Evaluation of Remaining Tenders

Stage 3 – Comparative analysis

Detail of the tender assessment is contained in the confidential attachment.

CONSULTATION

Public consultation was carried out prior to tender with feedback from the community regarding the preferred location taken on board in the final solution.

Additionally, the primary user group of the proposed Hut (Council Lifeguards) were consulted during the drafting of the Scope of Works.

TIMING

The works are proposed to commence in July 2017 for completion in September 2017.

FINANCIAL IMPACT

The recommended tender submission is within the budget allocated in Council's Capital Works Program for 2017/18.

SOCIAL IMPACT

The project will provide an all-weather shelter for the lifeguards and be located closer to the surf. This will improve line of sight vision for the lifeguards and allow for quicker access to the public located in the surf. The Lifeguard will have first aid for emergency and provide a visible point of contact to the public.

ENVIRONMENTAL IMPACT

A Review of Environment Factors (REF) report on the Lifeguard Hut was prepared in April 2017 by Ecological Consultant Australia Pty Ltd.

Summary of the report is

- This REF is in relation to a proposed installation of a new lifeguard viewing tower (hut) for beach lifeguards at Narrabeen Beach. The aim of the hut is to provide a vantage point and safe shelter for lifeguards during adverse weather conditions while they are on duty, in compliance with Work Health and Safety legislation. In addition, the hut will provide amenity to the public for the provision of first aid and customer service.
- The proposed viewing tower falls into the classification of an 'Observational Deck – Environmental Facility' on Northern Beaches Council ePlanning website. This type of development is permitted without consent.

- No sightings were made during the survey of endangered and threatened flora and fauna species. The closest threatened species recording was *Chamaesyce psammogeton* (Sand Spurge) recorded just 200 m south of the site in 2004 and again in 2009. Tests of Significance (7-Part Test) was not required as the proposed construction will not cause direct or indirect impact to *Chamaesyce psammogeton*.
- No Endangered Ecological Communities (EECs) were found within the study area. Closest EECs were 'Subtropical and Temperate Coastal Saltmarsh Ecological Community' and 'Coastal Upland Swamps in the Sydney Basin Bioregion' which are found greater than 5km away.
- The proposed activity was deemed to not have any significant impact on the listed flora, fauna and EEC.
- No known Aboriginal Heritage items are within the study area.
- A range of recommended safeguards and mitigation actions to minimise the impact of the proposed construction of a new lifeguard hut have been provided.
- Bush regeneration is the key recommendation for ensuring weeds do not establish in areas not disturbed by development.

ITEM 8.8	RFT 2017/009 - TURF WICKET AND SPORTS FIELD MAINTENANCE
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RESERVES
TRIM FILE REF	2017/177417
ATTACHMENTS	1 RFT2017 009 Evaluation Report 20170602 (Included In Attachments Booklet) (Confidential)

EXECUTIVE SUMMARY

PURPOSE

To consider, in accordance with Clause 178 of the *Local Government (General) Regulation 2005*, the Tender Evaluation Committee's recommendations following its assessment of the tenders received for RFT2017/009 Turf Wicket and Sports Field Maintenance.

SUMMARY

Northern Beaches Council maintains five sports fields with turf wickets requiring specialized maintenance services. These sites are host to Sydney Grade Cricket, Sydney Shires Cricket, Sydney Grade Rugby Union and Premier level AFL. The high level of playing standard requires a contractor capable of providing high quality services. Not meeting these standards represents a significant risk to Council.

RECOMMENDATION GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council adopt the recommendation contained in the Confidential Attachment to this report.

REPORT

BACKGROUND

Northern Beaches Council maintains five sports fields with turf wickets requiring specialized maintenance services. These include Weldon Oval, Frank Gray Oval, Mike Pawley Oval, Manly Oval and LM Graham Reserve. These sites are host to Sydney Grade Cricket, Sydney Shires Cricket, Sydney Grade Rugby Union and Premier level AFL.

The contract for the former Warringah Council locations covering these maintenance services has concluded and the former Manly contract is due to expire 2 May 2018. It was decided to combine both contracts and use the option of a staggered start with the former Warringah sites to start from 1 August 2017 and former Manly contract to be included from 2 May 2018. Works would effectively commence on 1 August 2018 for Manly Oval and LM Graham Reserve.

RFT 2017/009 was issued on 2 May 2017 and closed at 2pm on 25 May 2017.

Three submissions were received from:

- Around The Grounds
- Green Options
- The Green Horticultural Group.

A tender evaluation committee (TEC) was formed to assess the tenders received against the following criteria:

Schedule	Description	Assessment	MAS
Schedule F1	Tender Form	Information only	Info
Schedule F2	Departures and Qualifications	Pass/Fail	Mandatory
Schedule F3	Business Information	Weighted	70
Schedule F4	Financial Information	Pass/Fail	Mandatory
Schedule F5	Performance Information	Weighted	70
Schedule F6	Industrial Relations	NOT USED	n/a
Schedule F7	Quality Assurance	Weighted	70
Schedule F8	Work Health and Safety	Pass/Fail	Mandatory
Schedule F9	Environmental Sustainability and Social Equity	Weighted	70
Schedule F10	Personnel	Weighted	70
Schedule F11	Subcontractors and Consultants	Weighted	70
Schedule F12	Conflict of Interest and Fair Dealing Declaration	Information Only	Info
Schedule F13	Insurances	Pass/Fail	Mandatory

Schedule F14	Proposed Methodology	Weighted	70
Schedule F15	Maintenance	NOT USED	n/a
Schedule F16	Schedule of Spare Parts	NOT USED	n/a
Schedule F17	Schedule of Interfaces	NOT USED	n/a
Schedule F18	Schedule of Fee	Weighted	FEE

Weighted Criteria

Criteria	Schedule	Weighting
Demonstrated past experience of the Tenderer	Schedules F3 and F5	20%
Demonstrated past experience Personnel and Subcontractors	Schedules F10 and F11	20%
Proposed Methodology (including QA)	Schedules F7, F14,	20%
Environmental Sustainability and Social Equity	Schedules F9	5%
The Fee including Schedule of Lump Sum Fee, Schedule of Rates and Materials, Schedule of Rise and Fall and Other Fees	Schedule of Fees F18	35%

All Tenders passed initial stage of evaluation progressing to the detailed assessment against criteria. The panel then considered the submissions against all weighted criteria. Detail of the tender assessment is contained in the confidential attachment.

CONSULTATION

Consultation was undertaken with relevant technical experts in Parks and Recreation. Communication with external stakeholders throughout the performance of the existing contracts was taken into account when formulating the tender documentation.

TIMING

The contract covers five locations, however requires a staggered start. Maintenance of former Warringah Council locations including Weldon Oval, Frank Gray Oval and Mike Pawley oval are proposed to start under this contract on 1 August 2017. Manly Oval and LM Graham will commence on 1 August 2018. All sites will conclude on 1 August 2020 or 2022 if options of two annual extensions are taken.

FINANCIAL IMPACT

The recommended tender submission is within the budget allocated in Council's Operational Program for 2017/18.

SOCIAL IMPACT

The services under this contract are required to ensure sporting and recreational facilities are fit for purpose.

ENVIRONMENTAL IMPACT

There are no environmental impacts associated with performance of this contract.

ITEM 8.9	RFT 2017/073 - COLLAROY SEAWALL AND PROMENADE REPAIR
REPORTING MANAGER	EXECUTIVE MANAGER PROCUREMENT
TRIM FILE REF	2017/181922
ATTACHMENTS	1 RFT2017/073 Collaroy Beach Seawall and Promenade Repair - Tender Evaluation Report (Included In Attachments Booklet) (Confidential)

EXECUTIVE SUMMARY

PURPOSE

To consider, in accordance with Clause 178 of the *Local Government (General) Regulation 2005*, the Tender Evaluation Committee's recommendations following its assessment of the tenders received for RFT2017/073 – Collaroy Seawall and Promenade Repair.

SUMMARY

In June 2016 the seawall and promenade at Collaroy beach in the section opposite Collaroy Street was damaged by the East Coast Low storm. Council has since prepared a design for a seawall replacement that is optimal for the protection of Council assets including the promenade and car park. The scope of work also includes the reconstruction of the failed promenade and bridging of the critically important culvert asset. Commencement of work has been delayed to allow the adjoining Beach Club to undertake their seawall and building repairs.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council adopt the recommendation contained in the Confidential Attachment to this report.

REPORT

BACKGROUND

The section of seawall along Collaroy Beach opposite Collaroy Street was damaged during the June 2016 East Coast Low storm event. Since that time Council has been working with Royal Haskoning DHV to prepare a design for a new seawall that provides adequate protection for Council assets in the area, namely the car park and promenade.

Works have not been able to commence as quickly as hoped due to Council giving precedence to the adjoining Collaroy Beach Club's ongoing repair work from the same storm.

RFT 2017/073 was issued on 2 May 2017 and closed at 2pm on 25 May 2017.

Three submissions were received from:

- Lloyd Drilling Constructions Pty Ltd
- Eco Fresh Solutions Pty Ltd
- Court Craft Australia Pty Ltd

A tender evaluation committee (TEC) was formed to assess the tenders received against the following criteria:

Schedule	Criteria – Mandatory	Weighting	Minimum Acceptable Score (MAS)
F1	Tender Form	Information only	Pass or Fail
F2	Non-compliance and Qualifications	Mandatory	Pass or Fail
F4	Financial Information	Mandatory	Pass or Fail
F6	Work Health and Safety	Mandatory	Pass or Fail
F8	Conflict of Interest and Fair Dealing Declaration	Mandatory	Pass or Fail
F9	Insurances	Mandatory	Pass or Fail

Schedule	Criteria – Mandatory & Scored	Weighting	Minimum Acceptable Score (MAS)
F3	Business Information and Performance	20%	60
F5	Quality Assurance and Proposed Methodology	30%	60
F7	Personnel and Subcontractors	10%	60
F10	Schedule of Lump Sum Fee	40%	Not applicable
Total Weighting		100%	

Detail of the tender assessment is contained in the confidential attachment.

CONSULTATION

Council has undertaken consultation with the Collaroy Beach Services Club throughout the design process. Council's Capital Projects team, Catchment, Coast and Creek Management team and Stormwater Assets team have all reviewed and supported the design solution.

TIMING

Works are scheduled to commence in August 2017 and are scheduled for completion by October 2017, weather permitting.

FINANCIAL IMPACT

The recommended tender submission was within the budget allocated in Council's Capital Works Program for 2016/2017. This budget has been reforecast into the 2017/2018 Capital Works Program commensurate with the revised timing of the project.

SOCIAL IMPACT

Reinstatement of the seawall and promenade will return full functionality and access to this popular precinct for the first time since the June 2016 storms.

ENVIRONMENTAL IMPACT

The new seawall has a similar footprint to the previous wall and it is not anticipated that there will be any additional environmental impact.

Environmental impact during construction will be minimized through appropriate controls that have been specified in the contract.

9.0 PLANNING PLACE & COMMUNITY DIVISION REPORTS

ITEM 9.1	DISABILITY INCLUSION ACTION PLAN
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY SERVICES
TRIM FILE REF	2017/180061
ATTACHMENTS	<p>1 ➡Disability Inclusion Action Plan (Included In Attachments Booklet)</p> <p>2 ➡Disability Inclusion Action Plan Submission Analysis (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To seek adoption of the Northern Beaches Council Disability Inclusion Action Plan.

SUMMARY

All NSW Councils are required to develop and adopt a Disability Inclusion Action Plan (DIAP) by 1 July 2017, in order to meet their legislative responsibility under the Disability Inclusion Act NSW (2014). The overall aim of the four year plan is to develop and implement actions that will improve the lives of people living with disability.

The Northern Beaches Council draft DIAP was placed on public exhibition for 28 days. Fifteen submissions were received. The submissions covered a wide range of topics under the four focus areas: attitudes and behaviours; liveable communities; meaningful employment; and systems and processes. The topics that received the most interest included playgrounds, road safety and beach access. Very few changes were made to the draft DIAP in response to the submissions, although there were many proposals warranting further investigation by Council. The final draft DIAP can be found at Attachment 1. A summary of submissions and Council responses can be found at Attachment 2. This report also details procurement opportunities for the employment of people with disability through the increased use of social enterprises.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That:

- A. The Disability Inclusion Action Plan be adopted.
 - B. Council staff integrate methods for the employment of people with disability into Council processes through increased use of social enterprises.
-

REPORT

BACKGROUND

At the 26 April 2017 Council meeting it was resolved:

"That Council:

- A. Place the draft Disability Inclusion Action Plan on public exhibition for 28 days.*
- B. Review the opportunities for Council procurement to incorporate direct negotiation with employment services that provide employment of people with a disability to organisations such as Council."*

The draft DIAP was placed on public exhibition for 28 days from 27 April to 24 May 2017. Fifteen submissions were received. The submissions primarily relate to the four key focus areas:

Focus Area 1: Developing positive community attitudes and behaviours

Focus Area 2: Creating liveable communities

Focus Area 3: Supporting access to meaningful employment

Focus Area 4: Improving access to mainstream services through better systems and processes

The above four key focus areas were identified in the NSW Disability Inclusion Plan as the areas requiring the most concerted effort to make substantial improvements to the lives of people living with disability. The Northern Beaches Council DIAP identifies 19 strategies and 78 actions under these key themes, with 53 of the actions falling under the Liveable Communities theme.

Adoption of a DIAP by local government authorities is a legislative requirement under the Disability Act NSW (2014). The DIAP must be adopted by July 1 2017 to comply with the Act.

CONSULTATION

Consultation for the public exhibition of the draft DIAP included:

- Drop-in Information Session at Warringah Mall Library
- Manly Daily promotion
- Media release
- Email updates to project stakeholder list
- Email updates to people who contributed to the development of the draft DIAP, e.g. survey respondents
- YourSay at Northern Beaches email updates
- Online project page
- Online feedback form
- Availability of an Easy Read version of the DIAP in pdf and text only
- Hard copies of the DIAP and Easy Read versions available at all Council libraries and customer service offices

SUBMISSION ANALYSIS

A summary of all submissions is included in Appendix 2, along with corresponding responses from Council. The submissions raised a wide range of matters which are consistent with the broad nature of the DIAP. An example of some of the comments made through the submissions include:

- Requests for zebra crossings
- Requests for additional accessible parking spaces
- Requests for fencing and shade at playgrounds
- Requests for staff to undertake disability awareness training
- Requests for improved beach access
- Request for additional volunteering opportunities
- Suggestions made to improve the experiences and opportunities for people with sensory sensitivities

In response to the submissions some minor changes have been made to the DIAP, in particular some of the wording has been strengthened in the descriptions of the actions to ensure that concerns/suggestions will be considered as the actions are implemented. These changes are detailed in the submission analysis.

Some of the specific suggestions made through submissions do not necessarily fit within the DIAP which is mostly high level, and instead fit broadly under already identified strategies and actions. In these cases the proposals will be investigated further by the relevant Council business unit.

PROCUREMENT OPPORTUNITIES

Meaningful employment is one of the key focus areas of the DIAP. Given that Council is one of the largest employers on the Northern Beaches, there was an expectation expressed through community consultation that Council should lead the way and be a role model in terms of employing people with disability. There are a number of actions in the DIAP that will help Council to become a role model and community capacity builder when it comes to employing people with disability. Yet there are also opportunities that can be further investigated to provide employment for people with disability through Council's procurement processes.

In response to part B of the Council resolution of 26 April 2017 regarding reviewing opportunities for Council to enter into direct negotiation with employment services that provide employment for people with disability, a number of opportunities have been identified and are outlined below.

For the direct engagement of temp staff to work at Council a Local Government Procurement panel contract is used. In the matrix of services and suppliers on the panel 15 of the 30 agencies provide employment for people with disability. Council could encourage use of these agencies in selecting staff.

For large contracts over \$150K open tenders are required under the Local Government Act except in 'extenuating circumstances where a satisfactory result would not be achieved by inviting tenders.' Direct negotiation is not usually an option for these contracts, however, there are other changes that could be made with respect to supplier selection to reflect the additional value that social enterprises bring.

Regarding lower value contacts (less than \$30K) and mid value contracts (\$30K to \$150K), the requirement to obtain quotes is an internal guideline only. There may be opportunities to enter into direct negotiation in certain circumstances when deemed appropriate. There is potential to develop a database of social enterprises and make the list available on the Intranet for staff to access. A matrix of services and providers would enable staff to directly engage social enterprises or to include at least one (or more) when seeking quotes.

It is proposed that Council continue to investigate the above options and implement those deemed viable. Investigating these options falls under DIAP action FA3-05 'Review and update tendering documentation guidelines/criteria to ensure procurement processes are inclusive and accessible.'

OPERATIONAL PLAN 2017-18

The DIAP identifies over \$20M worth of CAPEX projects in the draft Operational Plan 2017-18 which have a strong focus on improving access and inclusion. This includes the Connecting All Through Play and Active Play programs aimed at improving the accessibility of playgrounds, surf clubs and sporting facilities. It is proposed to update this list following the adoption of the Operational Plan 2017-18 should there be any variation.

Furthermore, given the Community Strategic Plan and first three year Delivery Program does not need to be adopted until June 2018, it is also proposed to review and update the DIAP action plan to reflect the projects committed to by the new Council.

TIMING

The timing for implementing the actions in the DIAP is outlined in Appendix 2 of the DIAP. The DIAP is a four year plan, following which a new DIAP will be produced.

The adopted DIAP will be provided to the Disability Council NSW by 1 July 2017, as per the legislative requirement. Council is required to report on its progress on the actions in the DIAP in its Annual Report and provide details to the Minister for Disability Services and the Disability Council NSW.

FINANCIAL IMPACT

Many of the actions in the DIAP will be implemented using existing operational budgets. CAPEX projects for 2017-18 will be confirmed following the adoption of the Operational Plan 2017-18. Funding for CAPEX projects in 2018-2021 will be confirmed following the adoption of the first three year Delivery Program by June 2018.

SOCIAL IMPACT

The implementation of the DIAP will provide significant opportunities for improvements to the lives of people living with disability on the Northern Beaches. While Council is already undertaking many initiatives that improve access and inclusion across the Local Government Area, the DIAP commits Council to a wide range of initiatives under the key themes of attitudes and behaviours, liveable communities, meaningful employment and systems and processes.

ENVIRONMENTAL IMPACT

All Council projects aim to protect and enhance the natural values of the environment. Environmental assessments are undertaken for Council projects as required.

ITEM 9.2	ADOPTION OF NORTHERN BEACHES COUNCIL SECTION 94A PLAN 2017
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND USE PLANNING
TRIM FILE REF	2017/177490
ATTACHMENTS	1 Northern Beaches Council Section 94A Plan 2017 (Included In Attachments Booklet)

REPORT

PURPOSE

To report the results of the public exhibition of the *Draft Northern Beaches Council Section 94A Plan 2017* (draft Plan), and seek approval for its adoption.

BACKGROUND

At its meeting on 3 May 2017, Council resolved to publicly exhibit a Draft Section 94A Plan 2017 (draft Plan), following an annual review. The draft Plan proposed minor administrative changes and revised the current Section 94 and Section 94A Schedule of Works for the former Warringah Local Government Area (LGA) to align with Council's Operational Plan and Budget 2017/18.

CONSULTATION

The draft Plan was exhibited from 6 May to 4 June 2017, together with Council's Operational Plan and Budget 2017/18. Exhibition of the draft Plan was undertaken in accordance with the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), and included the following activities:

- A project webpage enabling online submissions
- Bulk emails to over 13,500 members of the Community Engagement Register
- Notices in the Manly Daily
- Public displays at Council's Customer Service Centres and Libraries

Copies of the Section 94A Plan were also made available at Council's 'Budget Roadshow'. This comprised a series of presentations across the Northern Beaches for the Operational Plan and Budget 2017/18.

At completion of the exhibition, the project webpage received a total of 202 page visits, with 87 participants downloading documents.

Two (2) submissions were received in response to the exhibition of the draft Plan. Issues raised in the submissions are summarised below, together with Council's response:

Submission Summary	Council Response
Concern that Manly Vale is being ignored. Request for Council to improve the amenity of Manly Vale which is being subjected to higher density residential blocks and the new B-Line car park, with no beautification proposed. Concern that this area doesn't have a suburb name sign (2017/182972).	<ul style="list-style-type: none"> • Transport for NSW (TfNSW) will be constructing a large green wall on the side of the new car park at Manly Vale to provide vertical green space. Council and TfNSW are working to investigate other alternatives to improve the appeal of Condamine Street. • The former Warringah Council allocated a budget to undertake design works to allow for the planting of trees at Manly Vale. Unfortunately the cost of the proposed works

	<p>was prohibitive and Council was unable to progress the project further than concept design. Given the level of investment required, Council may revisit this project when an elected Council returns after September 2017 (2017/185964).</p> <ul style="list-style-type: none"> • Not all suburbs have a name sign however Council may investigate this when they establish their new signage strategy. • Council will seek comment on proposed projects with the exhibition of Council's Delivery Program.
The funding for "E7 – Open Space for Dee Why Town Centre and Surrounds" within the Section 94 Schedule of Works does not appear to have been used to provide any additional open space.	The remaining "E7 – Open Space for Dee Why Town Centre and Surrounds" funds are being used for the embellishment of open spaces as per the Warringah Section 94 Development Contributions Plan 2001. Council has already acquired additional open space at 27 Howard Avenue as identified under this Plan (2009/021708).

No changes are recommended to the draft Plan in response to the above submissions. It is therefore recommended that Council approves the draft Plan in the form in which it was publicly exhibited.

Submissions in response to the Operational Plan and Budget 2017/18 are addressed in a separate Council report.

TIMING

If adopted by Council, the draft Plan will commence on the date specified by Council in a public notice in the Manly Daily. All development applications and complying development certificate applications lodged on or after this date will be subject to the provisions of the adopted Plan.

FINANCIAL IMPACT

Adoption of the Draft Plan will guide the collection and expenditure of Council's Section 94A (S94A) works Program and the Section 94 (S94) works program for area covered by the former Warringah LGA.

ENVIRONMENTAL IMPACT

Any environmental impacts resulting from the works program will be mitigated through appropriate environmental assessment and management.

SOCIAL IMPACT

Adoption of the Draft Plan will enable Council to deliver a works program aimed at providing community facilities consistent with need and identified through the Community Strategic Plan.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council:

- A. Adopt the *Draft Northern Beaches Council Section 94A Plan 2017* in the form in which it was publicly exhibited.
 - B. Give public notice of the commencement date of the *Northern Beaches Council Section 94A Plan 2017*.
-

ITEM 9.3	PLANNING PROPOSAL PP0004/16 - 15 JUBILEE AVENUE, WARRIEWOOD
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND USE PLANNING
TRIM FILE REF	2017/174425
ATTACHMENTS	<ol style="list-style-type: none"> 1 📎 Planning Proposal Document (Included In Attachments Booklet) 2 📎 Gateway Determination (Included In Attachments Booklet) 3 📎 Comments and Submissions (Included In Attachments Booklet) 4 📎 Proposed Changes to LEP Mapping (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To advise Council of the outcome of the statutory exhibition for Planning Proposal PP0004/16 for 15 Jubilee Avenue, Warriewood, and to seek approval to amend Pittwater Local Environmental Plan 2014 (PLEP2014) to implement the Planning Proposal.

SUMMARY

Council received a Planning Proposal on 6 December 2016 for land at 15 Jubilee Avenue, Warriewood which sought to amend PLEP 2014 to change the zoning from IN2 (Light Industrial) to B7 (Business Park), increase the permissible building height from 11 metres to 15 metres, and to increase the permissible floor space ratio from 1:1 to 1.5:1.

Council at its meeting on 28 February 2017 resolved to support the change in land use zoning, but not the requested changes to building height and floor space ratio.

The Department of Planning and Environment (the Department) issued the attached Gateway Determination for the amended Planning Proposal, incorporating only the proposed change in zoning, on 6 April 2017. Amongst other things, the Gateway required further consultation with the public and with state agencies, and specified a 12 month timeframe for finalisation.

The statutory consultation period has concluded, with one submission being received. No changes are proposed as a result of this submission. Minor changes are proposed to the attached exhibited Planning Proposal to include the outcome of the statutory consultation required by the Gateway Determination.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council:

- A. Notes the outcome of the statutory exhibition of the Planning Proposal.
 - B. Endorses the request to change the zoning of the land at 15 Jubilee Avenue, Warriewood from IN2 (Light Industrial) to B7 (Business Park).
 - C. Exercises its delegation to finalise the proposed amendments to the Pittwater LEP 2014.
-

REPORT

BACKGROUND

Council received a Planning Proposal Application on 6 December 2016 from Mecone Planning for land at 15 Jubilee Avenue, Warriewood. The Application sought to change the zoning of the site from IN2 (Light Industrial) to B7 (Business Park), and to increase the permissible height of development from 11m to 15 m and the permissible floor space ratio from 1:1 to 1.5:1.

The application was reported to Council at its meeting of 28 February 2017. At that meeting, Council resolved to support the rezoning of the land from IN2 to B7, but not the proposed increases to building height and floor space ratio.

The amended Planning Proposal, incorporating only the proposed change in zoning, was submitted to the Department of Planning and Environment (the Department) for a Gateway Determination. On 6 April 2017 the Department issued the attached Gateway Determination permitting the Planning Proposal to proceed, subject to the following conditions:

- Further community consultation for a period of at least 28 days;
- Further consultation with:
 - NSW Roads and Maritime Services
 - Sydney Water
 - NSW Environmental Protection Agency
 - Ausgrid
- The amendment to PLEP 2014 is finalised within a period of 12 months (by 6 April 2018)

CONSULTATION

The Planning Proposal was placed on statutory exhibition for a period of 36 days from 15 April 2017 to 22 May 2017. This included written notification to all residents of the Warriewood Valley suburb, properties within the immediate vicinity of the site, community groups previously notified, and those who had previously made a submission during the non-statutory consultation phase.

In addition, a public notice was placed in the Manly Daily on Saturday 15 April 2017, and the Planning Proposal documentation was made available electronically on Council's website and in hard copy at each of Council's customer service centres.

One (1) submission was received during the statutory consultation period. The submission primarily focuses on traffic congestion in the area. The issues raised in this submission are discussed within the attached comments and submissions. The Applicant has also responded to this submission, and their comments are included in the attachment.

It is considered that the issues raised in the submission do not warrant changes to the Planning Proposal.

The Planning Proposal was forwarded to the following agencies for comment on 13 April 2017:

- NSW Roads and Maritime Services;
- Sydney Water;
- NSW Environmental Protection Agency;
- Ausgrid

Submissions were received from all agencies. In summary, the submissions raise either no issues with the proposal or matters that will be required to be addressed as part of any future development application for the site. The comments from each of these agencies are provided as attached comments and submissions together with Council's response. The State agency consultation requirements of the Gateway Determination have been satisfied.

Minor changes have been made to the exhibited Planning Proposal document to reference the outcomes of the consultation with the public and the abovementioned authorities.

TIMING

The Gateway Determination granted by the Department specifies (at condition 4) that the amendment of the PLEP 2014 is to be completed within a period of 12 months (by 6 April 2018). There are currently no known impediments to complying with this timeframe.

FINANCIAL IMPACT

The proposed rezoning will have no impact on Council's budget.

The rezoning of the site is anticipated to stimulate the development of the site, which will benefit the local economy and trigger a requirement to pay a Section 94 contribution to Council, which will assist in funding infrastructure improvements within the locality.

POLICY IMPACT

The amendment will rezone the site from IN2 (Light Industrial) to B7 (Business Park), with the change being given effect through the land use zone map under PLEP 2014 as per attached proposed changes to LEP mapping.

SOCIAL IMPACT

No additional social impacts are anticipated beyond those which were previously considered by Council at its meeting on 28 February 2017.

ENVIRONMENTAL IMPACT

No additional environmental impacts are anticipated beyond those which were previously considered by Council at its meeting on 28 February 2017.

ITEM 9.4	UPDATE ON THE INGLESIDE PRECINCT PLAN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND USE PLANNING
TRIM FILE REF	2017/175244
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To inform Council of the status of the Ingleside Precinct Plan and the pathway to rezoning of the land.

SUMMARY

Ingleside was first identified as a potential future urban area in the mid-1960s. In 2013, the Minister for Planning and the former Pittwater Council agreed to undertake a precinct planning project for the area. The project is being led by the Department of Planning and Environment (the Department) in partnership with Northern Beaches Council and UrbanGrowth NSW.

While the project has progressed steadily, delays have occurred as a result of unforeseen issues, such as the discovery of the endangered species *Microtis Angusi* (Angus Onion Orchid).

The Ingleside Draft Structure Plan and the Draft Land Use and Infrastructure Strategy were released for public consultation by the Department on 2 December 2016. The suite of draft consultant reports that informed the preparation of the Draft Structure Plan was also publicly released, together with a proposal to amend *State Environmental Planning Policy (Sydney Growth Centres) 2006*.

Minutes of the Ingleside Community Reference Group meeting held on 19 December 2016 were presented to Council at its meeting on 31 January 2017. The minutes included copies of each of the presentations made at the meeting by technical experts including Cox Richardson (Master Planners), EcoLogical Australia and Kinesis.

It is anticipated that the Department will publicly exhibit updated proposals before the end of 2017.

This report outlines the work undertaken immediately following the close of the consultation period and the pathway to rezoning of the land.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That a further report on the status of the Ingleside Precinct Plan is presented to Council upon public exhibition of updated proposals by the Department of Planning and Environment

REPORT

BACKGROUND

At its meeting on 18 February 2013, the former Pittwater Council agreed to participate in a precinct planning process with the then Department of Planning and Infrastructure and Urban Growth NSW for the Ingleside Release Area subject to the State Government funding the process and necessary studies, and the provision of a resource to Council for the duration of the planning process.

In making this decision, Council sought State Government acknowledgement that the following issues required resolution to progress the land release:

- The future protection and management of environmentally sensitive land, including environmental, biodiversity and creek line corridors;
- A sustainable and ecologically sensitive development form based on the highest standards;
- The sensitivity of downstream flooding from the upper catchment downstream to Warriewood Valley;
- The threat from bushfire and provision of emergency access/egress eg. bushfire;
- The economic viability of the land release particularly associated with the findings of the report to Council 19 October 2009;
- The extent of capitalisation evident in private landholdings in Ingleside;
- The need to upgrade Mona Vale Road and relevant intersections which would be exacerbated by any intensification of development in Ingleside;
- Provision of a comprehensive waste water management proposal;
- Comprehensive consideration of Powderworks Road and the amenity and safety of its users and adjoining residents;
- Delivery of infrastructure in a timely manner over the life of the development process;
- Financial risk to Council and the State Government if the development potential is not achieved or is delayed;
- Uncertainty with the developer funding mechanisms;
- Uncertainty with the implications of the programmed new Planning Act;
- Maintaining ridge lines as areas of well-designed landscaped areas dominated by trees rather than buildings;
- Opportunities for provision of affordable housing;
- Comprehensive Community engagement process including the establishment, from the outset, of a Community-based committee that will be regularly updated on issues, studies and progress of the Precinct Planning process.

CONSULTATION

The Minister for Planning, as the Relevant Planning Authority for the Ingleside Precinct, publicly exhibited the (i) proposed Amendment to the *State Environmental Planning Policy (Sydney Growth Centres) 2006*, and (ii) the Draft Ingleside Land Use and Infrastructure Strategy including the Draft Ingleside Structure Plan, from 2 December 2016 to 28 February 2017.

The *State Environmental Planning Policy (Sydney Growth Centres) 2006* (SEPP) specifically identifies the priority growth areas within the Sydney Region for the purposes of coordinating the release of rural land for urban purposes, and sets out any special provisions applying to that land.

The proposed Amendment to the SEPP, known as the Explanation of Intended Effect, identifies Ingleside as a 'Priority Growth Area'. As such, the SEPP and the Ingleside Draft Structure Plan would be required to be considered when assessing any development application on land within the Precinct.

Over 420 submissions were received regarding the exhibited documents, with the top fifteen (15) themes being:

- Transport, traffic, travel
- Biodiversity and environmental conservation
- Residential density, height and urban design
- Changes to land use
- Water Cycle Management
- Social Infrastructure
- Utilities, serviced areas
- Land acquisition, rates
- Bushfire management
- Planning and consultation process
- Visual impacts
- Sustainability
- Heritage
- Affordable housing
- Noise

A submissions analysis report is being prepared by consultants on behalf of the Department of Planning and Environment. It is anticipated that this report will be publicly released when it is finalised.

Mona Vale Road Upgrade

In February 2017 the Minister for Roads, Maritime and Freight exhibited draft plans for the western section of the Mona Vale Road upgrade, from McCarrs Creek Road, Terrey Hills to Powder Works Road, Ingleside intersections.

However, the NSW Government has not as yet financially committed to an upgrade of Mona Vale Road. Council with its project partners for the Ingleside Precinct is continuing discussions with Roads and Maritime Services aimed at securing Government commitment to upgrade Mona Vale Road in line with the rezoning of the Ingleside Precinct.

TIMING

The exhibited Draft Ingleside Land Use and Infrastructure Strategy, including the Ingleside Draft Structure Plan, are being reviewed by the project partners and consultant team having regard to public submissions.

The following key actions must be completed before the updated Ingleside Land Use and Infrastructure Strategy and Ingleside Structure Plan can be re-exhibited:

- The completion of a separate investigation regarding the alternate servicing arrangements for Wirreanda Valley and Bayview Estate, being the two sub-precincts identified as not being able to access traditional Sydney Water services;
- The preparation of the Biodiversity Certification Strategy and the Plan of Management for environmental conservation lands that will be in Council's ownership;
- Application to / approval by the NSW Office of Environment and Heritage for Biodiversity Certification;
- Planning Package (the Planning Instrument to rezone the land, Development Control Plan, Section 94 Contributions Plan);
- Other legislative changes associated with BASIX in terms of water and energy targets, and mechanism to deliver affordable housing;
- Approval to impose a Special Infrastructure Contributions levy for any development in Ingleside Precinct, with the levy to be used for the environmental conservation of lands (biodiversity offsets) and the Mona Vale Road upgrade.
- The preparation of documentation to achieve accreditation under the Green Star Communities Rating Tool (the project team are aiming for Australian best practice in this regard).

Although Council is not exhibiting the draft Planning Package, the exhibited draft Development Control Plan and Section 94 Contributions Plan for Ingleside will need to be considered by Council before adoption. The timing of their preparation and adoption is critical as both documents must be ready at the time that the Minister for Planning formally rezones the land in Ingleside.

It is anticipated that the Minister will publicly exhibit an updated Planning Package later in 2017. Council will be provided with an update on the draft Planning Package at that time.

FINANCIAL IMPACT

The feasibility of a land release development in Ingleside including the delivery of services and infrastructure and the associated financial risks are integral to the planning investigations for the Ingleside Precinct.

Additional to the feasibility modelling is the preparation of the Infrastructure Contributions model and documentation that clearly identifies all infrastructure necessary for Ingleside. This will be implemented via a Section 94 Contributions Plan and the Special Infrastructure Contributions levy.

SOCIAL IMPACT

The precinct planning for Ingleside ensures that the new planned residential community will be appropriately provided with/for in terms of infrastructure, sustainable living, educational, sporting and community facilities; as well as local nodes to provide for the day to day convenience retailing and social opportunity needs of local residents.

ENVIRONMENTAL IMPACT

To date, the precinct planning for Ingleside in conjunction with the technical consultant studies has and will continue to inform the preparation of the Ingleside Land Use and Infrastructure Strategy including the Ingleside Structure Plan towards its rezoning.

ITEM 9.5	REPORT ON PUBLIC EXHIBITION OF HOUSEKEEPING AMENDMENTS TO PITTWATER LOCAL ENVIRONMENTAL PLAN 2014
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND USE PLANNING
TRIM FILE REF	2017/184465
ATTACHMENTS	<ol style="list-style-type: none"> 1 📄 Gateway Determination (Included In Attachments Booklet) 2 📄 Planning Proposal (as exhibited) (Included In Attachments Booklet) 3 📄 Planning Proposal as Updated Following the Close of Public Exhibition (Included In Attachments Booklet) 4 📄 Submissions to Exhibition of Planning Proposal (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To report to Council the outcomes of the public exhibition of the Pittwater Housekeeping Planning Proposal and to seek approval to make the proposed amendments to Pittwater Local Environmental Plan 2104.

SUMMARY

The Pittwater Local Environmental Plan 2014 (PLEP 2014) came into effect on 27 June 2014. Following its commencement, it became apparent that the Department of Planning and Environment (the Department) had made a number of changes to the Plan after it was adopted by the former Pittwater Council on 20 December 2013 before it was made, and without Council's agreement.

A Planning Proposal was subsequently prepared to address some of the more substantial changes made by the State Government.

A Planning Proposal was approved by the former Pittwater Council at its meeting on the 18th of May 2015 and forwarded to the Department seeking a Gateway Determination. The Department however requested a number of amendments that together represented a significant change in the intent and scope of the proposal. It was therefore decided to withdraw that proposal and submit a new revised proposal.

At the (Pittwater) Council meeting of 15 February 2016, it was resolved to withdraw the previous proposal and submit a revised Planning Proposal to the Department a Gateway Determination.

A conditional Gateway Determination was issued on 4 October 2016 as per attachment, requiring consultation with Transport for NSW (TfNSW) and the Roads and Maritime Services (RMS) with any required changes being incorporated prior to public exhibition.

Following public exhibition and consultation with public authorities, it is considered that two of the proposed amendments in the Planning Proposal should be deleted/ amended before finalisation.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council:

- A. Notes the outcome of the public exhibition of the Pittwater Housekeeping Planning Proposal.
 - B. Adopts the amended Pittwater Housekeeping Planning Proposal including the changes agreed with Roads and Maritime Services and deleting changes to minimum allotment sizes for three “split zone” properties in the Warriewood Valley.
 - C. Submits the amended Planning proposal to the Department of Planning to make the required amendments to *Pittwater Local Environmental Plan 2014*.
 - D. Advises those parties who made a submission on the Planning Proposal, and those land owners affected by proposed amendments to the Planning Proposal following public exhibition, of Council's decision.
-

REPORT

BACKGROUND

The Pittwater Local Environmental Plan (PLEP 2014) came into effect on 27 June 2014.

PLEP 2014 was intended to translate the provisions of the Pittwater LEP 1993 into the NSW Government's Standard Instrument—Principal Local Environmental Plan.

On 21 July 2014, Council was informed that a number of changes had been introduced to PLEP 2014 in the period between Council adopting the draft Pittwater LEP on 20 December 2013 and the PLEP 2014 being made by the Department of Planning.

PLEP 2014 has been amended 4 times since its commencement, via Section 73A of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to remedy minor errors resulting from changes made by the State Government.

It was determined that a Planning Proposal should be prepared to address the more substantial changes made to the Pittwater LEP 2014 by the State Government, as well as to address other 'house-keeping' matters identified since the LEP came into effect.

This Planning Proposal was presented to the former Pittwater Council at its meeting on 18 May 2015 at which time it was resolved:

1. *That Council endorse the Planning Proposal at Attachment 1 for forwarding to the Department of Planning & Environment (DP&E) with a request for a Gateway Determination to certify the commencement of a public exhibition to amend the Pittwater Local Environmental Plan (LEP) 2014.*
2. *That Council endorse making a request to the DP&E that Council's delegate (the General Manager) exercise delegation to finalise the proposed amendments to the Pittwater LEP 2014.*

The Department did not issue a Gateway Determination, citing a number of unresolved matters in the Planning Proposal. These matters were resolved following negotiations; however it resulted in a number of amendments to the endorsed Planning Proposal submitted for a Gateway Determination. Given the scope of the changes requested by the Department, it was decided to withdraw the Planning Proposal and submit a new request.

The Planning Proposal incorporating the changes required by DP&E was subsequently presented to (Pittwater) Council, at its meeting of 15 February 2016. At this meeting, it was resolved:

1. *That Council withdraw the current Gateway Determination request forwarded to the Department of Planning and Environment (DP&E) on 26 May 2015.*
2. *That Council endorse the amended Planning Proposal for forwarding to the Department of Planning and Environment (DP&E) with a request for a Gateway Determination to certify the commencement of a public exhibition period to amend the Pittwater Local Environmental Plan (LEP) 2014.*
3. *That Council endorse to make a request to the Department of Planning and Environment (DP&E) that Council's delegate (the General Manager) exercise delegation to finalise the proposed amendments to the Pittwater LEP 2014.*

A copy of the amended and exhibited Planning Proposal is attached.

Changes Made To Exhibited Planning Proposal

Two changes are proposed to the exhibited proposal. A description of these changes follows. The updated Planning Proposal incorporating these changes is in Attachment 3.

Access to Properties along Barrenjoey Road and Wakehurst Parkway

The Gateway Determination issued by the Department on 4 October 2016 required Council to consult with Transport for NSW (TfNSW) and Roads and Maritime Service (RMS) prior to public exhibition. TfNSW raised no concerns.

At the request of the RMS, the provision for additional permitted uses over certain land zoned SP2 Infrastructure - Classified Road (known as Amendment 9 in the Council endorsed Planning Proposal) was removed before the Planning Proposal was placed on public exhibition. Its removal meant that properties along on Barrenjoey Road and Wakehurst Parkway could potentially lose access or the ability to construct access structures.

During the public exhibition period, Council sought a meeting with RMS to facilitate retention of access to private properties along Barrenjoey Road and Wakehurst Parkway. Agreement with the RMS has now been reached and the Planning Proposal has been updated to include the following text, as agreed to by Council and the RMS.

Schedule 1 – Additional Permitted Uses

24. Use of certain land in Zone SP2 Infrastructure “Classified Road”

- (1) This clause applies to land identified as “Area 24” on the Additional Permitted Uses Map*
- (2) Development for access purposes to a dwelling house are permitted with development consent, but only if the consent authority has considered the following:*
 - i. The effect of the proposed development on the costs of acquisition.*
 - ii. The imminence of acquisition, and*
 - iii. The costs associated with the reinstatement of the land for the purpose for which it is to be acquired.*

This revised clause (and mapping) is consistent with the intent of the proposal agreed to by the former Pittwater Council on 15 February 2016.

Minimum Lot Size – 3 Properties

Three properties the subject of the Planning Proposal are currently zoned part R3 medium density residential (inside the Warriewood Valley Urban Release Area) and part RU2 Rural Landscape (outside the Release Area).

The Planning Proposal (Amendment 10) sought to reduce the minimum lot sizes for the portion of those properties zoned RU2 (being the residue lot), effectively allow a dwelling entitlement on that part of the lot.

The 3 affected landowners notified of the proposed changes, did not provide a response during the exhibition period.

Developing these three properties as part of the Warriewood Valley Release Area means that the portion of land zoned RU2 is in effect a residue allotment containing vegetation and tree canopy that affords the necessary vegetated buffer between the escarpment and the Warriewood Valley Urban Release Area. Changing the minimum lot size for these three properties would permit the residue allotments to gain a dwelling entitlement that may result in loss of the vegetated buffer, impact on the biodiversity within the escarpment, and have bushfire and access implications. It is considered appropriate therefore to withdraw this amendment from the Planning Proposal to allow a closer consideration of potential implications.

Removing this amendment does not affect the current opportunity to subdivide and develop these three properties.

CONSULTATION

The amended Planning Proposal was placed on public exhibition for 30 days (22 April to 22 May 2017). Notification letters were sent to registered community groups within the former Pittwater Council area. Given the number of proposed changes relating to Warriewood Valley, a detailed letter specifically explaining these provisions was sent to the Warriewood Valley Residents Association. For those properties affected by specific changes, affected land owners were notified. This included the properties along Barrenjoey Road and Wakehurst Parkway.

A notice was placed in the Manly Daily advising of the exhibition, and copies of the Planning Proposal and 'Plain English' explanation were distributed to all customer service centres and main libraries. Copies of the document were also available, and comments invited, through the Your Say Northern Beaches community engagement hub.

Letters were also sent to the following state agencies:

- Roads and Maritime Services (prior to public exhibition and during)
- Transport for New South Wales (prior to public exhibition and during)
- Department of Planning and Environment
- Department of Primary Industry - Lands
- Rural Fire Services
- Fire and Rescue NSW
- Ausgrid
- Sydney Water

No state agency raised objections to the amended proposal. Three responses to the exhibited Planning Proposal were received from the community however none raise issues that would warrant further amendment to the Planning Proposal in addition to the changes recommended in this report. The full list of submissions is attached. Landowners affected by the changes made post exhibition, as well as those who made a submission, will be notified of Council decision on this Planning Proposal.

TIMING

Should Council support the amended Planning Proposal, it is anticipated that it could be finalised and the amendments made within 8 weeks by the Department.

FINANCIAL IMPACT

Costs involved in implementing the Planning Proposal can be accommodated within current budget allocations.

SOCIAL IMPACT

There is considered to be no substantial social impacts from the Planning Proposal.

ENVIRONMENTAL IMPACT

There is considered to be no substantial environmental impacts from the Planning Proposal.

ITEM 9.6	REPORT OF THE PUBLIC EXHIBITION OF THE PITTWATER WATERWAY DISCUSSION PAPER
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND USE PLANNING
TRIM FILE REF	2017/182998
ATTACHMENTS	<p>1 ⇒ Outcomes Report of the Public Exhibition of the Pittwater Waterway Discussion Paper with Attachments (Included In Attachments Booklet)</p> <p>2 ⇒ Pittwater Waterway Discussion Paper (Included In Attachments Booklet)</p>

EXECUTIVE SUMMARY

PURPOSE

To present Council with the Outcomes Report of the public exhibition of the Pittwater Waterway Discussion Paper and to seek Council endorsement to progress the Pittwater Waterway Review to Stage 2 – The Strategy.

SUMMARY

At its meeting on 28th March 2017, Council resolved to place the Pittwater Waterway Discussion Paper on public exhibition for a period of six weeks.

In accordance with Council's resolution, the Pittwater Waterway Discussion Paper was placed on public exhibition for a period of six weeks from 1st April to 14th May 2017, including an extended study area as endorsed by Council.

The Outcomes Report, which details the community engagement events held, submissions received and forward path of the Review, is at Attachment 1.

The Outcomes Report identifies a range of key issues and identifies potential responses to those issues. Stage 2 of the Waterways Review involves the preparation of a Waterways Strategy using the information obtained in Stage 1 of the Review.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council:

- A. Notes the outcomes of the public exhibition of the Pittwater Waterway Discussion Paper, as presented in this report.
 - B. Progress the Pittwater Waterway Review to Stage 2, involving the preparation of a Strategy document.
 - C. Further consider the draft Strategy document once prepared.
-

REPORT

BACKGROUND

The Pittwater Waterway Discussion Paper (Stage 1 of the Pittwater Waterway Review) was reported to Council at its meeting on 28th March 2017. Council subsequently resolved to:

- A. *Receives the report outlining the background to the Pittwater Waterway Review and the Pittwater Waterway Discussion Paper*
- B. *Authorise the Pittwater Waterway Discussion Paper to be placed on public exhibition for a period of six weeks.*
- C. *Extend the existing scope of the Pittwater Waterway Review to incorporate the entire study area as comprised in the Pittwater Marine Industry – Demographic & Economic Study, 2016.*
- D. *Direct the General Manager to seek a high level meeting with Road and Maritime Services to discuss the impacts and implications of the current boating demand management policies.*

In accordance with Council resolution B and C, the Discussion Paper was placed on public exhibition for a period of six weeks from 1 April to 14 May 2017, and included an extended study area.

The Outcomes Report at Attachment 1 outlines the outcome of the public exhibition. The Discussion Paper is contained for reference at Attachment 2.

With regard to Council resolution D, a meeting has been arranged with Roads and Maritime Services (RMS) to discuss the impacts and implications of their current boating demand management policies.

CONSULTATION

The Pittwater Waterway Discussion Paper was placed on public exhibition for a period of six weeks from 1 April to 14 May 2017 and included an extended study area. The details of the community engagement events are detailed in the Outcomes Report contained at attachment 1.

In summary, the following issues were raised most often in submissions:

- Concerns with moorings (raised in 39% of submissions)
- Impact of urbanisation on water quality (raised in 33% of submissions)
- Waste management problems (raised in 28% of submissions)
- Support for ecological diversity and bush care (raised in 27% of submissions)
- Support for marina expansion (raised in 27% of submissions)
- Opposition to marina expansion (raised in 22% of submissions)
- Support for other boat storage options (raised in 25% of submissions)
- Public access to the waterway/ sustainable transport networks (raised in 25% of submissions)

The Key Outcomes and actions from Stage 1 are:

- Close Stage 1 of the Review – The Pittwater Waterway Discussion Paper;

- Progress to Stage 2 – The Pittwater Waterway Strategy (the Strategy);
- Note and continue to reference the feedback and information received in the initial consultations stage and the public exhibition of the Pittwater Waterway Discussion Paper;
- Note and continue to reference the supporting background reports identified during Stage 1 and update at Stage 2;
- Record and continue to reference the Pittwater Waterway Discussion Paper – Stage 1 of the Review and the associated Outcomes Report to provide information and an overview of the key issues impacting Pittwater with possible strategies moving forward;
- Continue the emphasis of Ecological Sustainable Development in accordance with the aim of the Review and submissions received during the public exhibition of the Discussion Paper;
- Further investigate at Stage 2 the possible strategies of the Discussion Paper and additional possible strategies arising from the submissions received during the public exhibition of the Discussion Paper;
- Continue ongoing consultation with Internal Council Divisions in a collaborative approach to achieve the objectives of the Review;
- Continue consultation with relevant State Agencies in a collaborative approach to achieve the objectives of the Review;
- Continue identifying and consider any gaps in the Review during Stage 2;
- Draw further analysis of data from the HillPDA (2016) study and data provided by Transport for NSW;
- Add further information, make amendments where highlighted in the submissions received and include in Stage 2 – The Strategy, where required;
- Note clarification that the review of Dog Exercise Areas continues to be out of scope of this Review.

Forward Path

The Outcomes Report signifies the end of Stage 1 of the Review. The Pittwater Waterway Discussion Paper aimed to provide an overview of key issues impacting Pittwater, with possible strategies for moving forward.

Stage 2 of the review is the Pittwater Waterway Strategy (the Strategy). This will set the strategic framework for future planning and decision making based on the consultation process and data gathered as part of Stage 1 (the Discussion Paper). The Strategy will guide and inform future decisions and actions associated with the Pittwater waterway, including allocation of specific actions to relevant stakeholders, such as State Agencies and Council.

At Stage 2, the response actions set out in the Outcomes Report will be addressed.

A draft Strategy will be prepared and submitted to Council, with a recommendation for its public exhibition. This approach will enable the community to be engaged further in the development of future actions.

FINANCIAL IMPACT

Existing operational budgets will be utilised during the preparation of the Draft Pittwater Waterway Strategy (Stage 2 of the Review).

SOCIAL IMPACT

Consultation with the community will be undertaken at Stage 2 of the Review as part of the public exhibition of the draft Pittwater Waterway Strategy.

ENVIRONMENTAL IMPACT

The development of the draft Pittwater Waterway Strategy will have an emphasis on ecologically sustainable development as outlined in this report.

ITEM 9.7	PLANNING PROPOSAL (PP0001/17) 1 & 3 NARRABEEN PARK PARADE, NORTH NARRABEEN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND USE PLANNING
TRIM FILE REF	2017/183323
ATTACHMENTS	<ol style="list-style-type: none"> 1 ➡ Referral Comments Received From State Agencies (Included In Attachments Booklet) 2 ➡ Internal Referral Comments (Included In Attachments Booklet) 3 ➡ Summary of Submissions (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To report upon the assessment of a Planning Proposal lodged for 1 & 3 Narrabeen Park Parade, North Narrabeen and to seek Council's approval to reject the Planning Proposal.

SUMMARY

In March 2017, Council received a Planning Proposal seeking to amend the Pittwater Local Environmental Plan 2014 (PLEP 2014) to permit 3-4 storey Shop Top Housing development on land at 1 & 3 Narrabeen Park Parade, North Narrabeen. The Planning Proposal also proposes to fund an upgrade to part of the public reserve immediately south of 1 Narrabeen Park Parade which would include the removal of 4 of 6 mature Norfolk Island Pines.

Council has undertaken an assessment of the Planning Proposal in accordance with the NSW Planning & Environment's *Planning Proposals: A guide to preparing planning proposals* (2016), and concluded that the proposal does not have sufficient merit to be progressed to a Gateway Determination.

The Planning Proposal is not supported on a number of grounds including: lack of strategic merit, the removal of trees on Crown land, inconsistency with Council's adopted Strategic Planning framework and State Government Local Planning Directions, and unacceptable development outcomes.

It is recommended that Council does not submit the Planning Proposal for a Gateway Determination.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

- A. That Council does not submit the Planning Proposal lodged for 1 & 3 Narrabeen Park Parade, North Narrabeen for a Gateway Determination for the following reasons:
 1. It would involve the removal of 4 Norfolk Island Pines on Crown land under trust (former Pittwater Council).
 2. It is inconsistent with the relevant local strategic plan being the *Pittwater Local Planning Strategy (2011)*.
 3. It has no strategic merit or site-specific merit when assessed on accordance with the NSW Planning & Environment's *Planning Proposals: A guide to preparing planning*
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proposals (2016)

4. It is inconsistent with Local Planning Directions:
 - i. 1.1 Business and Industrial Zones
 - ii. 2.3 Heritage Conservation
 - iii. 3.1 Residential Zones
 - iv. 3.4 Integrating Land Use and Transport
 - v. 7.1 Implementation of the Metropolitan Strategy
 5. The development proposal is not considered an appropriate development outcome because it:
 - a. Seeks a height and dwelling density that is inconsistent with Council's strategic planning framework;
 - b. Is excessive in bulk and scale;
 - c. Is out of character with the locality;
 - d. Delivers poor urban design outcomes;
 - e. Would result in inadequate setbacks, building separation and privacy;
 - f. Would exacerbate the parking shortage in the area;
 - g. Represents a private rather than a public benefit; and
 - h. Is the subject of strong community opposition and is not considered in the public interest.
- B. That the proponent and interested parties who made a submission be advised of Council's decision.
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REPORT

BACKGROUND

Pittwater LEP 2014

1 & 3 Narrabeen Park Parade, North Narrabeen are currently zoned R2 Low Density Residential with a permissible building height of 8.5 metres. The R2 Low Density Residential zone does not permit commercial premises; however, No. 1 Narrabeen Park Parade currently operates as a café/restaurant apparently as an “existing use”.

The public reserve south of 1 Narrabeen Park Parade, North Narrabeen is zoned RE1 Public Recreation.

Neither 1 & 3 Narrabeen Park Parade, North Narrabeen, or the adjacent 6 Norfolk Island Pines, are included as heritage items in Schedule 5 Environmental Heritage of the PLEP 2014.

Crown land under trust

The public reserve south of 1 Narrabeen Park Parade, North Narrabeen (Lot 7069 DP1058602) is governed by the Lake Park Reserve Trust (R49115 notified 30 July 1913) and is classified as Public Purpose for Public Recreation. It is Crown land under trust with Council appointed as manager of the trust on 18 December 1992.

Planning Proposal (PP0001/17)

Council received a Planning Proposal on 30 March 2017 to amend the PLEP 2014 for land at 1 & 3 Narrabeen Park Parade, North Narrabeen. The proposal seeks to rezone the land from R2 Low Density Residential to B1 Neighbourhood Centre and increase the permissible building height from 8.5 to 13 metres.

The following supporting documents were submitted with the Planning Proposal:

- Bushfire Hazard Assessment Report
- Flood Information Advice
- Heritage Assessment Report
- Traffic and Car Parking Assessment
- Economic Impact Assessment
- Geotechnical Report
- Landscape Design
- Architectural Concept Plans
- Owner's consent

The Planning Proposal also proposes to fund an upgrade to part of the public reserve immediately south of 1 Narrabeen Park Parade, North Narrabeen and enter into an ongoing management agreement with Council for the maintenance of this upgrade. This proposal includes the removal of 4 of 6 mature Norfolk Island Pines. No owner's consent was submitted with the Planning Proposal as the public reserve is Crown land under trust with Pittwater Council appointed manager of the trust.

ASSESSMENT

Assessment of proposed changes to Crown land

A State Heritage Register Nomination Form for the 6 Norfolk Island Pines was submitted to Council in late 2016 seeking local heritage listing under the PLEP 2014. The nomination has been included on Council's list of Late Nominations for potential heritage listing, with its assessment anticipated within the next 12 months.

The proposed removal of 4 of the 6 existing Norfolk Island Pines as part of the submitted Planning Proposal has necessitated a preliminary heritage assessment by Council's heritage consultant. Council's Parks & Reserves Department, tree preservation officer and landscape architect have also provided comment on the proposal. A summary of comments received and planning staff responses is attached.

The referral comments were overwhelmingly of the view that the trees should be retained and any public domain upgrade should incorporate the trees. Council's heritage consultant recommended retention of the existing Pines, and further investigation of their significance, if it could not already be concluded that their retention was highly desirable in both heritage and urban design terms.

The following issues were raised by Council staff:

- The trees are healthy and have good structure with no obvious defects.
- Disruptions to stands of trees can potentially expose the remaining trees to stresses along their trunks and branches that were previously buffered by the surrounding trees.
- Removal of four trees could change wind loading patterns and expose the remaining two trees to greater potential for branch failure and resulting increased public risk.
- Norfolk Island Pines are exposed to lightning strikes along the coastal fringe. Maintaining the stand at 6 trees widens the odds that a stand would remain if one or two were to be struck.
- The trees are subject to a heritage nomination.
- The proposed driveway relocation to the eastern side of the foremost eastern tree would require excavation to achieve desired levels, potentially removing tension roots on the windward side of the tree. Due to the terrain and slope and lean of this tree, removal of any tension / structural roots on the eastern side could potentially destabilise the tree.
- The proposed landscape treatment on public land is not consistent with the current classification and cannot be supported. Any landscape treatment on public land should incorporate the Norfolk Island Pines.
- Removal of the Norfolk Island Pines will have an adverse environmental impact given they are dominant in defining the visual landscape character of the area.
- The visual quality of the location will be adversely impacted as the built form of the proposed building becoming the dominant visual element within the landscape.
- The Heritage Impact Statement is insufficient in outlining the history of 1 Narrabeen Park Parade and relationship with the locality and the Norfolk Island Pines.
- The social significance, demonstrated by the many submissions received in respect of the site, has not been considered in the Heritage Impact Statement.
- The trees are important longstanding landscape elements of the locality. They appear to be intentional, calculated plantings and not of the "invasive" dimension. They are an intentional

part of this place, as it has come to maturity. The public submissions received indicate the regard in which the trees are held.

- Disruption to ongoing operation of the car park, pedestrian access or the health of the Norfolk Island Pines is not supported.

Strong community opposition to the removal of the trees was documented as part of the public consultation of the Planning Proposal, with 143 submissions raising objection to the removal of the trees and 6 submissions indicated support for removing the trees. In addition, a petition opposing the Planning Proposal (including removal of trees) collected 676 signatures.

Based on the issues outlined above and the strong community opposition, the removal of 4 Norfolk Island Pines on Crown land under trust to Council is not supported.

Assessment of Planning Proposal

The assessment of the subject Planning Proposal has been undertaken in accordance with the NSW Planning & Environment's *Planning Proposals: A guide to preparing planning proposals* (2016).

Part 1 Objectives or intended outcomes

To amend the PLEP 2014 to enable a 3-4 storey Shop Top Housing development.

Part 2 Explanation of provisions

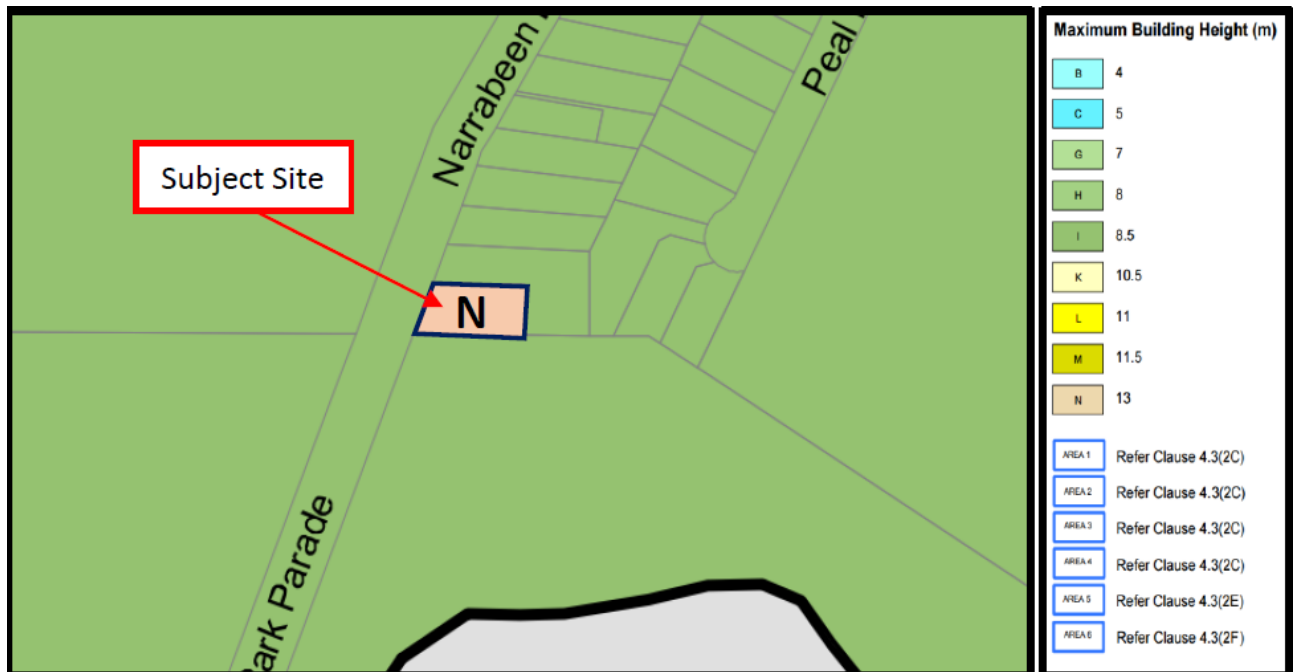
The Planning Proposal seeks to:

1. Amend the Land Zoning Map to show the subject land as B1 Neighbourhood Centre (map 1 below); and



Map 1: Proposed Land Zoning Map

2. Amend the Height of Buildings Map to impose a height of 13metres (Map 2 below).



Map 2: Proposed Height of Buildings Map

Part 3 Justification

Section A - Need for the Planning Proposal

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

No. The relevant strategic strategy is the *Pittwater Local Planning Strategy (2011)*, with which the Planning Proposal is inconsistent.

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

Yes. The Planning Proposal is the best, and only, means of achieving the objectives or intended outcomes.

Section B - Relationship to Strategic Planning Framework

3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Draft North District Plan (released in November 2016) is the applicable Draft District Plan. An assessment of the strategic and site specific merit of the proposal against this draft Plan appears below.

a) Strategic merit

Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans	<p><u>A Productive City</u></p> <p>Yes. The Planning Proposal is consistent with the Draft North District Plan in terms of Productivity Priority 1: Protect and support employment and urban services land.</p> <p>The Planning Proposal would contribute to some job creation in the short and possibly the long term, however, the Economic Impact Assessment does not assess the net increase of ongoing jobs associated with the Planning Proposal.</p>
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<p>released for public comment;</p>	<p>No. The Planning Proposal is inconsistent with the Draft North District Plan in terms of Productivity Priority 3: Prioritise the provision of retail floor space in centres.</p> <p>The site is not located within an existing centre.</p> <p><u>A Liveable City</u></p> <p>No. The proposed form addresses Liveability Priority 2: Deliver Housing Diversity; however, the site is in a low density residential setting. The proposal results in medium density housing that would be inconsistent with the existing character of its surrounds, particularly as the site (zoned R2 Low Density Residential) is not in an existing centre.</p> <p>Additionally, Northern Beaches Council has not yet had the opportunity to develop a comprehensive housing strategy to <i>“address housing diversity that is relevant to the needs of the existing and future local housing market”</i> and therefore it is premature to support this Planning Proposal where the proposal is unlikely to <i>“deliver quality design outcomes for both buildings and places”</i>.</p> <p>No. The Planning Proposal is inconsistent with the Draft North District Plan in terms of Liveability Priority 1: Deliver North District’s five-year housing targets.</p> <p>The Planning Proposal would contribute to housing supply generally; however, the five year target of 3,400 new dwellings is based on the LGA’s currently zoned land and dwelling forecast. Council does not require this Planning Proposal to meet this current target, and it should not be used as a justification to support this Planning Proposal.</p> <p>No. The Planning Proposal is inconsistent with the Draft North District Plan in terms of Liveability Priority 3: Implement the Affordable Rental Housing Target.</p> <p>The Planning Proposal would not contribute to Affordable Rental Housing stock. Northern Beaches Council is currently developing an Affordable Housing Strategy. Supporting the Planning Proposal will potentially prevent an opportunity to apply an Affordable Rental Housing Target as part of the orderly and economic development of land through Council’s strategic planning process.</p> <p>No. The Planning Proposal is inconsistent with the Draft North District Plan in terms of Liveability Priority 7: Conserve heritage and unique local characteristics.</p> <p>The Heritage Impact Statement is insufficient in outlining the history of 1 Narrabeen Park Parade and relationship with the locality and the Norfolk Island Pines. The concept design will have a detrimental impact on the sites heritage significance and the unresponsive architectural character, will adversely affect the locality and remove characteristics which presently lend it a sense of real identity and place. The combination of removing a longstanding building of local identity and a major landscape</p>
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	<p>element is not consistent with conserving heritage and unique local characteristics.</p> <p><u>A Sustainable City</u></p> <p>No. The Planning Proposal is inconsistent with the Draft North District Plan in terms of Sustainability Priority 6: Protect, enhance and extend the urban canopy.</p> <p>The Planning Proposal seeks to remove 4 healthy Norfolk Island Pines with good structure and no obvious defects.</p> <p>No. The Planning Proposal is inconsistent with the Draft North District Plan in terms of Sustainability Priority 7: Improve protection of ridgelines and scenic areas.</p> <p>The Norfolk Island Pines are subject to a heritage nomination and are important longstanding landscape elements of the locality. They are an intentional part of this place, as it has come to maturity. Their retention is highly desirable in both heritage and urban design terms.</p>
Consistent with a relevant local council strategy that has been endorsed by the Department;	No. The relevant strategic report is the <i>Pittwater Local Planning Strategy (2011)</i> , with which the Planning Proposal is inconsistent. The Department has not formally endorsed the <i>Pittwater Local Planning Strategy (2011)</i> ; however, it has been used to inform the PLEP 2014 which was gazetted on 30 May 2014 and came into effect on 27 June 2014.
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.	The Planning Proposal does not respond to a change in circumstances.

b) Site-specific merit

The natural environment (including known significant environmental values, resources or hazards),	The submitted Planning Proposal relating to 1 & 3 Narrabeen Park Parade does not have any known natural environment values that would prevent the proposal from progressing to a Gateway determination with a more detailed examination of potential issues.
The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal.	<p>The subject site is surrounded by detached dwelling houses to the east and north, a public reserve fronting South Creek to the south and the NRMA Sydney Lakeside Holiday Park to the west.</p> <p>Council's plans and policies do not propose any changes to the current uses.</p>
The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed	B1 Neighbourhood Centre is the lowest order centre within the PLEP 2014 with a consistent height limit of 8.5 metres applied. The Planning Proposal seeks a 13 metre height limit, a height only applied to the Mona Vale town centre, the highest order centre contained within the PLEP 2014 and also identified as a

<p>financial arrangements for infrastructure provision.</p>	<p>District Centre in the Draft North District Plan.</p> <p>Clause 4.5A of the PLEP 2014 prescribes a dwelling density for Shop Top Housing in B1 Neighbourhood Centre zones of a maximum of 1 dwelling per 150 square metres of site area. The Planning Proposal seeks to achieve approximately 1 dwelling per 86 square metres of site area.</p> <p>While it is acknowledged that the subject site is serviced by a local bus, it is not located within a centre or along a transport corridor with access to high frequency public transport, which is considered essential for any unplanned increases in dwelling densities, significantly at odds with Council's strategic planning framework.</p> <p>The Council carpark at North Narrabeen Rock Pool is fully occupied during the warmer months, with ample demand outside these peak periods due to its amenity and proximity near the water. Council's future intention to restrict parking on one side of the Narrabeen Park Parade in the location due to traffic volumes and road width will further exacerbate the parking problem in the area. Deficiencies in the number of car parking spaces provided cannot be supported, as it will impact the existing parking demands in the Council North Narrabeen Rock Pool Carpark and on street parking in Narrabeen Park Parade.</p> <p>From a traffic generation and demand perspective, it is reasonable to assume the Planning Proposal will have a minimal impact on existing traffic flows and is unlikely to increase the anticipated peak hour traffic in the road network. No additional intersection upgrades would be required.</p> <p>The proposed access to the basement car park is via Council North Narrabeen Rock Pool Carpark. That access across a public reserve/crown land is not supported. Any redevelopment of the sites should be used as opportunity to correct current access issues, with future vehicle access to the site being provided from Narrabeen Park Parade.</p> <p>The proposed development would attract a Section 94 development contribution payment; however, the proposed B1 Neighbourhood Centre would not be included in the town and village centres' maintenance and improvements program set out in the <i>Pittwater Section 94 Contributions Plan for Residential Development 2015</i>. Notwithstanding this, the proponent has agreed to fund the improvements and maintenance, stating:</p> <p><i>The proponent has agreed to fund and upgrade the public realm immediately to the south as part of the overall proposal in conjunction with Councils requirements and criteria. The proponent has agreed to implement an ongoing management agreement for the maintenance of the public realm.</i></p>
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4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

No. The Planning Proposal is inconsistent with the relevant strategic report, the *Pittwater Local Planning Strategy (2011)*.

The *Pittwater Local Planning Strategy (2011)* was adopted by the former Pittwater Council on 15 August 2011. The objectives of the *Pittwater Local Planning Strategy (2011)* are (inter alia):

- *Present in an open and transparent manner, the logical, evidence based rationale for future land use planning decisions in Pittwater;*
- *Provide for land use choices that are economically, environmentally and socially sustainable;*
- *Provide for land use planning decisions within Pittwater that are consistent with the State Plan, Metropolitan Strategy, Metropolitan Plan 2036 and Subregional Strategy and requirements contained therein;*
- *Provide a single mechanism that coordinates and focuses Council's planning activities;*
- *Establish strategic priorities and provide for growth in population and a corresponding growth in dwelling numbers and employment;*
- *Provide a sound foundation for a comprehensive Pittwater Local Environmental Plan and associated Development Control Plan; and*
- *Provide strategies to provide proactive growth management within the Pittwater LGA.*

An action in the *Pittwater Local Planning Strategy (2011)* is to retain existing Neighbourhood Centres, however the strategy does not discuss or recommend the creation of new Neighbourhood Centres within the former Pittwater Local Government Area. The *Pittwater Local Planning Strategy (2011)* does not discuss or recommend any land-use changes in the locality of the subject land.

The current zoning, R2 Low Density Residential, was introduced with the gazettal of the PLEP 2014 on 30 May 2014 and came into effect on 27 June 2014.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Title of State Environmental Planning Policy (SEPP)	Applicable	Consistent
SEPP No 1 – Development Standards	YES	YES
SEPP No 14 – Coastal Wetlands	NO	N/A
SEPP No 19 – Bushland in Urban Areas	YES	N/A
SEPP No 21 – Caravan Parks	YES	YES
SEPP No 26 – Littoral Rainforests	YES	YES
SEPP No 30 – Intensive Agriculture	YES	YES
SEPP No 33 – Hazardous and Offensive Development	YES	YES
SEPP No 36 – Manufactured Home Estates	NO	N/A
SEPP No 44 – Koala Habitat Protection	YES	YES
SEPP No 47 – Moore Park Showground	NO	N/A
SEPP No 50 – Canal Estate Development	YES	YES
SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	NO	N/A

SEPP No 55 – Remediation of Land	YES	NO
SEPP No 62 – Sustainable Aquaculture	YES	YES
SEPP No 64 – Advertising and Signage	YES	YES
SEPP No 65 – Design Quality of Residential Flat Development	YES	NO
SEPP No 70 – Affordable Housing (Revised Schemes)	YES	YES
SEPP 71 – Coastal Protection	YES	YES
SEPP (Affordable Rental Housing) 2009	YES	YES
SEPP (Building Sustainability Index: BASIX) 2004	YES	YES
SEPP (Exempt and Complying Development Codes) 2008	YES	YES
SEPP (Housing for Seniors or People with a Disability) 2004	YES	YES
SEPP (Infrastructure) 2007	YES	YES
SEPP (Integration and Repeals) 2016	YES	YES
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	NO	N/A
SEPP (Kurnell Peninsula) 1989	NO	N/A
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	YES	YES
SEPP (Miscellaneous Consent Provisions) 2007	YES	YES
SEPP (Penrith Lakes Scheme) 1989	NO	N/A
SEPP (Rural Lands) 2008	NO	N/A
SEPP (State and Regional Development) 2011	YES	YES
SEPP (State Significant Precincts) 2005	YES	YES
SEPP (Sydney Drinking Water Catchment) 2011	NO	N/A
SEPP (Sydney Region Growth Centres) 2006	NO	N/A
SEPP (Three Ports) 2013	NO	N/A
SEPP (Urban Renewal) 2010	NO	N/A
SEPP (Western Sydney Employment Area) 2009	NO	N/A
SEPP (Western Sydney Parklands) 2009	NO	N/A

SEPP No 55 – Remediation of Land. Should the planning proposal progress, further contamination investigations in accordance with Environment Protection Authority's requirements will be required as part of the Gateway process.

SEPP No 65 - Design Quality of Residential Flat Development. The concept drawings do not appear to comply with SEPP 65. Building design can be improved to reflect better modulation and to fit into the existing lower density residential context. Proposed residential floor plans should comply with Apartment Design Guide, especially with regard to building separation and privacy.

The following is a list of the deemed SEPP's (formerly Sydney Regional Environmental Plans) relevant to the Pittwater Local Government Area.

Title of deemed SEPP	Applicable	Consistent
SREP No 20 – Hawkesbury-Nepean River (No 2 - 1997)	YES	YES

In addition to the adopted SEPPs above, the Draft SEPP (Coastal Management) 2016 applies to the site, however, no impediments to the planning proposal have been identified and subsequent requirements can be addressed during any future Development Assessment stage.

6. Is the Planning Proposal consistent with applicable Ministerial Directions (Section 117 Directions)?

1 Employment and Resources			
	Direction	Applicable	Consistent
1.1	Business and Industrial Zones	YES	NO
1.2	Rural Zones	NO	N/A
1.3	Mining, Petroleum Production and Extractive Industries	NO	N/A
1.4	Oyster Aquaculture	NO	N/A
1.5	Rural Lands	NO	N/A

The subject Planning Proposal is inconsistent with Direction '1.1 Business and Industrial Zones' as the proposal does not satisfy objective (1)(a) encourage employment growth in suitable locations. Regardless, the net increase of ongoing job creation of the Planning Proposal has not been quantified.

2 Environment and Heritage			
	Direction	Applicable	Consistent
2.1	Environment Protection Zones	YES	YES
2.2	Coastal Protection	YES	YES
2.3	Heritage Conservation	YES	NO
2.4	Recreation Vehicle Areas	YES	YES

2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	NO	N/A
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The subject Planning Proposal is inconsistent with Direction '2.3 Heritage Conservation' as the proposal will have a detrimental impact on the sites heritage significance and therefore, does not satisfy the objective of the ministerial direction: to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The Heritage Impact Statement is insufficient in outlining the history of 1 Narrabeen Park Parade and relationship with the locality and the Norfolk Island Pines. The support the Heritage Impact Statement gives for the removal of four of the Norfolk Island Pines is concerning. They are important longstanding landscape elements of the locality. They appear to be intentional, calculated plantings and not of the "invasive" dimension. They are an intentional part of this place, as it has come to maturity. The public submissions received indicate the regard in which the trees are held.

The submitted building design (or concept) is of great concern. The combination of removing a longstanding building of local identity and a major landscape element (being two thirds of the Pine group) and replacing them with a building of much greater scale, height, bulk and overall size is not supported. The character of the suggested building is unsupportive of any local character or architectural flavour - appearing to promise an "urban anywhere" design that will dominate the area around its site.

Conclusions reached in the Heritage Impact Statement relating to building concept and design are not supported. The development maximises its rectangular form. Its height, bulk and scale are not cohesive with its surroundings and setting. The proposed building would introduce a form of development that is not consistent with local character, or existing buildings, or that relates to the adjacent landforms. The concept design represents an over-development of this site, and the unresponsive architectural character will adversely affect the locality and remove characteristics which presently lend it a sense of real identity and place.

An aboriginal heritage assessment, in accordance with Office of Environment & Heritage's requirements, will need to be provided, should the Planning Proposal progress to the Gateway process.

3 Housing, Infrastructure and Urban Development			
	Direction	Applicable	Consistent
3.1	Residential Zones	YES	NO
3.2	Caravan Parks and Manufactured Home Estates	YES	YES
3.3	Home Occupations	YES	YES
3.4	Integrating Land Use and Transport	YES	NO
3.5	Development Near Licensed Aerodromes	NO	N/A
3.6	Shooting Ranges	NO	N/A

The subject Planning Proposal is inconsistent with Direction '3.1 Residential Zones' for the following reasons:

- The Planning Proposal would deliver medium density housing in a low density residential setting, however, having recently been amalgamated, Northern Beaches Council has not yet had the opportunity to develop a comprehensive housing strategy that establishes the 'existing and future housing needs' set out in objective (1)(a).
- The Planning Proposal does not comply with objective (1)(c) to minimise the impact of residential development on the environment and resource land. The submitted building design (or concept) is of great concern. The combination of removing a longstanding building of local identity and a major landscape element (being two thirds of the Pine group) and replaced by a building of much greater scale, height, bulk and overall size.

It is also inconsistent with Direction '3.4 Integrating Land Use and Transport' as the Planning Proposal does not comply with the objectives of this ministerial direction. Additionally, the proposal does not comply with the 10 principles set out in the document *Improving Transport Choice - Guidelines for Planning and Development (2001)*, in particular Principle 1: Concentrate in centres, Principle 3: Align centres within corridors, and Principle 4 Link public transport with land use strategies.

4 Hazard and Risk			
	Direction	Applicable	Consistent
4.1	Acid Sulfate Soils	YES	YES
4.2	Mine Subsidence and Unstable Land	NO	N/A
4.3	Flood Prone Land	YES	YES
4.4	Planning For Bushfire Protection	YES	YES

The response to Acid Sulfate Soils, Flooding and Bushfire protection contained in the Planning Proposal is considered satisfactory to progress to the Gateway process.

5 Regional Planning			
	Direction	Applicable	Consistent
5.1	Implementation of Regional Strategies	NO	N/A
5.2	Sydney Drinking Water Catchments	NO	N/A
5.3	Farmland of State and Regional Significance on NSW Far North Coast	NO	N/A
5.4	Commercial and Retail Development along the Pacific Hwy, North Coast	NO	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (revoked)	-	-
5.6	Sydney to Canberra Corridor (revoked)	-	-
5.7	Central Coast (revoked)	-	-
5.8	Second Sydney Airport: Badgerys Creek	NO	N/A

5.9	North West Rail Link Corridor Strategy	NO	N/A
5.10	Implementation of Regional Plans	NO	N/A

6 Local Plan Making			
	Direction	Applicable	Consistent
6.1	Approval and Referral Requirements	YES	YES
6.2	Reserving Land for Public Purposes	YES	YES
6.3	Site Specific Provisions	YES	YES

7 Metropolitan Planning			
	Direction	Applicable	Consistent
7.1	Implementation of the Metropolitan Strategy	YES	NO
7.2	Implementation of Greater Macarthur Land Release Investigation	NO	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	NO	N/A

The subject Planning Proposal is inconsistent with Direction '7.1 Implementation of the Metropolitan Strategy' for the following reasons:

- The Planning Proposal is inconsistent with the Metropolitan Strategy's actions for achieving Direction 2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs, in particular Action 2.2.2 Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres.
- The Planning Proposal is inconsistent with the Metropolitan Strategy's actions for achieving Direction 2.3 Improve housing choice to suit different needs and lifestyles, including:
 - Action 2.3.1 Require local housing strategies to plan for a range of housing types. Having recently been amalgamated, Northern Beaches Council has not yet had the opportunity to develop a comprehensive housing strategy that establishes the housing needs of the community.
 - Action 2.3.2 Enable the subdivision of existing homes and lots in areas suited to medium density housing. The locality is not considered to be suited to medium density housing and the proposed height, bulk and scale not cohesive with its surroundings and setting.
 - Action 2.3.3 Deliver more opportunities for affordable housing. Northern Beaches Council is currently developing an Affordable Housing Strategy. Progressing the Planning Proposal will potentially prevent an opportunity to apply an Affordable Rental Housing Target as part of the orderly and economic development of land through Council's strategic planning process.

Section C Environmental, social and economic impact

7. 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 submitted Planning Proposal states: *“Although the subject site contains little in the way of valuable flora, and no discernible fauna, the planning proposal incorporates a significant embellishment of the public interface between the subject site and the hardstand car parking area in a manner that will provide for local species to be planted.”*

The Office of Environment & Heritage advises that consideration should be given to the possible significance of the Norfolk Island Pines for native species including the Osprey and White-bellied Sea Eagle. Records of these two threatened birds exist nearby and the trees may provide habitat. Adequate assessment should be undertaken for any relevant threatened species. This should be a requirement, should the Planning Proposal progress to a Gateway Review.

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

The submitted Planning Proposal states:

“The natural environment adjacent to the site will not only be sustained, but the significant embellishments proposed to the public areas will result in an improved environmental outcome for both the natural environment and the community environment.”

The existing trees shall remain and be protected to ensure that the landscape character is the dominance of vegetation over built form. Removal of the Norfolk Island Pines will have an adverse environmental loss by eliminating the trees as the dominant visual landscape character of the area. The State Emergency Service advises that should the Planning Proposal progress, consideration should be given to whether the roads surrounding or leading to the site may be inundated or impacted during a flood, to ensure the safety of the future occupants during a flood.

The Rural Fire Service advises that, should the planning proposal progress, compliance with the bushfire conditions will need to be adhered to and Council will need to enter into an agreement to landscape and manage this area in perpetuity.

No issues have been identified from a water management and natural environment perspective.

Potential geotechnical issues can be sufficiently dealt with at any future Development Assessment stage.

9. How has the Planning Proposal adequately addressed any social and economic effects?

The submitted Planning Proposal states: *“This planning proposal seeks to establish a land use that will strongly respond to the environmental, cultural, social and economic needs of this part of North Narrabeen in a sustainable manner. This will be achieved by ensuring that the environmentally sensitive areas in the locality are not decreased in their environmental values whilst at the same time enabling a landscape to be achieved with appropriate planting to provide a quality streetscape while creating employment, recreational and cultural opportunities which are, at the present time, in need of enhancement”.*

However, the social significance of 1 Narrabeen Park Parade, demonstrated by the many submissions received in respect of the site, has not been considered in the Heritage Impact Statement. The importance with which a local community invests a site may be disproportionate to the formal “heritage qualities” it otherwise demonstrates.

The premise of having ‘community benefit’ should be explored as a real opportunity to create better and usable public space. The current proposal shows a design which maximises the benefit of private use. A balance between private and public use as a ‘shared’ benefit should be offered. A ground floor setback at the ‘community space’ frontage is recommended to allow for wider range of activities such as outdoor dining.

The submitted Planning Proposal further provides: *"The planning proposal seeks to both promote and encourage local employment opportunities by providing commercial space on the ground floor which will bolster tourism by providing gathering areas for visitors which will be serviced by café, restaurants and the like which will support and also promote local and regional business and social networks"*.

The site is not located within an existing 'centre', according to Draft North District Plan. Intensification of development (largely residential) on the proposed site would not, therefore, be supporting an existing centre; however, the Planning Proposal is not likely to impact on commercial viability of nearby centres.

Given the current use of 1 Narrabeen Park Parade, any increase in commercial floorspace may not be significant; however, the Economic Impact Assessment does not quantify the net increase of ongoing jobs associated with the Planning Proposal. As a result, it is questionable whether the gross floor area for the commercial component is too optimistic for the retail catchment, especially given there is limited potential for further population growth in the adjacent residential area to the north of the site.

Section D State and Commonwealth interests

10. Is there adequate public infrastructure for the Planning Proposal?

Sydney Water Corporation recommends that, due to the proximity of the proposed development to Sydney Water assets, Council impose the following conditions on any subsequent Development Consent:

- The approved plans must be submitted to Sydney Water to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met;
- A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water.

Roads & Maritime Services advise that the potential traffic impacts to the surrounding local and arterial road network is considered minimal and would not require provision of transport infrastructure upgrades to support the proposed development.

11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Not applicable at this stage as the subject Planning Proposal has not progressed to the Gateway for a determination.

CONSULTATION

Preliminary (non-statutory) notification of the Planning Proposal was undertaken between 15 April and 12 May 2017 (28 days inclusive).

133 notification letters were sent to property owners and permanent residents in the immediate vicinity. The Planning Proposal was also advertised weekly in the Manly Daily during the exhibition period. Delivery issues appear to have occurred in some cases with some local residents reporting not having received letters. Notification letters were reissued on request.

The relevant documents were made available electronically on Council's website on the 'Exhibitions' page and via the 'ePlanning' portal, and in hard copy in Customer Service Centres at Manly, Dee Why and Mona Vale.

During the preliminary (non-statutory) notification of the Planning Proposal, 189 submissions were received from the community. Of these, 20 submissions support and 169 object to the Planning Proposal. In addition, a petition opposing the Planning Proposal collected 676 signatures.

A summary of the submissions received and Council's responses as attached.

The matters raised in submissions that support the Planning Proposal are:

- Improved access
- Improved amenity
- Aesthetics
- Tree removal acceptable
- In the public interest
- No impact on neighbours
- Sufficient parking provision
- Strategically located

The matters raised in submissions that object to the Planning Proposal are as follows:

- Council should not consider the Planning Proposal
- Over development
- Height
- Out of character
- Traffic generation
- Parking provision
- Flooding
- Removal of trees
- Safety (traffic)
- Infrastructure provision
- Decision made by the Administrator
- Inconsistency with strategic planning framework
- Height
- Heritage impact (trees)
- Heritage impact (building)
- Environmental impact
- Not in the public interest
- Impacts on neighbours
- Waste disposal
- Outdoor dining impacts

- Residential density
- Precedent
- Sufficient medium density zoning
- Community opposition
- Loss of public access
- Possibility of short term rentals
- Conclusions based on outdated data
- No affordable housing
- No need for commercial floor space
- Sufficient outdoor dining area
- Use inconsistent with classification of Crown land
- Access through public reserve
- Insufficient justification/merit
- Extensive excavation – both groundwater and root impact
- Burden on local residents to object
- Undermines public trust in the planning system
- Risk associated with commercial arrangement
- Unsubstantiated claims in submitted documentation
- Potential variations to standards
- Invalid application of metropolitan strategic plans
- Site contamination
- Geotechnical
- Council should purchase this land
- Higher development assessment fees
- Further information required
- Gas cylinders should not be part of the development
- Infrastructure upgrades should be conditioned
- Tree preservation measures needed during construction
- Noise impacts
- Won't help housing affordability
- View impact

- Independent assessment of trees
- Insufficient notification
- Impact on the lagoon

AGENCY REFERRALS

The following State agencies were advised of the Planning Proposal and invited to make comment:

- NSW Department of Planning & Environment
- Fire & Rescue NSW
- NSW Rural Fire Service
- NSW Ministry of Health (Northern Sydney Local Health District)
- State Emergency Service
- Roads & Maritime Services
- NSW Office of Environment & Heritage
- Ausgrid
- Jemena Gas Networks (NSW)
- Telstra Corporation
- Sydney Water Corporation

A summary of comments received and council staff responses is attached.

INTERNAL REFERRALS

Referrals were also sent to the following Northern Beaches Council Business Units requesting advice:

- Strategic & Place Planning
- Transport & Civil Infrastructure
- Natural Environment & Climate Change
- Environmental Compliance
- Parks & Recreation
- Community Engagement & Communications

The comments received from internal technical experts were critical of the proposal with respect to the proposed changes to both private and public land. A summary of comments received and council staff responses is attached.

FINANCIAL IMPACT

Should the Planning Proposal proceed and subsequently be finalised, it would have the following financial impact:

- a) Construction and ongoing jobs would be created with associated financial benefits.

- b) Commercial arrangements to be negotiated to maintain the public domain upgrade and bushfire asset protection zone in perpetuity, associated with the proposed development, could expose Council to financial risks.
- c) Any future development consent would require a contribution in accordance with the *Pittwater Section 94 Contributions Plan for Residential Development* (2015) to contribute to the provision of infrastructure and services required to support the development.

SOCIAL IMPACT

Should the Planning Proposal proceed and subsequently be finalised, it would have the following social impact:

- a) Both the Norfolk Island Pines and 1 Narrabeen Park Parade appears to have a strong social significance to the community, demonstrated by the many submissions received in respect of the site. This social significance has neither been acknowledged nor incorporated into the proposed changes in the Planning Proposal.
- b) The proposal represents a private rather than a public benefit and is not considered in the public interest.

ENVIRONMENTAL IMPACT

Should the Planning Proposal proceed and subsequently be finalised, it would have the following environmental impact:

- a) Adequate assessment should be undertaken as part of the Gateway process to the possible significance of the Norfolk Island Pines for native species including the Osprey and White-bellied Sea Eagle.
- b) The Planning Proposal will have adverse impacts on heritage and is inconsistent with Local Planning Direction 2.3 Heritage Conservation.

ITEM 9.8	DRAFT COMPLIANCE AND ENFORCEMENT POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2017/184670
ATTACHMENTS	1 Draft Compliance and Enforcement Policy (Included In Attachments Booklet)

A

EXECUTIVE SUMMARY

PURPOSE

To seek approval to place the draft Compliance and Enforcement Policy on public exhibition.

SUMMARY

This reports seeks exhibition of the attached new draft Compliance and Enforcement Policy for the Northern Beaches Council.

Once adopted the draft Policy would replace the compliance and enforcement policies of the three former Councils, thus supporting a single approach to compliance and enforcement across the Northern Beaches Council area.

The purpose of the draft Policy is to provide structure for consistency and transparency in decision making and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.

It is proposed to place the draft Policy on public exhibition for a period of 28 days, after which submissions will be considered and the final policy will be reported to Council seeking adoption.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council place the draft Compliance and Enforcement Policy on public exhibition for a period of 28 days.

REPORT

BACKGROUND

Prior to amalgamation each of the three former Councils had their own compliance and enforcement policies which were carried over to Northern Beaches Council. This reports seeks exhibition of the attached new draft Compliance and Enforcement Policy for the Northern Beaches Council.

If adopted the draft Policy would replace the compliance and enforcement policies of the three former Councils, thus supporting a single approach to compliance and enforcement across the Northern Beaches Council area.

The *'Enforcement Guidelines for Councils, December 2015'* and the *'Model Compliance and Enforcement Policy, December 2015'* issued by the NSW Ombudsman were used in the development of the draft Policy.

The purpose of the draft Policy is to provide structure for consistency and transparency in decision making and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.

The draft Policy aims to provide guidance on:

- responding to reports alleging unlawful activity
- assessing whether reports alleging unlawful activity require investigation
- deciding on whether enforcement action is warranted
- options for dealing with confirmed cases of unlawful activity
- taking legal action
- implementing shared enforcement responsibilities
- involvement with Private Accredited Certifiers and
- the role of the elected Councillors in enforcement.

The draft Policy outlines matters to be considered at the various stages of the enforcement process, from the receipt of reports alleging unlawful activity through to any enforcement actions Council determines are appropriate.

CONSULTATION

The draft Policy was developed in consultation with all Council Business Units, including General Counsel and the Internal Ombudsman's Office.

It is proposed that the draft Policy be placed on public exhibition for a period of 28 days prior to adoption.

TIMING

All submissions made during the public exhibition will be considered, after which the final policy will be reported back to Council seeking adoption.

FINANCIAL IMPACT

The costs of implementing the draft Policy can be met within budget.

SOCIAL IMPACT

Compliance and enforcement actions will be exercised to ensure the continued health and safety of the community.

ENVIRONMENTAL IMPACT

Compliance and Enforcement actions will be undertaken to effectively manage pollution control and minimise any environmental degradation or damage.

ITEM 9.9	SUBMISSION TO THE DEPARTMENT OF PLANNING AND ENVIRONMENT IN RESPONSE TO A GREENFIELD HOUSING CODE
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC LAND USE PLANNING
TRIM FILE REF	2017/183329
ATTACHMENTS	<ol style="list-style-type: none"> 1 ➡ Background Paper & Explanation of Intended Effect (Included In Attachments Booklet) 2 ➡ Submission on the Draft Greenfield Housing Code (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek approval to forward a submission to the Department of Planning and Environment (the Department) in response to their exhibition of the draft Greenfield Housing Code - Explanation of Intended Effect and the Background Paper.

SUMMARY

On 16 May 2017, the Department released the attached draft Greenfield Housing Code (draft Code) following its review of complying development in Greenfield areas.

The draft Code would form part of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 [Codes SEPP] and contains simplified standards for complying development in Greenfield areas.

The draft Code will apply to Warriewood Valley release area and the Ingleside Precinct, and potentially to the Northern Beaches Hospital Precinct if declared by the Department.

The draft Code applies to all residential zoned land including R3 Medium Density Residential and R4 High Density Residential zones. It permits dwelling houses as complying development on land where consent has been granted for subdivision to a minimum area of 200m², minimum width of 6m, and a minimum depth of 25m.

The primary concerns with the draft Code are:

1. The controls appear to be less stringent than local planning provisions, and could result in poor design and amenity outcomes that are inconsistent with the planned and agreed character/vision for Warriewood Valley and the Ingleside Precinct respectively, and potentially Northern Beaches Hospital Precinct.
2. It will allow expansion of private certification to include complex Greenfield housing developments such as those in Warriewood Valley and Ingleside Precinct which are subject to multifaceted environmental constraints.
3. The expansion of complying development can reduce community engagement in the development assessment process as there is no requirement for accredited certifiers to take into account public submissions, potentially resulting in poorer development outcomes.

The attached Council's submission to the Department provides a number of recommendations to address the issues raised and requests the commencement of the draft Code be delayed until these issues are resolved.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council forward the attached submission on the Draft Greenfield Housing Code to the Department of Planning & Environment in response to the exhibited Greenfield Housing Code - Explanation of Intended Effect and the Background Paper.

REPORT

BACKGROUND

The stated aims of the draft Code are to:

- Increase the uptake of residential complying development in Greenfield areas
- Enable fast tracked housing approvals in new release areas across NSW
- Fit within the existing Codes SEPP with simplified standards tailored to suit conditions in Greenfield areas that contain allotments which are of smaller lot sizes and narrower lot widths.

The draft Code permits dwellings as complying development on sites that meet the following eligibility criteria:

- Land in a residential zone (e.g. R2 Low Density / R3 Medium Density);
- The development at the subject site has been granted subdivision consent;
- Where lot size is a minimum of 200m²;
- Where lot width is a minimum of 6m; and
- Where lot depth is a minimum of 25m.

Also proposed is a *Greenfield Subdivision And Master-Planning Guideline* that is based on the broader strategic objectives of *A Plan for Growing Sydney*. The Guideline assists applicants and Council in achieving better design outcomes for large master-planned sites.

Areas affected / likely to be affected by the Greenfield Housing Code

The Draft Code applies to land defined as a residential release area under clause 136AB of the Environmental Planning & Assessment Regulation. The Draft Code will apply to the following areas in the Northern Beaches LGA:

- Warriewood Valley [Urban Release Area],
- Ingleside Precinct [listed as a Priority Growth Centre under exhibited amendment to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006], and
- Potentially, the Northern Beaches Hospital Precinct, identified as a Priority Precinct on 1 June 2017.

The draft Code focuses on approved residential lots ranging from 200m² to 550m² to allow more dwelling houses to be approved/ certified via the Complying Development Certification pathway.

Development controls applying to Warriewood Valley require subdivision proposals for lots less than 225m² in area or less than 9m in width to be accompanied by a proposed dwelling footprint/design, known as an 'integrated housing' proposal. This permits Council to issue development consent for the subdivision and house design(s)/footprints concurrently in areas like Warriewood Valley.

The controls for Warriewood Valley are similar to the controls for the Growth Centres that, in turn, will apply to the Ingleside Precinct.

It is anticipated that complying development will only capture those approved lots above 225m² in lot size and greater than 9m wide in the Warriewood Valley and Ingleside Precinct.

Less Stringent Development Standards

The controls appear to be less stringent than local planning provisions and may result in poor design and amenity outcomes that are inconsistent with the planned and agreed vision for Warriewood Valley, the Ingleside Precinct, and potentially Northern Beaches Hospital Precinct. The following key issues have been identified:

- No clear justification for setting 6m as the minimum allotment width for applying the draft Code.
- No definition of “landscaped area”, and the likely impact on the size and mature height of the required canopy trees at the front and rear of the site within the tight setbacks; impracticality/ reduced amenity of private open space as a result of planting these required canopy trees.
- Likely implications for Warriewood Valley and Ingleside Precinct in terms of water quality and quantity, as the water cycle management for each area is predicated on the calculation of site imperviousness in terms of site coverage/landscaped area.

The draft Code would benefit from establishing a set of controls to offset the likely impacts of this type of housing form, characteristically known as ‘small lot housing’. Its impacts on views, privacy, sunlight access, visual bulk and scale may result in poorer housing design and amenity outcomes.

To address these concerns, it is recommended that Council be permitted to set its own principal standards for complying development to cater to local conditions.

Expanded Private Certification

The draft Code will enable private certifiers to issue complying development certificates for housing development in Greenfield areas.

Concerns with the existing private building certification system in NSW are widely acknowledged. The proposal to expand complying development needs to be undertaken in conjunction with effective improvements to the certification system. The onus on the private certifier to ensure that the approved dwelling is not constructed/occupied until such time as the newly approved lot has been registered is problematic given previous performance of private certifiers to monitor of development sites.

Additionally, expanding complying development to include more challenging developments such as those in Warriewood Valley and Ingleside Precinct which are subject to multifaceted environmental constraints (e.g. biodiversity and bushfire, water cycle) that, in turn, increase flood occurrences/impacts, bushfire consequences, water quality issues, and potential degradation of the creekline corridors, is not supported.

Recent reforms to the private certification system are acknowledged, however more work needs to be done to audit and upskill private certifiers to increase their understanding of relevant criteria and the implications of their decisions. Council would also advocate for greater penalties for breaches by Private certifiers.

Reduced Community Engagement

Increasing the opportunities for complying developments can also result in a reduction in community engagement, as the owner or Certifier is not required to consider any submissions to the public notification of proposed complying development.

CONSULTATION

The Department of Planning & Environment has placed the Background Paper and the Explanation of Intended Effect to the draft Greenfield Housing Code on public exhibition from 6 May to 16 June 2017.

At Council's request, having taken account of Council's meeting schedule, the Department has granted Council an extension to forward its submission by 30 June 2017.

TIMING

The Department has not indicated when the draft Code will be adopted. However, the Department has stated there will be a three year transitional period for the implementation of the amended General Housing Code SEPP.

FINANCIAL IMPACT

The proposed expansion of complying development to allotments not yet registered with NSW Land and Property Information, can lead to increased non-compliance matters, resulting in staff resources tasked with investigating the non-compliances and addressing complaints. Although Council can issue offenders with penalties and fines for non-compliant developments, they are normally Council's last recourse after repeated attempts to get offenders to address matters raised. They are not the most effective approach to addressing non-compliance issues in the long run.

SOCIAL IMPACT

The proposed siting of canopy trees in small front and rear open spaces has significant potential to overshadow any proposed dwelling and cumulatively result in a reduction of residents' amenity and enjoyment of open space areas.

ENVIRONMENTAL IMPACT

The draft Code, if implemented, has implications for all developments in Warriewood Valley. The agreed water cycle management for each subdivision (inclusive of the site imperviousness and lot-based water management) could be adversely affected, resulting in more frequent flood events on downstream properties and along the creekline corridors (further degrading those corridors) and increased environmental pollution in environmentally sensitive areas such as Warriewood Wetlands and Narrabeen Lagoon.

The vision of a sustainable residential community at Ingleside that promotes housing that is sustainable - future-proofing measures, innovation in house designs and materials - is genuinely compromised by the draft Code. The less stringent development standards for housing product will result in standard outcomes, stifling innovation in housing design for the 'small lot' market. The water cycle management for the Ingleside Precinct is a delicate balance that will be severely disrupted if the site coverage and landscaped area standards proposed under the draft Code are not significantly increased.

ITEM 9.10	FUNDING AGREEMENTS FOR MANLY COMMUNITY CENTRE AND SERVICES AND MANLY WOMENS SHELTER
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY SERVICES
TRIM FILE REF	2017/184727
ATTACHMENTS	<ol style="list-style-type: none"> 1 2017-2020 Manly Community Centre & Services Inc Funding Agreement (Included In Attachments Booklet) 2 2017-2020 Manly Women's Shelter Incorporated Funding Agreement (Included In Attachments Booklet) 3 Letter from Manly Community Centre & Services Inc dated 5 May 2017 (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek Council approval to execute Funding Agreements for a three (3) year term from 1 July 2017 to 30 June 2020, with the following organisations: Manly Community Centre & Services Inc. and Manly Women's Shelter Inc. Also to seek approval for a yearly subsidy to these organisations over the term of the Agreements. Additionally, to seek approval to allocate funding from 2017/18 budget: \$90,349 to the Manly Community Centre & Services Inc. and \$61,102 to the Manly Women's Shelter Inc.

SUMMARY

The former Manly Council held Service and Management Agreements with Manly Community Centre & Services Inc. and Manly Women's Shelter Inc. Discussions were held with the Executives of both organisations to negotiate new Agreements with Council for the term 1 July 2017 to 30 June 2020, which are submitted with this report for Council approval.

These Agreements outline the terms and conditions of an annual operating subsidy to both organisations, and continue the relationship the former Manly Council had with these organisations. The Agreement with the Manly Community Centre and Services Inc. includes an extra \$10,000 requested to make up for a shortfall in funding of their Homeless Outreach Service.

Under Section 356 of the *Local Government Act 1993*, Council may in accordance with a resolution of Council grant financial assistance for the purpose of exercising its functions.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council:

- A. Authorise the Chief Executive Officer to do all things necessary to negotiate and enter into:
 - a. A Funding Agreement with Manly Community Centre and Services Inc. for the period 1 July 2017 to 30 June 2020
 - b. A Funding Agreement with Manly Women's Shelter Inc. for the period 1 July 2017 to 30 June 2020
- B. Without limiting the foregoing, authorise the Chief Executive Officer to execute the Agreements.

-
- C. Approve allocation of funding in the 2017/18 – 2019/20 budget as per the terms and conditions of the new Agreements, as follows:
- a. \$90,349 in 2017/18 and thereafter indexed by the CPI to the Manly Community & Services Inc.
 - b. \$61,102 in 2017/18 and thereafter indexed by the CPI to the Manly Women's Shelter Inc.
-

REPORT

BACKGROUND

(The former) Manly Council held Management & Service Agreements with Manly Community Centre & Services Inc. (from 1 July 2012 to 30 June 2017), and Manly Women's Shelter Inc. (from 29 November 2013 to 28 November 2016), which included the provision of an annual operating subsidy to these organisations.

On 13 December 2016, Council resolved to liaise with the Management Committees of Manly Community Centre & Services Inc. and Manly Women's Shelter Inc. to negotiate new Management and Service Agreements to commence 1 July 2017.

Manly Community Centre & Services Inc. (MCCS): Since 2001 (the former) Manly Council held a Service and Management Agreement with the Manly Community Centre Inc., as it was then known, resolving on 12 March 2001 to endorse and execute an Agreement with the organisation which included an annual operational subsidy.

MCCS is a non-government, charitable, not-for-profit organisation located primarily in Wentworth Street, Manly that has been operating for 40 years. Its primary aim is to provide a community focal point and meeting place and to highlight community welfare needs and to facilitate the development and delivery of services to meet those needs.

The MCCS provides information, counselling, financial and legal advice, volunteer recruitment and training, domestic violence services, family and children's programs, multicultural services, and homelessness services, including a homeless outreach program and drop in service. It also provides the base for a range of community services and organisations, such as Legal Aid NSW outreach and Centrelink outreach services.

MCCS also operates Settlement Grants Program services from its Manly base and from the

Brookvale Community Centre under agreement with Settlement Services International. This program assists settlement of migrants and refugees in Australia for less than five years.

As well it provides services to the Manly Women's Shelter, including the intake and assessment of potential clients seeking crisis accommodation.

The Centre has an average of 1,300 client contacts per month. Reasons for contact include: the drop-in service (50%), for material aid (20%), in relation to welfare matters (18%), and for information and advocacy (12%).

On 13 December 2016, Council approved the allocation of \$78,900 funding for 2016/17 under the Management and Service Agreement ending 30 June 2017.

MCCS also receives funding from the State Government (\$225,810 in 2015/16) and from the Commonwealth from the Settlement Grants program (\$113,535 in 2015/16). The organisation also fund raises to meet its operating costs and generates income from hall hire, accommodated services and other sources.

For the new Agreement seeking approval, the MCCS has requested a further \$10,000 funding per year, as outlined in their correspondence dated 5 May 2017 (attached). This is to cover a one day a week funding shortfall for their Homeless Outreach Service and will enable this service to continue to operate three days a week. Since 2011, this service has employed a Homeless Outreach Worker to work with Manly and Dee Why Police, Council's Community Safety Officer and Rangers, and other stakeholders, to successfully engage, assist and support at risk and homeless people, including referral to emergency and other housing support.

Manly Women's Shelter (MWS): (The former) Manly Council resolved on 12 September 2011, to provide the MWS with \$50,000 recurrent funding, formalising this funding arrangement with a Management and Service Agreement for the term 29 November 2013 to 28 November 2016.

The MWS is a community-based, non-government, not-for-profit organisation whose primary aim is to provide up to three months accommodation and support for homeless and at risk women without dependent children. The Shelter can accommodate up to 10 women at any one time, plus three women in their transition back to community program.

Since opening in 2010, over 300 women have been accommodated. The reasons for admittance are: domestic violence (29%), mental health (28%), financial hardship (23%), and drugs/ alcohol (20%). A case management approach assists residents to access permanent accommodation and community support systems.

On 13 December 2016, Council approved an allocation of \$60,000 funding to the MWS for 2016/17, which was an additional \$10,000 to the amount in their former Agreement with Council.

It costs approximately \$530,000 to run the Shelter per year with \$104,896 in grants received in 2016, including the \$60,000 grant from Council. No other direct government funding is received. Other income for 2016 included \$361,568 in donations from various sources and \$74,994 from fund-raising.

CONSULTATION

The Management Committees of the Manly Community Centre & Services Inc. and the Manly Women's Shelter Inc. were consulted in relation to the drafting of the new Agreements.

Legal advice was sought in relation to the new Agreements to ensure they are legally rigorous and include the necessary accountability measures to ensure Council's funding is spent appropriately, but without unnecessarily involving Council in aspects of the management of the organisations.

TIMING

The new Agreements have been timed to commence on 1 July 2017 as per Council's resolution of 13 December 2016. Both Agreements are now a three-year term.

FINANCIAL IMPACT

The Funding Agreement between Council and the Manly Community Centre & Services Inc. for a three (3) year term (1 July 2017 to 30 June 2020), will commit Council to the following funding:

- \$90,349 in 2017/18 – which includes \$10,000 extra requested to support the Homeless Outreach Service (as outlined previously).
- For each subsequent year of the Agreement the amount of \$90,349 will be increased to reflect CPI.

The Funding Agreement between Council and the Manly Women's Shelter Inc. for a three (3) year term (1 July 2017 to 30 June 2020), will commit Council to the following funding:

- \$61,102 in 2017/18.
- For each subsequent year of the Agreement the amount of \$61,102 will be increased to reflect CPI.

SOCIAL IMPACT

Funding for Manly Community Centre & Services Inc. and the Manly Women's Shelter Inc. provides positive social outcomes, in particular in relation to providing welfare services to those who are disadvantaged on the Northern Beaches, including services to those who are homeless,

as described above. Both organisations are held in high regard and are an integral part of the Northern Beaches' social infrastructure.

ENVIRONMENTAL IMPACT

Nil

ITEM 9.11	DEVELOPMENT APPLICATION (DA) SERVICE INTEGRATION: ADOPTION OF PROPOSED AMENDMENTS
REPORTING MANAGER	GENERAL MANAGER PLANNING PLACE AND COMMUNITY
TRIM FILE REF	2017/188084
ATTACHMENTS	<ol style="list-style-type: none"> 1 ➡ Summary of Submissions (Included In Attachments Booklet) 2 ➡ Draft Development Assessment Management Policy copy for Adoption by Council (Included In Attachments Booklet) 3 ➡ Exhibited Draft Development Assessment Management Policy (Included In Attachments Booklet) 4 ➡ Summary of Proposed Development Control Plan Amendments to be Adopted by Council (Included In Attachments Booklet) 5 ➡ Draft Northern Beaches Independent Assessment Panel (NBIAP) Charter 2017 to be Adopted by Council (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To adopt 3 documents for implementation; the policy on Management of Development Applications, the Development Control Plan amendments to all DCPs, the Charter for a single Independent Assessment Panel and associated delegations, and revoke a policy which is inconsistent with industry practices.

SUMMARY

The 3 documents proposed for endorsement by Council are critical to the Development Assessment Team, which is one of the 25 core organisational services identified in the Northern Beaches Council Implementation Plan for integration by July 2017.

Since November 2016, a significant amount of work has been undertaken to integrate the DA service. From pre-lodgement through to the decision stage, Council staff have reviewed how these services are delivered by each of the former councils, taking into consideration best practice and the Northern Beaches community's requirements and expectations.

On 28 March 2017, Council endorsed the public exhibition of 3 documents intended to provide a high level integration of the DA services across the organisation.

This report provides an overview of the outcomes of the public exhibition and recommends adoption of the proposed documents

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council

1. Adopt the Development Assessment Management Policy.
 2. Adopt the Development Control Plan amendments to Manly Development Control Plan 2013, Pittwater 21 Development Control Plan 2015, Warringah Development Control Plan
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2000 and Warringah Development Control Plan 2011.

3. Constitute the Northern Beaches Independent Assessment Panel ('NBIAP') and adopt as its charter the Northern Beaches Independent Assessment Panel Charter (NBIAP) 2017.
4. Abolish the former Panels known as Northern Beaches Development Assessment Panel, Northern Beaches Development Review Panel, Northern Beaches Independent Assessment Panel-South and Northern Beaches Independent Assessment Panel-PLEP (the 'former Panels') and revoke their respective charters.
5. Revoke all previous delegations for the determination of applications under Part 4 of the Environmental Planning and Assessment Act 1979 ('EPA Act')
6. Under section 377 of the Local Government Act 1993, the Council hereby delegates to the NBIAP the functions of Council under Part 4 of the EPA Act.
7. Resolve that the following applications be referred to NBIAP for determination by NBIAP:
 - i. Any development application with an estimated cost greater than \$2,000,000 (\$2 million) and where there are 3 or more unresolved objections, excluding any Category 3 applications under Warringah Local Environmental Plan 2000.
 - ii. Any application to modify a development consent previously determined by NBIAP or by any of the former Panels, which involves changes considered to be more than minimal environmental impact (i.e. section 96(2) of the EPA Act).
 - iii. The subdivision of land (excluding subdivision, community title and strata subdivision of an existing development or approved building works) with a net increase of 5 or more lots, and where there are 3 or more unresolved objections.
 - iv. All applications that were previously determined by NBIAP or NBDAP, and where a Section 82A or Section 96AB, Review of Determination has been submitted.
 - v. Any other development application, application for modification of consent or review of determination, referred by the the General Manager Planning Place and Community.

For the purposes of this resolution:

Unresolved objection means objections that are considered valid and that cannot be resolved through the imposition of appropriate conditions.

An objection may only be considered resolved, if in the opinion of the General Manager Planning, Place and Community or the Executive Manager Development Assessments, the objection is not valid or has been overcome by conditions of consent.

8. Delegate under sections 377 and 381 of the Local Government Act 1993 to the Chief Executive Officer (being the statutory general manager) of Northern Beaches Council, and to the person acting in the position of Chief Executive Officer during any period of vacancy in the office or absence from duty of the Chief Executive Officer, the functions of Council under Part 4 of the EPA Act.
 9. Revoke the former Manly policy No. M63. MIAP Protocols for Councillors.
 10. Revoke the former Warringah policy Application for Development - Policy for the Handling of Unclear, Non-Conforming, Insufficient and Amended Applications
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REPORT

BACKGROUND

At the meeting of 13 September 2016, the Northern Beaches Council Implementation Plan was adopted by Council. To allow the integration work to be prioritised and resourced the organisation has identified 25 core services to be substantially integrated by July 2017. Included within this list is development application (DA) administration, processing and assessment.

At the meeting of 8 November 2016, Council was also advised of the measures of success and priority areas that have been identified by the NSW Department of Premier and Cabinet (NSW DPC). The Premier has set a target for housing applications, requiring 90% of approvals to be determined within 40 days (includes both DAs and Complying Development Certificates (CDCs)). This measure must be base-lined for each of the former councils and then reported on as at September 2017.

Since November 2016, a significant amount of work has been undertaken to harmonise how the DA service is delivered by the organisation. Several project teams have been formed internally to focus on integrating and improving specific aspects of the DA management process, including teams working on the pre-lodgement service, lodgement processes, internal referral triggers and processes and delegations/determinations. From pre-lodgement through to decision stage, Council staff have reviewed how these services were delivered by each of the former councils, taking into consideration best practice and the Northern Beaches community's requirements and expectations. This report provides a summary of the feedback reviewed from the community in relation to:

- The handling applications, including incomplete and unacceptable non-compliant applications
- Consultation, notification and advertising of applications lodged with Council,
- Determination panels for complex and contentious applications.

Prior to exhibition, Council engaged with representatives from the Independent Advisory Group (IAG), Local Representation Committees (LRCs) and Strategic Reference Groups (SRGs) to seek input on these projects. During the exhibition period, 4 notices were placed in the Manly Daily and emails sent to 211 regular customers and interested parties on 3 occasions, to inform of the projects and three drop-in sessions being offered for information and feedback which were held at Manly, Dee Why and Mona Vale. The projects, including documentation were also available on the Northern Beaches Council YourSay page. A total of 11 submissions were received during the exhibition period. This feedback has been considered by the project teams in finalising the documents recommended for adoption. A summary of all submissions received is outlined in Attachment 1.

DEVELOPMENT ASSESSMENT MANAGEMENT POLICY

To ensure the efficient and effective use of Council's resources in the assessment of DAs and associated applications, a consistent approach to the handling of applications, and, applications which are problematic due to being incomplete, unclear or where variations are proposed which cannot be supported. This is particularly important in the context of targets set by the Premier of NSW for 90% of housing approvals to be within 40 days.

The draft policy outlines Council's commitments and expectations around applications for development. The primary purpose of the policy is to provide applicants and the community with clarity and certainty around Council's management of DAs. This document was exhibited for 6 weeks, during which 1 submission was received that opposed the draft policy. This has been addressed in Attachment 1. No changes to the policy have resulted from this submission, however

the proposed delegations have been amended to specify the only positions which are able to determine that an objection has been resolved. This issue was raised in the submission.

In March 2017, at the same time the draft policy was proposed to be placed on public exhibition, the Department of Planning and Environment released the Development Assessment Best Practice Guide. This best practice guide reflects the approach presented in the draft policy. The draft policy has been amended to reference this guide and reflect similar language used to describe unacceptable applications. The draft policy has also been reformatted to fit within the new template for Northern Beaches Council policies, and the new position titles references in the organisational structure. For comparison purposes the exhibited draft policy is presented in Attachment 3.

The revised policy, Attachment 2, is presented for adoption.

DEVELOPMENT CONTROL PLAN AMENDMENTS

DA administration and consultation processes are a significant component of the integration of the overall DA service. There are significant differences in the way applications are lodged and processed at each of the former council offices as a result of varying requirements in multiple DCPs (Pittwater 21 DCP 2015, Manly DCP 2013, Warringah DCP 2000 and 2011). These differences result in inefficient procedures for staff, and inconsistencies for applicants and the community in the way applications are administered and consultation is undertaken. The changes also take into account new technologies and real time notifications and access to information. For example Council places DA related information on the web which the public can access. Council's on-line searches are available to identify where applications are currently located which are under assessment. There are also third party websites which can instantly inform any person via email, of an application with Council that is within a prescribed distance of a location. In this regard several practices, such as notification in writing to community groups is superfluous and historically has been inconsistently applied.

A single set of controls for the exhibition, advertisement and notification of applications was drafted to be inserted into each DCP to replace the current control. The amendments also included the removal of checklists and administrative requirements. The removed details are being prepared for presentation in separate documents to assist applicants. By removing these details from the DCP, changes can be made quickly without a process of Council resolutions and exhibition. The amendments to the DCP were exhibited for 6 weeks, during which time 4 submissions were received relating to the proposed amendments. This feedback has been taken into consideration with, some minor changes being made to the proposed DCP amendment:

In every DCP:

- Amended the Outcome / Objective of the clause within Appendix A to include the word 'location'

In Warringah DCP 2000:

Amended the Advertised development types to include 'All development listed in Clause 23 of Warringah LEP 2000 (for land under WLEP 2000 only)'

In Manly DCP:

- Amended to include an appendix table that deletes cross reference to deleted paragraphs within the main body of text of the DCP
- Amended to retain existing geotechnical requirements within paragraph 4.1.8 as these could not be included in the DA checklist/guidelines

The revised DCP amendments, Attachment 4, is recommended for adoption.

Note: This amendment does not propose any changes to existing built form controls applying to each of the former local government areas. This is a significant project which will be undertaken as part of the integration of the existing Local Environmental Plans (LEPs) and will not be contemplated in detail until after the elected Council is in place.

DETERMINATION PANELS

Harmonisation of delegations and decision-making panels for DAs is a critical component of the integration of the DA service. Independent Assessment Panels (IAP) have been in place in both the former Warringah and Manly Council's for several years, with an IAP recently implemented for the former Pittwater Council area. IAP's assess and determine complex and contentious applications involving significant public interest and significant impact and provide a forum in which the public may present their concerns and opinions directly to a panel of independent experts and community representatives.

The three existing IAPs operate under a similar structure and charter, however there are major differences in relation to the form of development considered by a panel and the monetary value and number of submissions which would trigger an application to be elevated to a panel.

The project team developed a single IAP charter which will ensure greater consistency in development decisions and customer experience. The draft charter was exhibited for 6 weeks during which time 4 submissions were received relating to the charter.

- The feedback received related to operational issues with the panel. The appropriate feedback will be incorporated into a set of operational guidelines. The NBIAP charter has been amended to: reflect new positions in Councils new organisational structure
- remove the Memorandum of Understanding from the Charter, this is the contract signed by panel members and is not efficient to be adopted as part of the charter

The revised IAP charter (Attachment 4) is recommended for adoption. If endorsed, the process to recruit a single panel will commence shortly from the pool of existing panel members. In the interim period the existing panel members will be retained to allow continuity of service.

The current IAP's consist of a combined pool of 5 chairpersons, 13 expert members and 10 community members. The rationalisation of the panel pool will reduce the number to 2 chairpersons, 2 environmental experts, 2 urban design experts, 2 planning experts and 6 community representatives. Panel members will be required to be completely independent and members will be unable to engage business or employment on the Northern Beaches that may conflict, or be perceived to conflict, with their position on the panel in accordance with clause 6 of the Charter.

The existing IAP panel members are paid at a variety of rates ranging from:

- chairperson - \$3,000 including GST to \$4,791 excluding GST;
- expert members - \$2250 including GST to \$2500 including GST;
- Community Representatives - \$600 including GST to \$1000 excluding GST.

It is proposed that the new panel rates are consolidated to:

- Panel Chairs - \$3500 including GST;
- Expert Members - \$2500 including GST;
- Community Representatives - \$1000 including GST.

The adoption of a single IAP Panel and more specifically, an appropriate single set of delegations (criteria which require certain development to be referred to the panel), will result in fewer panel

meetings and savings for the community of approximately \$215,000 which will be reinvested to meet the Premier's target of 90% of housing approvals within 40 days.

To facilitate the introduction of IAP Charter, the delegations to determine development applications needs to be amended. This report recommends that the current delegations to NBIAP and NBDAP be replaced with new delegations specific to the new panel, with the remainder of applications to be delegated to the Chief Executive Officer for sub-delegating to staff.

The membership of the panel being totally independent of Northern Beaches Council is of fundamental importance to the impartiality and success of the panel. In being free of local conflicts of interest, and appointed by the Chief Executive Officer, the panel should be able to receive verbal submissions from Councillors on behalf of the community in the same way as anyone is able to make representations to the panel. This is common practice with Independent Assessment Panels across Sydney. The former Manly Policy No. M63, *MIAP Protocol for Councillors*, restricts any individual Councillor, including the Mayor, from addressing any meeting of MIAP, unless they are directly impacted or involved in the application. It is proposed that this policy be revoked.

Similar to the previous independent panels, there is currently a second tier of determination panels consisting of staff, (Development Unit or DU). The three existing DU panels have different delegations, triggers for referring different forms of development and meeting formats. It is planned to introduce a single second tier panel for other applications through sub-delegation delegations by the Chief Executive Officer once the new IAP charter is adopted.

CONSULTATION

Extensive engagement with key internal stakeholders, including development assessment officers, strategic planners, administrative staff and internal referral bodies has occurred in the drafting and finalisation of the proposed documents. Consultation with representatives from the IAG, LRCs and SRGs occurred in February, with engagement with the broader community, including local planning professionals during the exhibition period.

A total of 11 submissions were received during the exhibition period. The feedback received from these groups was highly valuable and has been taken into consideration by the project teams in finalising the draft documents recommended for adoption. A summary of the feedback received is outlined in Attachment 1.

TIMING

Should the proposed DCP amendments be endorsed by the Council, they will come into force once a notice has been placed in the Manly Daily. The proposed NBIAP Charter and Policy on Management of Development Applications will take effect immediately.

FINANCIAL IMPACT

Fees associated with the lodgment of DAs are set by legislation and generally do not cover the cost of delivering the service to the community. It is in the community's interest that in the integration of DA service, Council ensures that efficiencies and cost savings are delivered. The amendments proposed in this report support the objective to deliver efficiencies and cost savings. A saving associated with the integration of the IAP panels will allow for \$215,000 per year to be invested in to a higher level of service for Development Assessment as required by the Premier's targets.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

NORTHERN BEACHES COUNCIL

