



northern
beaches
council

AGENDA

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

Tuesday 13 December 2022

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

A handwritten signature in black ink, appearing to read 'Ray Brownlee', with a long horizontal stroke extending to the right.

Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

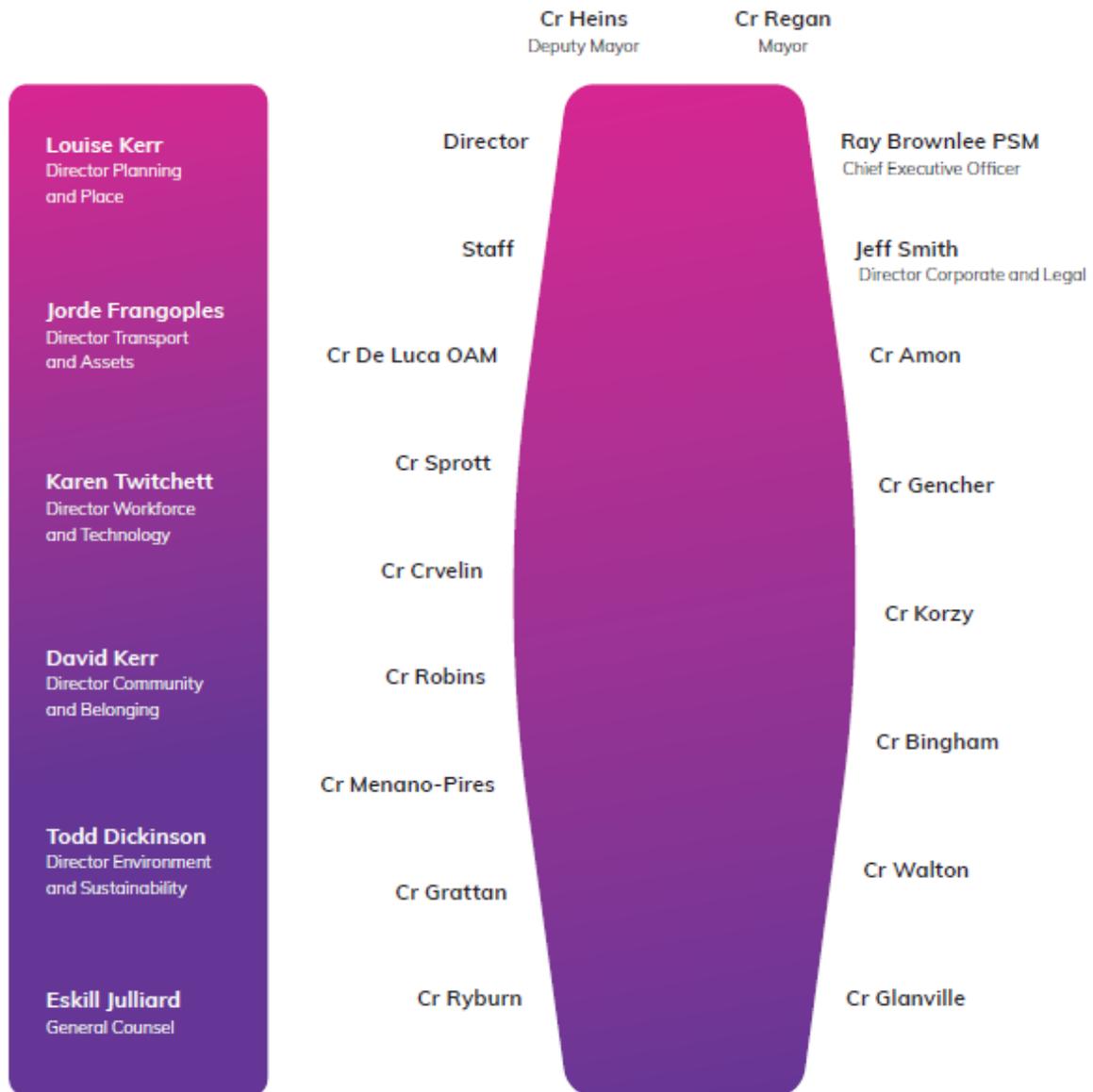
OUR VALUES

Trust Teamwork Respect Integrity Service Leadership

OUR OBLIGATIONS

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

Council Chambers Seating Plan



Public Gallery

**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 13 December 2022
at the Civic Centre, Dee Why
Commencing at 6:00pm**

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19.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

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

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 22 NOVEMBER 2022

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held 22 November 2022, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

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

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

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

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

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

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

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

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

6.0 ITEMS RESOLVED BY EXCEPTION

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

7.0 Mayoral Minutes

ITEM 7.1	MAYORAL MINUTE NO 26/2022 - RECOGNITION - DIGITAL IMPROVEMENTS
TRIM FILE REF	2022/761460
ATTACHMENTS	NIL

BACKGROUND

Last month Northern Beaches Council was recognised for its digital transformation work by CIO Magazine when we took out this year's inaugural CIO50 Best Government Project Award for our integrated human capital management, rostering and payroll systems – People Central.

It is certainly testament to the extraordinary efforts of our Information Technology and Project teams to receive this award and acknowledges the significant organisational effort involved in the implementation and adoption of new ways of working. CIO Magazine is a highly regarded IT industry publication that provides readers with peer insights and expertise on business strategy, innovation and leadership.

Staff have worked incredibly hard to optimise the employee experience by bringing together a number of technologies spanning AI, communications and document management and covers everything from recruitment to hiring, setting and measuring goals, learning and coaching to engagement with external networks. The challenges, let alone the scale of this project cannot be understated.

I also want to make particular mention, and congratulate our Chief Information and Digital Officer, Naren Gangavarapu who placed 5th in CIO's Top 50 of the Nation's most innovative CIOs. Such a deserving accolade for his commitment to business excellence. Each year, CIO Magazine celebrates achievements of the Top 50 senior technology and digital executives in the country who are driving innovations, building good cultures, and influencing leadership teams across their organisations. This is an amazing achievement by Naren who I'm sure would be the first to acknowledge the incredible efforts of his team alongside him.

This recognition is testament to the efforts of our Information Technology and People Central Project teams led by Naren, and of course the decisions of our CEO and Executive. It highlights the incredible and innovative work being done behind the scenes which ultimately benefits our community through improved services.

I ask Councillors to join me in congratulating Naren on his industry recognition and to thank the members of his team and others involved in the project.

MOTION

That Council formally acknowledge:

1. The dedication and commitment to excellence of our Information Technology and People Central Project teams for the recent recognition in CIO Magazine taking out this year's inaugural CIO50 Best Government Project Award
 2. The industry recognition of our Chief Information and Digital Officer, Naren Gangavarapu who placed 5th in CIO's Top 50 of the Nation's most innovative CIOs.
-



Michael Regan
MAYOR

ITEM 7.2	MAYORAL MINUTE NO 27/2022 - RECOGNITION OF AWARD FOR CUSTOMER SERVICE
TRIM FILE REF	2022/757073
ATTACHMENTS	NIL

BACKGROUND

Council was recently recognised at the National Local Government Customer Service Network Awards winning the Innovation of the Year category for the Customer Activity Tracker (CAT) project that was developed in-house by our Customer Service & Information Technology teams.

The National Local Government Customer Service Network (the Network) is a non-profit organisation made up of professionals who work in customer service within local government across Australia.

Staff across both teams worked collaboratively to develop a unique in-house 'real-time' dashboard that helps them optimise resourcing and enhance the customer experience by reducing wait times.

Our staff manage 300,000 customer contacts a year across four locations, capturing data on daily operations from multiple legacy platforms. Contact data was difficult to access and interpret resulting in staff taking hours each week to pull together meaningful reports. The CAT is essentially a platform to bridge the gap in readily available reporting to improve visibility, understanding of customer contacts and trends across all locations. This 'real-time' dashboard allows proactive monitoring enabling staff to prioritise tasks to optimise resourcing and enhance the customer experience by reducing wait times.

This is another example of the efforts being made by staff to strive for excellence and innovation and improve our service to the community.

I acknowledge the efforts of our Customer Service and Information Technology staff and warmly congratulate them on their well-deserved recognition at the 2022 National Local Government Customer Service Network Awards.

MOTION

That Council formally acknowledge:

1. The outstanding achievement in winning the 2022 Innovation of the Year Award at the National Local Government Customer Service Network for the Customer Activity Tracker project.
2. The efforts of our Customer Service and Information Technology team and congratulate them on their recognition.



Michael Regan
MAYOR

8.0 Chief Executive Officer's Division Reports

ITEM 8.1	NORTHERN BEACHES COUNCIL DISCRETIONARY FUND QUARTERLY REPORT
REPORTING MANAGER	CHIEF EXECUTIVE OFFICER
TRIM FILE REF	2022/760589
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To provide a report on the recipients and projects that have received an allocation from the Northern Beaches Council Discretionary Fund during the past quarter.

EXECUTIVE SUMMARY

The Northern Beaches Council Discretionary Fund provides the opportunity for Councillors to put forward requests from individuals and community organisations for financial assistance towards initiatives and services which benefit the local community or provide assistance to local residents.

Payments made for the period 22 September 2022 to 6 December 2022 totaling \$4,457.00 are listed below.

Recipient	Description	Allocation
Manly Warringah Gymnastics Club Ltd	Financial assistance for national representation by the Club at the inaugural Parkour World Championships in Tokyo	\$500.00
Manly Lions Club Inc	Sponsorship for five show passes for children who attend Fisher Road Public School and Dee Why Public School with special needs to attend <i>Circus Quirkus</i> .	\$600.00
Manly Yacht Club	Financial assistance towards <i>Battle of the Sound</i> community event	\$1,000.00
Soroptimist International (SI) Northern Beaches	Financial assistance towards SI Northern Beaches Christmas Hampers for families in need who attend local Northern Beaches schools.	\$1,000.00
Local resident *	Financial assistance towards tournament entry fees and costs to attend junior wheelchair tennis tournaments.	\$570.00
Local resident *	Financial assistance towards additional waste service - three special needs children	\$287.00

Local resident *	Financial assistance to travel overseas to represent Australia with the Australian Dragon Boat Team	\$250.00
Local resident *	Financial assistance to represent NSW and travel interstate to compete in the NSW Public Schools Sports Association athletics competition	\$250.00

* individual recipients' details are not included in this report for privacy reasons. All residents in receipt of funds are verified as residents of the Northern Beaches.

The next Northern Beaches Council Discretionary Fund quarterly report will be provided at the Ordinary Council meeting on 28 March 2023.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council note payments totalling \$4,457.00 have been allocated from the Northern Beaches Council Discretionary Fund for the period 22 September 2022 to 6 December 2022.

REPORT

BACKGROUND

The Northern Beaches Council Discretionary Fund Policy supports individuals and community organisations through small financial donations. It also provides assistance to local residents to attend events or conferences that further develop educational or sporting endeavours at a representative level.

The Northern Beaches Council Discretionary Fund Policy requires recipient and project details to be reported to Council on a quarterly basis. This report only includes allocations that have been finalised.

As required under the policy, the maximum amount which may be allocated to an individual or community organisation is \$1,000 and only one payment can be made to an individual or community organisation within the same financial year.

All requests to the Northern Beaches Council Discretionary Fund are submitted to the Mayor, Deputy Mayor or a Councillor, and the Chief Executive Officer to certify that the allocation is made in accordance with the policy and that the funds are available.

CONSULTATION

Requests upon the discretionary fund are submitted to the Mayor, Deputy Mayor or Councillor and the Chief Executive Officer for approval in accordance with the policy.

TIMING

A quarterly report to Council is required by the Northern Beaches Council Discretionary Fund Policy.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and Belonging - Goal 7: Our diverse community is supported to participate in their chosen cultural life.
- Community and Belonging - Goal 8: Our community feels safe and supported.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

The funds allocated are provided within the existing annual budget of \$30,000 for the Northern Beaches Discretionary Fund. Total expenditure of \$18,493.00 is remaining. No funding will be provided outside of the allocated budget in each financial year.

SOCIAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund supports individuals and community organisations and provides assistance to local residents to attend events or conferences that further develop their educational or sporting endeavours at a representative level.

ENVIRONMENTAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund – Quarterly Report has no specific environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

Payments allocated under the Northern Beaches Council Discretionary Fund have satisfied the requirements under both the Northern Beaches Council Discretionary Fund Policy and the approval process as last adopted by Council on 27 September 2022.

The next Quarterly Report will be provided at the Ordinary Council meeting on 28 March 2023.

9.0 Corporate and Legal Division Reports

ITEM 9.1	CODE OF CONDUCT COMPLAINT STATISTICS
REPORTING MANAGER	EXECUTIVE MANAGER INTERNAL AUDIT & COMPLAINTS RESOLUTION
TRIM FILE REF	2022/713429
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To report on the Code of Conduct complaint statistics for the period 1 September 2021 to 31 August 2022 in accordance with part 11 of the Procedures for the Administration of the Northern Beaches Council Code of Conduct (the Procedures).

REPORT

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

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

The following summary outlines the Code of Conduct complaint statistics for the period 1 September 2021 to 31 August 2022:

Number of Complaints	
1a. The total number of complaints received in the period about Councillors and the General Manager (GM) under the code of conduct	8
1b. The total number of complaints finalised in the period about Councillors and the GM under the code of conduct	17
Overview of Complaints and Cost	
2a. The number of complaints finalised at the outset by alternative means by the GM or Mayor	0
2b. The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	1
2c. The number of code of conduct complaints referred to a conduct reviewer	1
2d. The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	5
2e. The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	1
2f. The number of finalised code of conduct complaints investigated by a conduct reviewer	5
2g. The number of finalised complaints investigated where there was found to be no breach	3
2h. The number of finalised complaints investigated where there was found to be a breach	2
2i. The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	2
2j. The number of complaints being investigated that are not yet finalised	0
2k. The total cost of dealing with code of conduct complaints within the period made about Councillors and the GM including staff costs	\$65,588.48
Preliminary Assessment Statistics	
3. The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
3a. To take no action (clause 6.13(a) of the 2020 Procedures)	3
3b. To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures)	1
3c. To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures)	1
3d. To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures)	0
3e. To investigate the matter (clause 6.13(e) of the 2020 Procedures)	5

Investigation Statistics	
4. The number of investigated complaints resulting in a determination that there was no breach , in which the following recommendations were made:	
4a. That the council revise its policies or procedures	0
4b. That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures)	1
5. The number of investigated complaints resulting in a determination that there was a breach in which the following recommendations were made:	
5a. That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures)	0
5b. In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures)	0
5c. In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures)	0
5d. In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures)	0
6. Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures)	0
Categories of misconduct	
7. The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
7a. General conduct (Part 3)	2
7b. Non-pecuniary conflict of interest (Part 5)	0
7c. Personal benefit (Part 6)	0
7d. Relationship between council officials (Part 7)	0
7e. Access to information and resources (Part 8)	0
Outcome of determinations	
8. The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewer's recommendation	0
9. The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG	0

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

There are no social impacts in relation to this report.

GOVERNANCE AND RISK CONSIDERATIONS

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

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the Code of Conduct complaint statistics for the period 1 September 2021 to 31 August 2022 as reported to the Office of Local Government in accordance with part 11.2 of the Procedures for the Administration of the Northern Beaches Council Code of Conduct.

ITEM 9.2	MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETINGS HELD ON 13 SEPTEMBER 2022
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE & RISK
TRIM FILE REF	2022/750701
ATTACHMENTS	1 ⇒ ARIC Ordinary Meeting Minutes 13 September 2022 (Included In Attachments Booklet) 2 ⇒ ARIC Extraordinary Meeting Minutes 13 September 2022 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To report the confirmed minutes of the Audit, Risk and Improvement Committee (ARIC) ordinary and extraordinary meetings held on 13 September 2022 (provided at Attachments 1 & 2).

REPORT

The ARIC plays a pivotal role providing Council with independent assurance and advice in the areas of internal audit, financial management, risk management, compliance and control, organisational performance and improvement. In accordance with the ARIC Charter, confirmed minutes of ARIC meetings are to be reported to Council.

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

There are no social impacts in relation to this report.

GOVERNANCE AND RISK CONSIDERATIONS

Councils are required to have an ARIC in accordance with section 428A of the *Local Government Act 1993*. The ARIC Charter outlines that a key function of the ARIC is to assess and provide advice on Council's governance, compliance and risk management functions. ARIC's oversight aims to ensure that appropriate controls are in place for risk exposures as they relate to the strategic objectives of Council, and to satisfy itself that Council is taking a fully informed risk based approach.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee ordinary and extraordinary meetings held on 13 September 2022.

ITEM 9.3**OUTCOME OF THE PUBLIC EXHIBITION OF THE
PROCUREMENT AND CONTRACTS POLICY****REPORTING MANAGER****CHIEF FINANCIAL OFFICER****TRIM FILE REF****2022/705498****ATTACHMENTS**

- 1 [↓](#) **Procurement and Contracts Policy**
- 2 [↓](#) **Community Engagement Summary Report - Procurement and Contracts Policy**

PURPOSE

To report the outcome of the public exhibition of a revised Procurement and Contracts Policy.

EXECUTIVE SUMMARY

At its meeting on 18 October 2022, Council resolved to place a revised Procurement and Contracts Policy on exhibition with the outcomes to be reported to Council (Resolution 307/22).

The policy contributes to the Community Strategic Plan outcomes of Good Governance and Environment Sustainability.

A total of two submissions were received during public exhibition. Further advice on social and environmental sustainability was also provided by Council's Environment & Climate Change, Social Planning & Services and Waste Management & Cleansing business units and on compliance by Council's General Counsel.

Comments and advice received have been taken into consideration and a few small changes have been made to the exhibited Policy which are included in the proposed Policy at Attachment 1.

These proposed changes as detailed in the report include the addition of the word "sustainable" to the Policy Statement, a statement on prioritising products, services and works that where appropriate consider climate change risks in their design or delivery and the addition of fair-trade practices under Ethical Sourcing. They also include under Social Sustainability and Local Supplier Engagement the addition of giving appropriate consideration to organisations and suppliers that are Local, First Nations suppliers, Disability Enterprises or Social Enterprises.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the outcomes of the public exhibition of the revised Procurement and Contracts Policy.
 2. Adopt the Procurement and Contracts Policy.
-

REPORT

BACKGROUND

The Procurement and Contracts Policy (the Policy) provides the structure and direction to ensure that goods, services and works procured by Council are the result of transparent, objective, time and cost-effective decision making. It provides an overview of the principles that must be followed by all Council officers and representatives when undertaking the procurement of goods, services and works and in managing associated contracts.

A review of the current Procurement Policy was undertaken and as part of this review the opportunity was taken to make several changes to strengthen the Policy, encompass legislative changes and incorporate recent modern slavery requirements.

The key changes are:

- Renaming the policy from Procurement Policy to Procurement and Contracts Policy
- Enhancing the policy principle relating to a Robust Procurement Framework by using the Plan, Source, Manage approach
- Strengthening the policy principle of Environmental Sustainability
- The inclusion of a principle for Modern Slavery and Ethical Sourcing
- The inclusion of a principle for Emergencies
- The addition of separate principles for Accountability, Risk Analysis and Management, Record Keeping, Purchase Orders and Expenditure Thresholds.

The following additional changes are now proposed to the Policy following consultation:

- Adding sustainable in the opening sentence in the Policy Statement
 - This policy provides the framework for Northern Beaches Council to achieve value for money from its procurement whilst being fair, ethical, transparent and *sustainable*.
- Under the heading Compliance adding Council's legislative requirement to tender for services where expenditure is greater than \$150,000, if those services are, at the time of entering the contract, being provided by employees of Council.
- Under the heading Environmental Sustainability adding the following under Prioritise products, services and works that:
 - *where appropriate consider climate change risks in their design or delivery*
- Under the heading Modern Slavery and Ethical Sourcing adding fair trade practices to the first sentence
 - Council is committed to ethical sourcing, *fair trade practices* and to consider, identify and manage modern slavery risks within its supply chain.
- Under the heading Social Sustainability and Local Supplier Engagement adding the following
 - *This will include giving appropriate consideration to organisations and suppliers that are Local, First Nations suppliers, Disability Enterprises or Social Enterprises.*
- Under the heading Emergencies added

- *requiring urgent action.*
- Under References and related documents stating the full title of Council's Environment and Climate Change Strategy
 - *Northern Beaches Council Environment and Climate Change Strategy 2040*
- Under References and related documents adding
 - *Northern Beaches Council Social Sustainability Strategy 2040*
- Under Definitions adding the following:
 - *Sustainable Procurement: Procurement that has the most positive environmental, social and economic impacts possible over the entire lifecycle.*

The Policy supports the delivery of Council's Community Strategic Plan and embraces Council's responsibility for sustainable procurement to contribute to ensuring the environmental, social and economic sustainability of our community at a local and broader level. Consistent application of the Policy will also ensure compliance with the tendering requirements under section 55 of the Local Government Act 1993 (NSW) and the Local Government (General) Regulation 2021 (NSW).

A total of two submissions were received during public exhibition.

The submissions and responses are as follows:

No.	Submission comments	Council response
1	Why don't you have the grass mowed more often in the parks, play areas and picnic areas Rowland Reserve is one that is let go for too long. Wakehurst Parkway has fallen trees long grass and rubbish.	Operational issue, comments passed to the Parks Operations Team
2	As a former procurement executive for one of the large banks I request you add a condition to your Procurement and Contracts policy for a 3% of spend target for indigenous businesses, you can simple use supply nation for this purpose.	Advice was obtained from Councils Social Planning and Service Manager and the Social Sustainability Principle amended to include reference to first nations suppliers.

CONSULTATION

The draft policy was publicly exhibited from 21 October 2022 to 20 November 2022 and the Community and Stakeholder Engagement Report is included at Attachment 2.

Further advice on social and environmental sustainability was also provided by Council's Environment & Climate Change, Social Planning & Services and Waste Management & Cleansing business units.

Comments and advice received have been taken into consideration and amendments based on those comments are included in the Policy at Attachment 1.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

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

- Environment Sustainability - Goal 4: Our Council is recognised as a community leader in environment sustainability.

FINANCIAL CONSIDERATIONS

The proposed Procurement and Contracts Policy is a key compliance policy which provides comprehensive guidelines for Council's staff and management to ensure best practice procurement management and that appropriate fiscal responsibility is exercised.

SOCIAL CONSIDERATIONS

The Policy will support Council in making procurement decisions to support the local economy and combat modern slavery and unethical practices. It acknowledges that certain circumstances may present opportunities to generate social value through the procurement processes, these opportunities will be pursued where applicable to generate positive outcomes and benefits for the people and communities that Council serves.

ENVIRONMENTAL CONSIDERATIONS

The Policy will contribute to ensuring the environmental, social, and economic sustainability of our community at a local and broader level. It contains more detail on Environmental Sustainability and includes reference to the Sustainable Procurement Standard ISO 20400 which will be used as a basis for the improvement of Council's procurement processes and templates going forward. Council is engaged in the NSW Government's Sustainability Advantage program. We are currently positioned at Silver Status in this program and are progressing towards Gold Status. One of the key parts of achieving Gold Status includes sustainable procurement, and the policy amendments proposed support this approach.

GOVERNANCE AND RISK CONSIDERATIONS

Procurement activities can pose a risk to Council if not undertaken within a robust framework. The Procurement and Contracts Policy provides the overarching direction for Northern Beaches Council to achieve value for money from its procurement whilst being fair, ethical and transparent and complying with the relevant provisions of the *Local Government Act 1993* (NSW).



Council Policy

Procurement and Contracts

Policy Statement

This policy provides the framework for Northern Beaches Council to achieve value for money from its procurement whilst being fair, ethical, transparent and sustainable.

It provides an overview of the principles that must be followed by all Council Officers and representatives when undertaking the procurement of goods, services and works and in managing associated contracts.

The policy provides governance to support the delivery of Council's Community Strategic Plan, embracing our responsibility for sustainable procurement to contribute to ensuring the environmental, social, and economic sustainability of our community at a local and broader level.



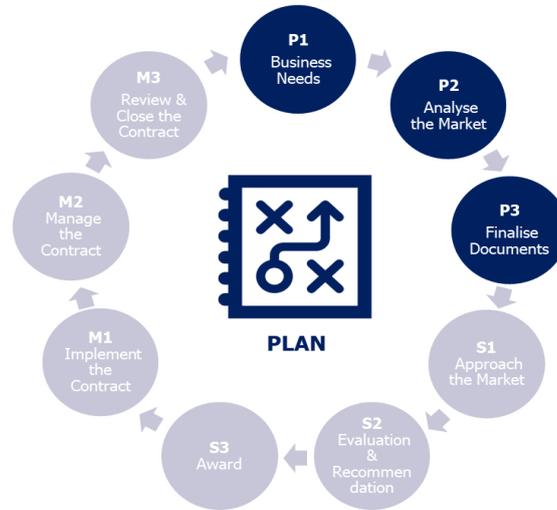
Principles

The following principles will apply to all procurement activities:

A Robust Procurement Framework

Application of Council's Procurement and Contract Management Framework and use of the supporting templates will ensure best practice and compliance with legislative requirements and Council officers MUST work within the framework. This, in turn, will provide the best chance of reaching a successful procurement outcome, achieve value for money, mitigate risks and establish appropriate contract management standards.

The Framework uses the *Plan, Source, Manage* approach to provide a structured guide to processes at each stage of the procurement. The Plan and Manage stages are as critical as Sourcing in creating and delivering value, and appropriate time and resources should be allocated to these activities.



Processes and guidance are balanced with the risk and value of projects, procurements, and contracts. Complex projects with a high risk and high value, require careful planning and stringent peer review of documentation prior to any approach to the market. Conversely, for low risk, low value simple procurement requirements, there is greater flexibility to minimise indirect administrative costs and improve efficiency.

Value for Money

Obtaining value for money in delivering the best outcomes for our community is the overarching requirement for procurement at the Northern Beaches Council. Value for money is not necessarily the lowest price; it includes consideration of many factors including quality, performance history, whole of life costing - including the cost of environmentally responsible disposal at end of life, timely delivery, risk and WHS requirements.

Probity

Procurement processes are established to ensure that suppliers are provided equal opportunity to contract with Council in the provision of works, goods and services.

Council procurement involves the expenditure of public funds for community benefit and is governed by strict considerations of probity, transparency and accountability to ensure that the decision-making processes withstands public scrutiny. All staff MUST adhere to high standards of probity, uphold high standards of integrity and fairness and undertake their duties in accordance with Councils Statement of Business Ethics and Code of Conduct. All conflicts of interest MUST be declared and recorded.

Council officers MUST maintain the integrity and security of confidential information in their possession, or for which they are responsible. In addition to general obligations relating to the use of Council information, Council officers MUST only access confidential information that they have been authorised to access and only do so for the purposes of exercising official functions and only release confidential information authorised to do so. Refer to the Council's Code of Conduct for further information.

Accountability

Council is committed to ensuring accountability and transparency in its procurement activities. Accountability means that Council officers are responsible for the actions and decisions that they take in relation to procurement and for the resulting outcomes. Council officers MUST be able to demonstrate, in a manner that can withstand scrutiny, the basis of all decisions.

Compliance

Council has a legislative requirement under the *Local Government Act 1993* (NSW) (the Act) to tender for works, goods and services where expenditure for the life of the contract is: greater than \$250,000 (including GST) or \$150,000 (including GST) where those services are, at the time of entering the contract, being provided by employees of Council or \$500,000 (including GST) in a declared emergency situation. Procurement is also undertaken in accordance with the Tendering Guidelines for NSW Local Government.

Risk Analysis and Management

Risk analysis and management is essential to ensure that procurement processes and resultant contracts are successful. By adopting a 'what-if' mind-set it allows for the identification and assessment of the risks and allocation of relevant resources to monitor, control and minimise or overcome the impact. Consideration of risk should be managed in accordance with Council's Enterprise Risk and Opportunity Management Framework.

Record Keeping

Complete records provide evidence of actions and decisions and represent a vital asset to support Councils daily functions and operations. Council officers MUST ensure appropriate documents and records are maintained for all procurement activities.

Environmental Sustainability

Council's procurement activities will enhance both our corporate and overall community's environmental, social and economic performance, helping to increase the resilience of our community and our natural and built environments to adapt to the impacts of climate change. They will support the delivery of adopted targets and actions in Council's relevant sustainability strategies and action plans including the Environment and Climate Change Strategy.

We will pursue innovative partnerships in delivering best practice and leadership in sustainable procurement and align our processes to the international standard ISO 20400 Sustainable Procurement. Sustainability risks and opportunities will be considered throughout the entire lifecycle of goods, services and works procured through the delivery of Councils services, including, across our supply chains.

Council staff undertaking procurement activities will:

- Collaborate with key stakeholders to support innovation and stimulate demand for sustainable goods, services and works.
- Work with suppliers to enhance their capability to address/mitigate sustainability risks in the supply chain.
- Prioritise products and materials to support the circular economy that:
 - are designed to be kept in use for as long as possible to avoid unnecessary purchasing
 - can be, in order of preference, reused, repaired, or recycled at the end of each service life
 - have previously been, in order of preference, used or repaired, or contain recycled material content (preferably from Australia)
 - have no or minimal packaging, or where this is not possible, packaging that contains a high percentage of recycled material
 - avoid the use of single use plastics wherever possible
- Prioritise products, services and works that:
 - conserve energy and water
 - minimise or avoid pollution, including greenhouse gas emissions
 - have low or no toxicity to human health and ecosystems

- avoid impacts on biodiversity and habitats
- where appropriate consider climate change risks in their design or delivery
- Monitor purchased products and services to ensure that the sustainability goals are met
- Consider the potential impacts of climate change risk and how the procured item may minimise these risks whilst enhancing corporate and community resilience

Modern Slavery and Ethical Sourcing

Council is committed to ethical sourcing, fair trade practices and to and to consider, identify and manage modern slavery risks within its supply chain. Ethical sourcing means sourcing products in a responsible and sustainable way, from organisations who treat workers fairly and equally, while minimising their impact on the wider environment and society. Application of Council's Modern Slavery Framework and support by all staff of the steps being taken will ensure compliance with the Modern Slavery Act 2018 (NSW).

The Modern Slavery Framework adopts a risk-based approach. Certain expenditure categories, products and country of origin, as identified by the Global Slavery Index, have higher modern slavery risks and as such will have more stringent controls applied.

Social Sustainability and Local Supplier Engagement

Council commits to assisting local businesses in working with Council and will ensure that its processes are transparent and do not disadvantage them. Certain circumstances may present opportunities to generate social value through the procurement processes, these opportunities will be pursued where applicable to generate positive outcomes and benefits for the people and communities that Council serves. This will include giving appropriate consideration to organisations and suppliers that are Local, First Nations suppliers, Disability Enterprises or Social Enterprises.

Expenditure Thresholds

Financial thresholds define the procurement processes for different levels of expenditure. Processes to be followed for values below the \$250,000 tender threshold prescribed in the Act are detailed in operational guidelines and the Procurement Manual.

Financial Delegations define the levels of authority that specified staff have to approve contracts and payments. Prior to the commencement of any procurement process:

- a) Funds must exist within an approved budget; and
- b) The appropriate financial delegate must be aware of and support the procurement.

Purchase Orders

Suppliers MUST not be engaged without first being issued with a valid Purchase Order. Purchase Orders are required to be in place prior to receipt of an invoice for payment, except in exceptional circumstances if approved by a manager with appropriate delegation. Invoices issued by Contracted Suppliers must have a valid Council Purchase Order reference number that is referenced on their invoice, or it may not be paid.

Emergencies

From time-to-time there may be a need to purchase goods or services due to an emergency requiring urgent action whereby the requirements of this Policy cannot be applied. Procurement activities required to manage emergency incidents are also exempt from the tendering requirements of the Local Government Act.

An emergency incident is any event that:

- significantly threatens the commercial position or operability of Northern Beaches Council; and/or
- endangers, or threatens to endanger, the safety or health of persons or animals within the Northern Beaches LGA, and/or

- destroys or damages, or threatens to destroy or damage, property or the environment within the Northern Beaches LGA.

The exemptions only apply in cases of genuine emergency and not to remedy poor planning. Authorisation for emergency procurement MUST only be given under appropriate financial delegation.

Breach of Policy

Failure to comply with the policy may result in disciplinary or legal action. The Independent Commission Against Corruption (ICAC) has been established to protect the public interest, prevent breaches of public trust and guide the conduct of public officials. Council has an obligation to report serious matters to the ICAC and/or Police which potentially could result in civil or criminal proceedings.

The word 'MUST' is used throughout this Policy to describe key principles against which Council may be audited and non-compliance identified.

Scope & Application

This policy applies to all employees, agents and officers of Northern Beaches Council, along with all Councillors.

The Policy commences from when Council has identified a need for procurement and continues through to the award, delivery, management and closing of the contract.

References and related documents

- Section 55 Local Government Act 1993 (NSW)
- Part 7 Local Government (General) Regulation 2021 (NSW)
- DLG Tendering Guidelines for NSW Local Government
- Northern Beaches Council Procurement and Contract Management Framework
- Northern Beaches Council Code of Conduct
- Northern Beaches Council Statement of Business Ethics
- Modern Slavery Act 2018 (NSW)
- Northern Beaches Council Modern Slavery Framework
- Northern Beaches Council Modern Slavery Statement 2022
- Northern Beaches Council Environment and Climate Change Strategy 2040
- Northern Beaches Council Social Sustainability Strategy 2040
- Northern Beaches Council Enterprise Risk and Opportunity Management Framework 2020
- ISO 20400 – Sustainable Procurement

Definitions

The Act: Section 55 Local Government Act 1993 (NSW)

Regulations: Part 7 Local Government (General) Regulation 2021 (NSW)

Probity: Ethical behaviour that upholds the values of honesty and integrity and ensures impartiality, accountability and transparency

Procurement: the overarching business function of acquiring goods and services; the end-to-end process of identification, sourcing, market engagement, evaluation, contract award, contract management and review.

Goods and Services: where Goods and Services are referred to in this policy, it is also applicable for Works, Consultancies and Lease agreements.

Modern Slavery: includes any conduct constituting a modern slavery offence and any conduct involving the use of any form of slavery, servitude or forced labour to exploit children or other persons taking place in the supply chains of organisations.

Sustainable Procurement: Procurement that has the most positive environmental, social and economic impacts possible over the entire lifecycle.

Responsible Officer

Manager Procurement

Review Date

December 2026

Revision History

Revision	Date	Change	TRIM Ref
1	25/07/2017	Policy adopted by Council with no changes following exhibition	2017/124289
2	16/01/2020	Policy edited to update the tender threshold from \$150,000 to \$250,000 following legislative change	2020/029016
3	13/12/2022	Policy review including edits to include Modern Slavery and Sustainability requirements and to align terminology with the NSW Standard Procurement Framework (developed by ArcBlue).	2022/375175

Community engagement summary report

Project name	Procurement and Contracts Policy
Your Say public exhibition period	21 October to 20 November 2022
Background	<p>We reviewed the current Procurement Policy and took the opportunity to make several changes to the policy. The revised Procurement and Contracts Policy was prepared for public exhibition.</p> <p>The revised policy provides the structure and direction to ensure that goods, services and works procured by Council are the result of transparent, objective, and time/cost effective decision making. It provides an overview of the principles that must be followed by all Council officers and representatives when undertaking the procurement of goods, services and works, and in managing associated contracts.</p>
Total number of submissions	2 submissions (1 online + 1 emailed submission)
Engagement approach	<p>The engagement was planned, implemented and reported in accordance with the Northern Beaches Council Community Engagement Matrix (2017).</p> <p>A project page¹ was established on our Have Your Say platform and included project information, a summary of changes made to the current policy, an infographic, and the revised policy.</p> <p>The project was primarily promoted through Council's E-News and our Have Your Say community engagement newsletter.</p> <p>Feedback was captured through an online submission form embedded onto the project page. An open-field comments box provided community members a space to share their comments. Email and written submissions were also invited. Contact details were provided should people have questions.</p>
How we engaged	
Visitors to Your Say page	222 visitors

¹ <https://yoursay.northernbeaches.nsw.gov.au/procurement-policy>

Have Your Say newsletter	2 editions (newsletter distribution approx. 20,000)
Council's E-News	2 editions (newsletter distribution approx. 160,000)

Verbatim submission*	Council response
<p><i>Online submission:</i> Dear sir/madam, as a former procurement executive for one of the large banks I request you add a condition to your Procurement and Contracts policy for a 3% of spend target for indigenous businesses, you can simple use supply nation for this purpose.</p>	<p>Advice was obtained from Councils Social Planning and Service Manager and the Social Sustainability Principle amended to include reference to first nations suppliers.</p>
<p><i>Emailed submission:</i> Why don't you have the grass mowed more often in the parks, play areas and picnic areas Rowland Reserve is one that is let go for too long. Wakehurst Parkway has fallen trees long grass and rubbish.</p>	<p>Operational issue, comments passed to the Parks Operations Team.</p>

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

Document administration	
Version	1.0
Date	24 November 2022
Approval	Content provided and approved by Procurement Team. Responsible manager: Lisa Neal
Status	Draft
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

ITEM 9.4	RESPONSE TO NOTICE OF MOTION NO. 16/2022 - REVIEW OF FEES AND CHARGES
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING & SYSTEMS
TRIM FILE REF	2022/724013
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To provide the information requested by Council at its Ordinary Meeting on 28 June 2022 in relation to Notice of Motion No 16/2022 – ‘Review of Fees and Charges’.

EXECUTIVE SUMMARY

On 28 June 2022, following a period of community engagement, Council adopted the Fees and Charges for 2022/23 financial year along with the revised Pricing Policy. Council also resolved (16/2022):

That:

1. *A further review of the fees and charges schedule be undertaken with a report brought back to Council within 6 months.*

Council applies a principles-based approach to the pricing of services to balance recovering the cost of providing a service from users proportionate to its broader community benefit along with recognising competitive neutrality and legislative obligations. Fees are reviewed annually and placed on public exhibition in May each year.

In the 2022/23 financial year Council’s user fees and charges and other revenues is estimated to be \$82 million (excluding Kimbriki) – representing 20% of total income. The majority of this income is sourced from fees paid by customers for services and facilities provided by Council. These include use of leisure, entertainment and other community facilities and the provision of services such as long day care, vacation care and family day care.

Uncertainty about the inflation outlook challenged the preparation of fees for the 2022/23 financial year. While many fees increased by around 2.8% from 1 July 2022, since this time we have experienced significant price increases in some areas (e.g., fuel and gas). These price increases will impact proposed fees for the 2023/24 financial year. The draft 2023/24 Fees and Charges will be presented to Council in April 2023.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the information in this report.

REPORT

BACKGROUND

Council applies a principles-based approach to the pricing of services to balance recovering the cost of providing a service from users proportionate to its broader community benefit along with recognising competitive neutrality and legislative obligations. The setting of prices and income budgets also considers capacity limits along with demand for the service (pricing elasticity).

The [Pricing Policy](#), adopted by Council in June 2022, provides a transparent, consistent, and equitable approach to the setting of fees and charges, under s608 of the *Local Government Act 1993* (the Act).

The following five principles guide how Council sets fees and charges for its services:

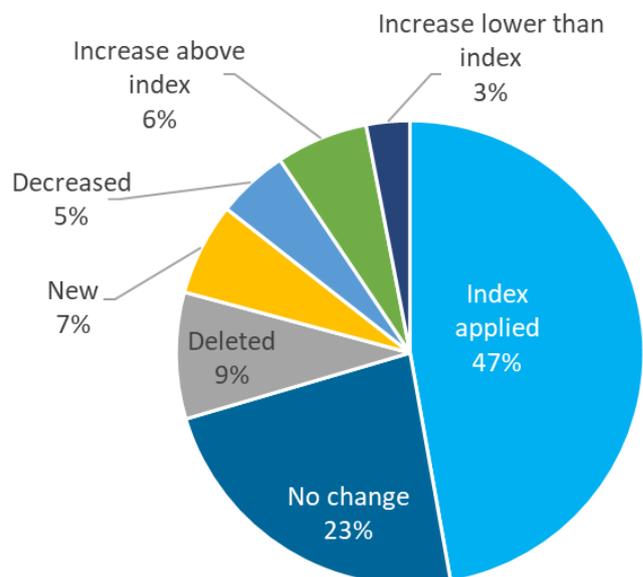
1. **Financially sustainable:** price-setting is informed by the cost of providing the service, the capacity of the user to pay and, where relevant, any expected return on the investment of community assets.
2. **Recognise the importance of the service to the community:** seek to promote fair, just and equitable access to services, promote the participation of service target groups and encourage positive health and wellbeing outcomes.
3. **Recognise competitive neutrality obligations:** where services are supplied on a commercial basis as part of a defined Council business consider market prices to ensure the service does not utilise its public sector position to gain an unfair advantage over private sector competitors.
4. **Compliant with legislation:** where applicable, pricing is in line with legislation and consideration made of any price suggested for that service by a relevant industry body or in a schedule of charges published by the Office of Local Government.
5. **Consistent, transparent, efficient to administer and regularly reviewed:** set in a consistent way across Council services, documented and presented in a way the community can understand, simple to administer and reviewed annually.

Fees and Charges 2022/23

In the 2022/23 financial year Council’s user fees and charges and other revenues is estimated to be \$82 million (excluding Kimbriki). The majority of this income is sourced from fees paid by customers for services and facilities provided by Council.

The Fees and Charges booklet contains almost 3,000 fees, and the majority increased in the 2022/23 financial year. While 23% of fees did not change, these included legislated fees, percentage or cost driven fees and free services. The standard fee index was 2.8% based on inflation and staff costs.

The following table provides a summary of pricing for the 2022/23 financial year.



User Fees & Charges and Other Revenues

	2020/21 Result \$'000	2021/22 Result \$'000	2022/23 Budget \$'000	% of income group	2022/23 Fees Approach
User Charges and Fees					
Aquatic Centres	7,397	5,554	8,395	8%	Fees index (2.8%) primarily applied
Caravan Park	4,151	4,923	5,891	5%	Fees are set by NRMA as the expert in the industry and include a provision for dynamic pricing so that they can be reduced where occupancy is lower. Realignment of fees was undertaken in response to market conditions including lowering fees in the low season.
Cemeteries	1,082	1,120	1,393	1%	Market-based review undertaken. Profits from this service are held in trust through an internally restricted reserve for future maintenance.
Child Care	11,952	11,866	13,999	13%	Average 5% increase - this increase finalises the phased implementation of a full cost recovery fee structure.
Community Centres	1,563	1,488	2,395	2%	Fees index (2.8%) primarily applied
Currawong State Park	284	285	290	0%	Realignment of fees was undertaken in response to recent renovations and market conditions including lowering fees in the low season to improve occupancy.
Glen Street Theatre	728	765	1,686	2%	Fees increased by an average of 3%, with a calendar cycle in place to match program scheduling (so fee changes commence January each year).
Golf Course & Driving Range	2,359	2,597	2,409	2%	A large increase (10-15%) was implemented in the year prior based on a change in the market. These fees remain consistent with the market conditions.
Kimbriki Waste & Recycling Centre	24,042	25,381	24,659	22%	Fees are not set by Council. Kimbriki's management with Board oversight establish fees, with consideration of competitors' fees and the strategic goals of the site.
Libraries	121	81	136	0%	Fees index (2.8%) applied to venue hire
Parking Areas	11,427	10,349	13,724	12%	- Manly and Western Foreshore Permits: End of trial period - fees introduced for the purchase of permits. - Carparks and other permits: generally increased by fees index (2.8%). - Pay and display: No change to fees as pricing currently reflects the market.
Planning and Building Regulatory	7,738	8,088	8,895	8%	Primarily legislated fees which included changes under the <i>Environmental Planning and Assessment Regulation 2021 (Schedule 4)</i>
Regulatory/ Statutory Fees	248	521	979	1%	Primarily legislated fees
Restoration Charges	1,231	1,835	1,095	1%	Increase of approximately 9% in site inspection costs, offset by a reduction

	2020/21 Result \$'000	2021/22 Result \$'000	2022/23 Budget \$'000	% of income group	2022/23 Fees Approach
					of between 7% to 15% in fees for concrete footpaths and driveways due to revised contractor rates.
Section 107 Certificates (EP&A Act)	870	825	798	1%	Legislated fee
Section 603 Certificates	517	482	433	0%	Legislated fee
Sportsfields and Reserves	1,310	1,231	1,766	2%	Fees index (2.8%) primarily applied. A new fee equation was implemented for sportsfield lighting charges consistent with recently upgraded facilities.
Other Fees	2,085	2,331	2,640	2%	Other fees include legislated fees like filming permits and Council-controlled fees like Dinghy and Boat Storage Fees. Council-controlled fees were primarily increased by the fee index (2.8%)
Total - User Charges and Fees	79,105	79,722	91,583		
Other Revenues					
Advertising Income	612	1,013	851	1%	Income from advertising on structures such as bus shelters is established through contracts with providers
Ex Gratia Rates	26	25	25	0%	Ex-gratia payment for properties exempt from rates - based on the adopted rating structure
Legal Fees Recovery - Other	338	264	169	0%	Cost recovery basis – relating to legal matters
Licences, Consents & Deeds	3,284	3,228	3,021	3%	Outdoor dining and merchandise display fees were not increased due to the impact of COVID and lack of tourism across this industry
Parking Fines	4,458	5,749	7,200	7%	Legislated value
Other Fines	537	446	684	1%	Legislated value
Recycling Income (Domestic)	629	631	650	1%	Income from the sale of recycled containers - fee is not controlled by Council
Sales of Inventories	870	853	1,062	1%	Fees index (2.8%) primarily applied
Other Revenues - Kimbriki	2,853	3,967	3,629	3%	Income from the sale of recycled materials at Kimbriki - fee is not controlled by Council
Other Revenues	1,387	6,167	1,810	2%	Fees index (2.8%) primarily applied
Total - Other Revenues	14,994	22,342	19,100		
TOTAL - USER FEES AND CHARGES AND OTHER REVENUES	94,099	102,064	110,683		

Improvements and planning for the 2023/24 financial year

Consistent with our pricing policy principle, to present information in a way the community can understand, a new fees search tool has been implemented on Council's website to assist customers in navigating our Fees and Charges. To further assist the community in understanding our pricing, the 2023/24 Fees and Charges booklet will include the pricing methodology basis for each fee, consistent with Council's Pricing Policy.

Uncertainty about the inflation outlook challenged the preparation of fees for the 2022/23 financial year. The impact of inflation on some costs has been considerably higher than expected and will be factored into pricing fees for the 2023/24 financial year. The draft 2023/24 Fees and Charges will be presented to Council in April 2023.

CONSULTATION

Council seeks community feedback on fees and charges in May each year as part of the annual budget process.

TIMING

The draft 2023/24 Fees and Charges booklet will be presented at the April 2023 Council Meeting to seek approval to place the document on public exhibition.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

In the 2022/23 financial year Council's user fees and charges and other revenues is estimated to be \$82 million (excluding Kimbriki). Five principles guide how Council sets fees and charges, with the first being financially sustainable. Price-setting is informed by the cost of providing the service (per s610D of the Act), the capacity of the user to pay and, where relevant, any expected return on the investment of community assets.

SOCIAL CONSIDERATIONS

In setting fees, Council considers the importance of the service to the community and seeks to promote fair, just and equitable access to services, promote the participation of service target groups and encourage positive health and wellbeing outcomes.

ENVIRONMENTAL CONSIDERATIONS

Funding from Fees and Charges supports the Council to deliver programs and activities that protect the environment and support the community to live sustainably.

GOVERNANCE AND RISK CONSIDERATIONS

The Council's Pricing Policy guides the pricing of Council's services along with the annual budget process. This mitigates the risk of Council not meeting competitive neutrality guidelines.

10.0 Community and Belonging Division Reports

ITEM 10.1	AVALON CUSTOMER CONTACT CENTRE
REPORTING MANAGER	DIRECTOR COMMUNITY & BELONGING
TRIM FILE REF	2022/699575
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To provide advice to Council on the Avalon Customer Contact Centre and recommend future operating hours.

EXECUTIVE SUMMARY

Council operates four Customer Contact Centres at Manly, Dee Why, Mona Vale and Avalon. Each Contact Centre offers a full range of services and is open 5 days per week between 8.30am and 5pm.

The Covid-19 pandemic changed the operating model of Council's Customer Contact Centres. Public Health Orders and gathering restrictions prevented staff from offering face to face service to our customers and alternative methods to provide high quality service were developed. For a time, Council closed all of its face-to-face contact centres and progressively re-opened centres as Public Health orders allowed to ensure the highest level of service and safety for customers who chose to transact with Council in person. Community members and customers embraced alternative delivery models such as online Customer Requests.

Since all services re-opened in full on 1 March 2022, data relating to customer service visits has been collected at each contact centre. The data provides an analysis of the number of visits and the type of transactions / services that are being provided for the period 1 March 2022 to 30 September 2022. The data demonstrates the Avalon branch provides a limited service to the local community with an average of 11 visits per day.

The Avalon Customer Contact Centre was closed for the majority of 2020 and 2021, due to the Covid-19 pandemic and also the requests to use the facility by NSW Health and the NSW Electoral Commission. Generally, there was little feedback from the community during these closures, with Council responding to fewer than 10 requests over this time as to the closure of the service. It is also noted that a number of these customers did not seek to make a transaction or access a service, rather they were enquiring about a future re-opening date.

As Council continues to evolve its business systems, there is a strong emphasis on creating customer centric processes and utilising advances in technology to provide opportunities to enhance the customer experience. At present nearly all transactions with Council can be undertaken without the need to attend in person. Data and customer feedback has shown that in person visits are usually related to the customer seeking advice or assistance rather than making a payment or transaction of some type.

In keeping with quality service provision and to meet the expectations of future customers, Council continues to provide services in varying ways focusing on a customer centric digital platform. This is to ensure Council's service offering is keeping pace with rapidly changing customer expectations.

There has been no formal community consultation on operating hours of the Customer Contact Centre or alternative uses. Council staff have met with local resident associations to present the data collected on the use of the service by the local community. Some services provided at the Avalon Customer Contact Centre are already provided at the local Post Office or other nearby businesses.

Based on the evidence gathered and trend data across Council, there is insufficient demand to justify the current operating hours and costs. It is recommended that operating hours be reduced to 2 days per week for a maximum period of 6 months.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That:

1. Council reduces operations at the Avalon Beach Customer Service Contact Centre to 2 days per week for a period of up to 6 months.
 2. Community information be provided on alternative service options and locations.
-

REPORT

BACKGROUND

Council operates four Customer Contact Centres at Manly, Dee Why, Mona Vale and Avalon. Each contact centre offers customers face to face services and open 5 days per week between 8.30am and 5pm. Customers can also opt to transact with Council across digital mediums such as online requests or by phone. All offices of Australia Post accept payments of rates. The Avalon Contact Centre closes for one hour each day to allow staff lunch breaks.

Since 2016 and the creation of Northern Beaches Council, the landscape of Customer Service has changed significantly. Businesses generally have been moving to digital solutions for service and online requests and payments now provide alternative access for customers. Some of the key areas where Council has increased its service options in lieu of face to face transactions include:

- All Development Applications are now lodged online through the NSW Planning Portal
- All statutory exhibitions and Community consultation is undertaken on the “Yoursay” Web platform (DA Plans are no longer on display in hard copy)
- Northern Beaches Parking Permits can be purchased online
- Legal documents requiring witnessing by a Justice of the Peace have reduced (driven by the Covid-19 pandemic)
- All rates payments can be made via BPay or at Australia Post branches
- Online bookings and payments for Community Centres and Parks are live
- Online service request portal is available.

These changes have seen a steady decline in the number of customers that visit branches to undertake transactions, lodge requests or view documents. It is also noted that the closure of services during the Covid-19 pandemic provided the opportunity to increase the number of customer transactions that could be completed online.

Since 1 March 2022, all Customer Contact Centres have been operating at the pre-pandemic hours, with data being gathered at each site to assess customer trends and ensure the best service is provided to the wider community.

In 2018, Council considered a report to establish a new Customer Contact Centre in the Forest Ward. It is noted that analysis of the other customer contact centres was included and found that visitor numbers at Avalon represented 10% of all in person visits.

The Avalon Customer Contact Centre when operating at full capacity (ie not closed at lunch) is required to be staffed by 3 full time equivalent positions in order to ensure adequate coverage for cash handling and Workplace Health and Safety considerations. The Avalon Customer Contact Centre operates at a cost of approximately \$270,000 per annum chiefly in staffing costs.

The Avalon Recreation Centre is classified as a “District” sized community facility and includes one full size indoor multipurpose Court, five community rooms for hire and associated public toilets. The primary users of the site are sports groups, health and recreational activities and community support meetings, with 59% of income derived from Not for Profit / Community Organisations and 41% from commercial hires. The five community rooms are varying in size and are well appointed with excellent natural light and ventilation. The site adjoins Dunbar Park to the north and is centrally located within the Avalon Commercial area.

The Customer Contact Centre is located within the Avalon Recreation Centre, which was significantly altered, and additions completed in 2003. During this refurbishment of the community

facility, space was allocated in the building to a customer contact centre. Prior to 2003 the customer service contact centre was in Warriewood.

Adjoining the Customer Contact Centre are rooms presently used for community purposes including an Early Childhood Health Clinic and youth wellbeing hub. Each of these uses are well patronised by the local community. The community rooms at the Avalon Recreation Centre and Avalon Community Library are also located within the building.

The first floor of the Recreation Centre is the home of the Avalon Community Library which is the largest of Council's Community Libraries and is run by volunteers. Council allocates approximately \$90,000 per annum to support this service.

Evidence Base

Since 1 March 2022, all four Customer Contact Centres have been in full operation, following the relaxation of Public Health Orders. Data is being collected daily from each branch, including customer numbers, purpose of visit and type of transaction. This dataset from the period 1 March 2022 to 30 September 2022 has been used to inform the recommendations of this report.

The reporting period of 7 months (149 business days) provides representative data as to how the community are using a Customer Contact Centre. It covers two rate instalment periods (including the first instalment), the renewal of Beach Parking Permits and end of the Financial year, all notable times where customer volume increases. During this time Council also conducted community engagement for the Avalon Place Plan, a major planning document, that generated significant community interest.

The evidence base demonstrates Avalon Customer Contact Centre has the smallest volume of customers, with 1709 visitors. Over the reporting period of 149 days this represents 11 customers per day. The following table compares the number of visitors per day at each branch;

Location	Total Visits 1/3/22 – 30/9/22	Average Visits per day
Avalon	1709	11
Mona Vale	4743	32
Dee Why	5361	36
Manly	7000	47
TOTAL	18813	126

The following table provides a breakdown of all visitors to each venue as a percentage of total visits. It is noted here that a "visitor" or "customer" is defined as a person who approaches or is assisted by the Customer Service staff at that venue. It does not include staff or Councillors attending the sites or visitors for events such as Citizenship ceremonies or Council meetings.

Location	Total Customer visits	% of Customer Visits
Avalon	1709	9.1
Mona Vale	4743	25.2
Dee Why	5361	28.5
Manly	7000	37.2
TOTAL	18813	100

Manly is the busiest location with 37% of visitors, whilst Avalon represents 9% of visitors over this period. Further, the following table provides a breakdown of where customers are making payments for services, applications, rates and the like.

Location	Total Receipts 1/3 – 30/9	% of Receipts
Avalon	384	2.71
Mona Vale	1943	13.73
Dee Why	1972	13.93
Manly	9853	69.62
TOTAL	14152	100

Receipts are those visits where a customer has made a payment and could be for multiple purposes such as animal registration, payment of a bond or payment of rates or other charges. Manly Customer Contact Centre has a far higher volume of receipts as this branch also receipts all online and mail transactions received by Council.

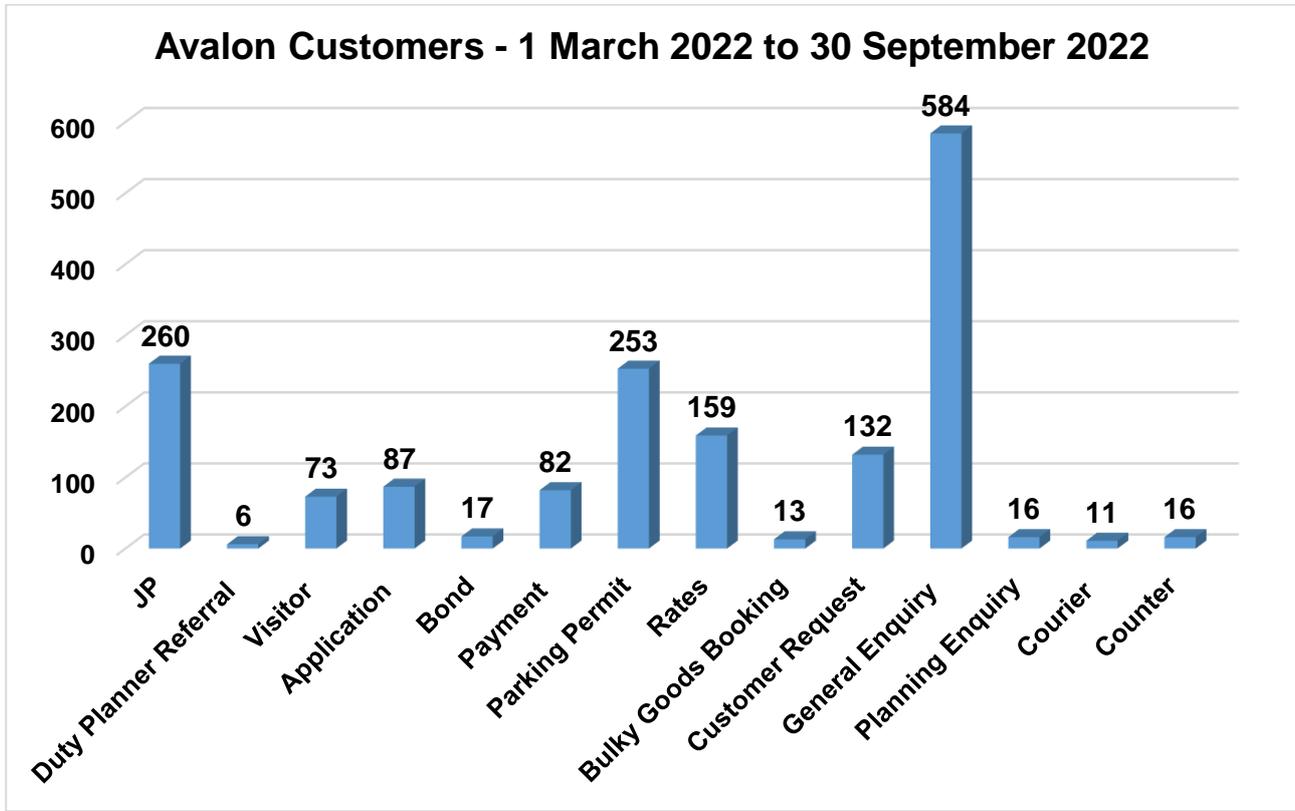
The following table shows the volume of transactions where the primary form of payment is cash, compared to credit / debit cards and Cheques.

Branch	Cash In	Credit Card / Cheque	All Payment types per day
Avalon	45	345	2.6
Mona Vale	282	1747	13.6
Dee Why	272	1735	13.5
Manly	311	6119	43.2
Total	910	9953	10863

The Avalon Customer Contact Centre records 1 cash transaction on average every 3 days, whilst other branches record cash payments on average twice per business day.

Over the reporting period the evidence base shows 91.5% of transactions are made with either cheque, credit or debit cards.

Each Customer Contact Centre deals with numerous transaction types. The table below provides data for thirteen types of transaction or purpose of visit to Avalon Customer Contact Centre.



The data indicates the top 5 purposes for a visit to Avalon Customer Service Centre are;

- General enquiry – could be related to Council’s business (What time is the library open?)
- Justice of the Peace – witnessing and signing of legal documents.
- Parking Permits - Since August 2022 parking permits are available online.
- Rates – payments or enquiries
- Customer Request – staff member enters information into online Customer Request system on behalf of the customer.

The top 5 customer enquiries at all branches are as follows.

Rank	Avalon	Mona Vale	Dee Why	Manly	All Branches
1	General Enquiry	General Enquiry	General Enquiry	Parking Permit	Parking Permit
2	Justice of the Peace	Parking Permit	Rates	General Enquiry	General Enquiry
3	Parking Permits	Rates	Parking Permit	Rates	Rates
4	Rates	Justice of the Peace	Application	Application	Application

5	Customer Request	Application	Visitor	Customer Request	Justice of the Peace
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External Data Sources

In 2021 the Australian Government released the paper entitled “Digital Lives of Older Australians”. The paper provides a comparative analysis as to the digital literacy of older Australians and compares levels in 2017 to 2020. The data was collected in June 2020 and the report released in May 2021.

This report is relevant as the population of Avalon, Whale Beach and Palm Beach has larger proportion of residents (30.6%) than that of the Northern Beaches (23.8%), aged over 60 as at the 2021 census. The census also indicates fastest growth in residents aged 70-84 and 60-69 compared with the 2016 census.

The report notes several trends including a 25% increase (2017-2020) in the number of older people with an internet connection in their home. The report states 93% of older people in Australia have internet connections in their home.

Further, this paper noted significant growth in how older Australians were using technology, including an increase to 26% of older Australians who used more than 5 different devices (eg smart phones, tablets, laptops and digital TV’s with streaming services) compared to 6% in 2017. Conversely the percentage of older Australians with 2 or less devices has fallen from 62% in 2017 to 32% in 2020.

The table below provides data on the most popular devices for internet connectivity at June 2017 and June 2020 for older Australians.

Device	% used in 6 months to June 2017	% used in 6 months to June 2020	% change June 2017 to June 2020
Mobile Phone	51	78	27
Tablet	42	59	17
Laptop	50	58	8
Desktop	52	47	-5
TV or Smart TV	14	48	34
Digital media player	<1	17	17

Whilst detailed internet connectivity results are not yet available from the 2021 census, it is noted the 2016 census demonstrated 5.7% of households the 2107 postcode (Avalon) and 5.9% in the 2108 postcode (Whale Beach and Palm Beach) did not have an internet connection. At the 2011 census this was around 10% for these postcodes, further demonstrating the growth in digital access for the community.

Benchmarking

In October 2022, benchmarking was completed with other metropolitan council’s to understand how Council’s service levels compared with other similar local government areas. Each benchmarked organisation is a medium to large metropolitan council. Results are shown in the following table:

Description	Northern Beaches Council	Council 1	Council 2	Council 3	Council 4
No. of calls (p.a.)	170,407	184,351	257,408	88,360	164,946
No. counter mail, email and online enquires (p.a.)	105,801	90,786	70,130	(No data)	235,037
Total No. calls/counter/ mail/email/online	276,208	275,137	327,538	Incomplete data	399,983
Average enquiries per resident	1.04	1.38	0.88	N/A	1.65
No. of customer requests (p.a.)	112,864	124,020	143,490	(No data)	231,390
% Customer requests lodged online	41,201 (36.5%)	64,416 (51.9%)	14,260 (9.9%)	8,106 (N/A%)	137,096 (59.2%)
No. of Physical Locations	4	3	2	(No data)	4
Call Centre Hours of Operation per day)	9.5 hours	9.5 hours	9 hours	8.5 hours	8 hours
Counter Hours of Operation	Mon - Fri 8:30am - 5pm	Mon - Fri 8:30am - 5pm	Mon – Fri 10am-3pm	Mon - Fri 8:30am - 5pm	Loc 1: Mon - Fri 9:00am - 5pm Loc 2: Mon & Fri 10:00am - 4:30pm Loc 3: Tues & Thurs 10:00am - 4:30pm Loc 4: Wed 10:00am - 4:30pm

The benchmarking data indicates Northern Beaches residents are provided with greater access to customer service counters, do less online requests for service and generally make fewer enquiries and requests for service. The benchmarking data at this stage does not provide any trend data but highlights the variations in levels of service provided across the Local Government sector.

Analysis of Data

The data gathered provides an insight into the various habits of customers that visit all of Council's Customer Contact Centres. It is apparent that the location of each service has an influence on the customer numbers. There are other contributing factors such as the population density and distance a customer may have to travel that could influence how they conduct business with Council.

Some residents of the northern part of the Local Government Area have additional challenges to access including offshore communities (Great Mackerel Beach and Coasters Retreat) and as such would benefit from digital service options being provided to undertake business with Council.

The data also shows that very few transactions (payments) are being undertaken each day at the Avalon Customer contact centre, with 2 per day during the reporting period. To support payments, Council staff have additional cash handling procedures if a customer seeks to make a cash payment. During the 149 day reporting period there were 45 cash payments made. The remaining transactions were with credit or debit cards.

The data provides evidence that each visitor (1709) to the Avalon Customer Contact Centre generates a cost per visit of approximately \$92 compared to the average cost of \$16.50 from all enquiries (276,208). Whilst there may be strong local support for the retaining the service due to its convenience for residents, the evidence demonstrates a higher average cost for ratepayers. The prioritisation and delivery of online transactions and a strong digital presence would provide alternative ways to deliver more effective and efficient service and remain in line with broader customer expectations.

The data supports reducing operating hours at the Avalon Beach Customer Contact Centre. It is proposed that the service be progressively reduced, initially to 2 days per week for up to 6 months. Data will continue to be collected on usage during these reduced hours. If low patronage continues, it is expected that the further reductions or withdrawal of service would be recommended. Should this occur, the site could be re-purposed to an alternative use.

Supporting Information

Prior to 2003, resident access to a customer contact centre was in Vuko Place, Warriewood. In 2004 Council redeveloped the Mona Vale Library and created a civic precinct that included a new customer contact centre, Library and staff accommodation. The Avalon Customer Contact Centre was opened as a “drop-in” centre in 2003 and later converted to a full-service centre.

With the advent of the NSW Planning Portal, all Development Applications are now lodged online, negating the requirement to have a suitably qualified planning staff member at each Customer Contact Centre. In addition, the increased availability and update of technology has enabled many staff to become more mobile and able to work from multiple locations with a minimum of disruption. Council’s Voice Over Internet Protocol (VOIP) phone software can be operated from any location at any time, providing greater responsiveness during emergencies and high demand periods.

Alternative Uses

The site is accessible for people with a disability and centrally located in the heart of the Avalon Commercial precinct. It is a matter for Council to determine the future use of the site as a Customer Contact Centre. A recommendation for a reduction in hours of service to 2 days per week would not allow the site to be re-purposed due to the need for workstations to remain and security of other operational material.

There is strong demand from the local community to provide for more community space and services particularly in the area of mental health and the vulnerability of young people in the Avalon area. Adjoining the site is the Avalon Early Childhood Centre which is co-tenanted with the Avalon Youth Hub, Council’s community centre office is located to the north.

Service Implications

Avalon Beach, Whale Beach and Palm Beach are located at the most northern tip of the Barrenjoey Peninsula predominantly low density residential suburbs. Avalon commercial precinct is identified as a “Coastal Village” in Council’s adopted Local Strategic Planning Statement. “My Place – Avalon” adopted by Council in July 2022 envisages 1.6% population growth over the

period 2018-2036. Extensive growth in local population is not expected in the current planning horizon and it is unlikely that the demand for service will change because of population factors.

Should Council resolve to reduce operating hours at the Avalon Customer Contact Centre, the nearest available in-person centre will be located at Park Street, Mona Vale. Mona Vale is a higher order "Strategic Centre" and has a larger commercial and employment precinct. Mona Vale is 6km by road from Avalon Beach and approximately 10 minutes by car. Public transport services are available from Avalon via the existing Sydney Buses service and the Keoride on demand public transport service. The on demand service is designed to connect residents to designated transport hubs, B-Line and other key bus stops, and popular destinations like shopping centres.

CONCLUSION

The evidence base presented provides a case for Council to consider the future of the Avalon Customer Contact Centre. As residents and businesses move to a digital future it is expected that customers will demand a greater digital presence from Council and a lesser reliance on traditional service models.

It is recommended that the Avalon Customer Contact Centre reduce operating hours and promote alternative methods of accessing services through a community information campaign.

CONSULTATION

At their request, Council staff met with local community associations during 2020 and 2021 to provide updates on the re-opening of the service. Some residents raised concerns in 2021 that the closure of the Avalon Branch was related to the amalgamation and creation of Northern Beaches Council. This perception may have been created when the Avalon Branch remained closed due to it being utilised by NSW Health and then the NSW Electoral Commission to provide services to the local community during the Covid-19 pandemic.

Following the collection of the data between March and September 2022, Council staff have further engaged with community associations such as the Palm Beach and Whale Beach Association, Avalon Preservation Association, Mackerel Beach Association, Clareville and Bilgola Plateau Residents Association and the Bilgola Beach Residents Association to present the evidence gathered regarding customer numbers.

During 2020 and 2021, Council staff had direct contact from 4 local residents who were unhappy the Contact Centre was closed. In each case the customers' needs were evaluated, and alternatives offered to provide the service. One resident request could not be accommodated over the phone or through an online transaction. This related to the disposal of used batteries that was previously accessed at the Customer Contact Centre. It is noted that a used battery disposal bin is provided at the recently refurbished supermarket in Avalon.

Whilst there has been broad community engagement undertaken on whether the Avalon Customer Contact Centre operating hours should be reduced, engagement with local community associations has occurred. The service closures over 2020 and 2021 raised few concerns regarding the operations of service, as customers have alternative in-person and online options.

Council's Community Engagement Policy also notes in its purpose

"... involves communicating with, and listening to, our community prior to, during and following decision making".

Council has been engaging and responding to its customers through various channels such as direct enquiries, customer feedback, visitation data and an increased customer demand for digital transformation.

TIMING

Should Council resolve to reduce operating hours, this could occur from January 2023. A detailed community information program will be developed to ensure information about alternative service methods is provided.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good governance - Goal 20 Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community
- Transport, technology and connectivity - Goal 18 Our community can easily connect and communicate through reliable communication technologies

FINANCIAL CONSIDERATIONS

The 2022/23 operating budget includes provision for operations at the Avalon Customer Contact Centre. Should Council resolve to reduce operating hours or withdraw service, staff would be redeployed to other customer service positions.

SOCIAL CONSIDERATIONS

The Avalon Customer Contact Centre is not well-utilised by the community compared to other locations. Opportunity exists to reduce operating hours to reduce costs and provide an alternative benefit to the residents.

If the services were proposed to be withdrawn, access to services on digital platforms may also be seen as a barrier for older persons or those without an internet connection. In 2021 the Australian Communications and Media Authority released a report titled "The Digital Lives of Older Australians" which noted 93% of older people in Australia had an internet connection in their home.

Whilst results are not yet available from the 2021 census, it is noted in 2016 that 5.7% of households the 2107 postcode (Avalon) and 5.9% in the 2108 postcode (Whale Beach and Palm Beach) did not have an internet connection. At the 2011 census this was around 10% for these postcodes, further demonstrating the growth in digital access for the community.

Council's service offering at Mona Vale Customer Contact Centre would continue to provide face to face service, accept cash payments and assist customers should the Avalon Centre be closed. Justice of the Peace services are already available in multiple locations in Avalon including Legal Firms, the existing Supermarket and Post Office.

There may be customers who are inconvenienced should the Avalon Customer Contact Centre close. The desires of these customers must be balanced with Council's responsibility to the wider community to provide the most effective and efficient services.

ENVIRONMENTAL CONSIDERATIONS

A reduction in operating hours of the Avalon Customer Service Contact Centre would have a minimal environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

Council has a responsibility to its community to provide effective and efficient service that is value for money. There is an evolving digital landscape driven by customer expectations that has led to increased demand for services on digital platforms. The evidence provided in this report indicates

that fewer people are using in-person customer service particularly as more services are offered on a digital platform. Further the NSW Government is supporting digital service provision with the ServiceNSW App and NSW Planning Portal.

The changing landscape of customer service, driven by customer experience has seen a change in the expectations and behaviours of customers, many of whom prefer to transact online, at their convenience, 24 hours per day. The provision of a 5 day per week Customer Contact Centre at Avalon based on the evidence provided is unsustainable and does not meet the needs of the wider community.

In considering the risks associated with a reduction in operating hours, it is noted that rate payments can be made at the Avalon Beach Post Office some 100m away and Justice of the Peace services are available at numerous other businesses in Avalon. Public transport connections to Mona Vale are frequent and reliable including the Keoride on Demand service to provide customers with access to the Mona Vale Customer Contact Centre.

Local community associations have been consulted and provided the evidence base to support the recommended outcome. It is expected that some members of the local community will not be supportive of the recommended action.

ITEM 10.2	COMMUNITY SAFETY ADVISORY COMMITTEE - CONFIRMED MINUTES OF 1 SEPTEMBER 2022 MEETING
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS & CULTURE
TRIM FILE REF	2022/736877
ATTACHMENTS	1 ↓Minutes - Community Safety Advisory Committee - 1 September 2022

BRIEF REPORT

PURPOSE

To report the Minutes of the Community Safety Advisory Committee meeting held on 1 September 2022.

REPORT

The Community Safety Advisory Committee is a committee of Council established to provide guidance to Council on community safety issues impacting the Northern Beaches.

The meeting held on 1 September included discussion on the following items:

- Northern Beaches Police and Council Operational Meeting
- Police Report
- Environmental Compliance Report
- Community Safety Plan
- Sexual Assault workshop and formation of Working Group.

The Minutes of the Community Safety Advisory Committee meeting of 1 September 2022 were confirmed by the Committee at the meeting of 24 November 2022 (Attachment 1).

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and Belonging - Goal 8 Our community feels safe and supported.

FINANCIAL CONSIDERATIONS

The Minutes of the Community Safety Advisory Committee pose no financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

The Minutes of the Community Safety Advisory Committee do not present matters that will create adverse environmental impacts.

SOCIAL CONSIDERATIONS

The Committee provides valuable advice relating to social and community-based outcomes. It includes involvement and engagement with a broad range of stakeholders.

GOVERNANCE AND RISK CONSIDERATIONS

The Committee is conducted according to Council's governance framework and adopted Terms of Reference.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council note the Minutes of the Community Safety Advisory Committee meeting held on 1 September 2022.



MINUTES

COMMUNITY SAFETY ADVISORY COMMITTEE

held in Manly Town Hall on

THURSDAY 1 SEPTEMBER 2022

**Minutes of the Community Safety Advisory Committee
held on Thursday 1 September 2022
in Manly Town Hall
Commencing at 9:30am**

ATTENDANCE:

Committee Members

Cr Candy Bingham	Manly Ward - Deputy Mayor - Chair
Cr Sue Heins	Curl Curl Ward
Cr Ruth Robins	Narrabeen Ward
Cr Michael Gencher	Pittwater Ward
A/Supt Chris Breed	Northern Beaches Police Area Command
Narelle Hand	Northern Beaches Domestic Violence Interagency
Antoin Cullen	Northern Beaches Mental Health Interagency
Sam King	Northern Beaches Youth Interagency
Kevin Kingsbeer	Northern Sydney Housing and Homelessness Interagency
Lynelle Hales	Northern Sydney Primary Health Network
Libby Paulsen	Community Representative – Frenchs Forest Ward
Mary Brearton	Community Representative – Narrabeen Ward
Sue Johansson	Community Representative – Pittwater Ward

Council Officer Contacts

Kylie Walshe	Executive Manager Community, Arts and Culture
Azmeena Kelly	Executive Manager Environmental Compliance
Will Wrathall	Manager, Youth and Community Development
Kath Young	Community Safety Coordinator
Helen Askew	Program Support Officer, Youth and Community Development

1.0 ACKNOWLEDGEMENT OF COUNTRY

The Deputy Mayor acknowledged the traditional custodians of the land on which the meeting gathered, and paid respect to Elders past, present and emerging.

2.0 APOLOGIES

Apologies were received from:

Cr Michael Regan	Mayor - Frenchs Forest Ward
Supt Patrick Sharkey	Northern Beaches Police Area Command
Wendy Finianos	Community Representative - Curl Curl Ward
Aileen Ogilvie	Northern Beaches Community Drug Action Team
Melissa Palermo	Northern Sydney Local Health District
Ray Brownlee	CEO
David Kerr	Director, Community and Belonging

The following members were not in attendance:

Doug Brooker	Northern Beaches Liquor Accord
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Recognition of the recent passing of Ray Mathieson, representative for Manly on the Community Safety Advisory Committee. Ray was a highly regarded member of this Committee, in its various forms, since its inception. The Committee reflected on his passion for his community and his commitment to local committees, Manly and the broader Northern Beaches.

3.0 DISCLOSURES OF INTEREST

There were no disclosures of pecuniary or non-pecuniary conflicts of interest.

4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

4.1 MINUTES OF COMMUNITY SAFETY ADVISORY COMMITTEE MEETING HELD 2 JUNE 2022

RECOMMENDATION

Minutes of the Community Safety Advisory Committee meeting held 2 June 2022 were accepted as a true and correct record of the proceedings of that meeting.

5.0 ACTIONS UPDATE

5.1 ACTIONS UPDATE

The following information was received and noted by the Committee.

1. MEETING OF 2 JUNE 2022

ITEM NO.	ACTION	RESPONSIBLE OFFICER	ACTION UPDATE
4.5.1	Investigate a sector or key community representative for seniors to join the Community Safety Advisory Committee	Kath Young	In progress. A report being forwarded to the 27 September 2022 Council meeting advises Council of the Confirmed Minutes of the 2 June 2022 Meeting and notes this action item. The report seeks Council's endorsement of amended Terms of Reference to include a seniors sector representative.
4.5.2	Provide an update on the Community Safety Plan actions at Community Safety Advisory Committee meetings.	Kath Young	Ongoing – Refer to Item 6.4
5.1	Liquor Accord interest in large scale events to be communicated to Events Team.	Kath Young	Completed
5.2	Email Community Safety Committee Advisory Committee member email and phone numbers to members.	Kath Young	Completed

2. NORTHERN BEACHES POLICE AND COUNCIL OPERATIONAL MEETING

A Police and Council Operational meeting was held on 28 July 2022. Key topics of discussion were:

- New Alcohol Free Zones established at Belrose, Freshwater and Narrabeen.
- Proposal to establish new Alcohol Free Zone at Mona Vale
- Safety Audits – Whistler St Carpark, Manly and Village Park, Mona Vale
- Upcoming events
- Locations of concern – Narrabeen Lagoon, old Manly Aquarium site, Village Park Mona Vale
- Graffiti
- Freshwater Beach Masterplan.

6.0 AGENDA ITEMS

6.1 POLICE REPORT

The Committee welcomed Acting Superintendent Chris Breed and thanked him for representing the Northern Beaches Police Area Command at the meeting while Superintendent Sharkey is on leave. A/Supt Breed advised that the Northern Beaches has had a downward trend in most offences over the past 5 years and is generally a very safe area. He noted the following:

Cybercrime offences are trending upward. Police have recently been working to raise community awareness of this issue however noted several recent incidents. Crime Prevention Officers are considering education opportunities for older community members who may not see online awareness strategies. Awareness raising is being integrated into other activities, for example [Coffee with a Cop](#) recently hosted by Northern Beaches Police Area Command at Mona Vale.

There has been an increase in Break and Enter offences over the recent months involving transients targeting luxury cars in the northern suburbs of Sydney. While the data indicates a spike in these offences, the increase involves 2-3 additional incidents over previous figures only. The Committee was advised of a recent arrest and a range of strategies being used to disrupt that behaviour, with good results. Offenders are accessing cars by entering unlocked homes and cars. The community is advised to ensure that homes and vehicles are kept secure to avoid opportunistic crime.

Sexual assault figures were discussed in light of this issue scheduled for discussion at a later Agenda Item. A/Supt Breed advised that the rising figures largely involve historical offences and noted 2 historical matters that involved extraditions from interstate.

A/Supt Breed advised the Committee that he has welcomed the opportunity to work collaboratively with the Northern Beaches community and stakeholders on a range of issues over the last 3 months. He spoke about a recent focus on youth engagement, including:

- Internships
- the [RISEUP program](#) in conjunction with the [PCYC Northern Beaches](#)
- the allocation of a Youth portfolio to a Duty Officer. Sam King will engage further with this officer on behalf of the Youth Interagency
- Similar to case coordination Safety Action Meetings (SAMs), Youth Action Meetings (YAMs) are being trialled to support high risk young people.

DISCUSSION

Committee members raised a number of issues for discussion with A/Supt Breed, including:

Youth

Sam King raised the issue of the home delivery of vaping supplies to young teens, and the advertising of this service to children on Snapchat. Police advise the community to screenshot the Snapchat and report the crime via the [NSW Police Force Community Portal](#) or [Crime Stoppers](#). The group also discussed the vulnerability of children with addiction to vapes and steroids and the tactics used by dealers to encourage young people including introducing friends.

It was noted that vaping is a significant issue for the Youth Interagency and that an increasing number of schools are registering for vaping awareness activities. A/Supt Breed advised that the eSafety Commission has good [resources](#) about reporting harmful content and on [sexual extortion](#).

Police representation at Youth Interagency meetings was requested. Sam King will forward email to A/Supt Breed. Youth activity in northern end of the Northern Beaches was discussed. Youth outreach services are engaging with local youth and Police liaise regularly with those services.

It is important to report issues to Police to determine if Youth Liaison Officers need to provide support and build relationships. The group was also advised that the majority of youth coming into contact with Police are not local to the area.

Graffiti & Malicious Damage

The Committee discussed the process by which Council is made aware of community information regarding incidents of malicious damage and further advice was sought. It was noted that the community don't report much graffiti to Police or Council, with the tendency being to discuss it on social media or to quickly clean up graffiti on private property.

Antoin Cullen reminded the Committee of the legal implications of social media posting photographs of youth engaged in graffiti tagging. The proper process is to report the incident to Police which will assist intelligence gathering. Advice was also provided on additional ways of engaging youth, for example a mural project at Brookvale. Committee members were encouraged to share with their networks that the reporting of crime, no matter how small, is essential to provide evidence and identification of patterns. Often many pieces of information can connect to a bigger picture which will assist the Police.

Posting of images to social media is not recommended and has legal consequences. A/Supt Breed encouraged those with photos and videos of alleged criminal activity to report them to Police. He also noted that Police are unlikely to see issues posted on social media and encouraged that Police be tagged into social media posts.

Domestic Violence

Narelle Hand shared that the Domestic Violence Interagency recently hosted a webinar for General Practitioners (GPs) to support their response to disclosures of domestic violence. 89 professionals registered for the event with 59 attending and there is demand to continue these. It was noted that GPs are an important intervention point. The Domestic Violence Interagency is also hosting a Legal Aid Seminar for professionals on 13 October and information will be circulated to Committee members. The Northern Beaches Domestic Violence Network has recently released a Services Referral Guide.

Community Awareness

The Committee was advised that the [Northern Beaches Police Area Command Facebook](#) page contains a lot of crime prevention information and Committee members were encouraged to share that information with their networks. Discussion emphasised that all information provided to Police contributes to the identification of patterns and offenders and to clarify that Crimestoppers includes minor crimes. A/Supt Breed was thanked for his attention to youth issues in our community.

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
6.1.1	Share with networks and the community that the reporting of crime, no matter how small, is essential to provide evidence and identification of patterns. Report crimes via the Police Portal or Crime Stoppers .	Committee members	
6.1.2	Research and report on Council's process of investigating damage to Council facilities when video evidence comes to attention via social media.	Community Safety Coordinator	24 November 2022

6.2 ENVIRONMENTAL COMPLIANCE REPORT

The Executive Manager Environmental Compliance provided an overview and presentation on compliance and regulatory statistics in relation to:

- Companion animal management
 - Dog attacks
 - RSPCA Cats Safe at Home Program
 - Review of rehoming practices
- Rangers – Alcohol Prohibited Areas
- Proactive compliance
 - Trolley management
 - Charity clothing bins
 - Real estate signs
 - Arbovirus surveillance program
 - Food outlet inspections

The Compliance presentation will be circulated to the Committee with the Draft Minutes.

DISCUSSION

Manly Ranger Patrols are doubled during summer, beginning the October long weekend and with earlier start times.

Trolley management was discussed. New supermarket development applications require evidence of a trolley management plan.

Animal management was discussed including:

- the [National Desexing Network](#) and Council's involvement
- off leash dog areas are patrolled by three dedicated Rangers at identified locations.

6.3 COMMUNITY SAFETY PLAN ACTION - SEXUAL ASSAULT

The Community Safety Coordinator presented the findings of research into sexual assault on the Northern Beaches and recent research statistics.

The Priority Area of Safe Relationships within the Community Safety Plan 2021-2026 outlines Council's commitment to raise awareness of safe and inclusive relationships and to support the delivery of support services to address unsafe behaviours in the community. Under this priority area is the action to:

Collaborate with key stakeholders to assess crime trends in sexual assault and advocate for appropriate community actions.

Committee members participated in a short workshop to reflect on this issue from the perspective of the group they represent on the Committee, to identify the key barriers to reporting sexual assault for each group.

DISCUSSION

The Committee discussed the results of the workshop and determined the common key barriers to reporting that were common across these community groups.

The wide reach of the Committee was recognised and it was noted that opportunities exist for Interagencies and services to address this issue individually as well as to work together as a broader network to address key common issues. Opportunities for consideration include education/awareness raising, training of service providers to provide a consistent quality first line of response, connection of the community with information, and infrastructure.

Specific opportunities discussed included:

- Switching narratives – share success stories
- Trauma informed practice – professional sexual assault counselling is required
- School programs such as Love Bites, Walk the Talk, respectful relationships
- Early intervention programs to create healthy relationships
- Education for community, parents, families to better understand how to manage an incident without retraumatising victims.

Community awareness was identified as a key common priority for action by the Committee. The formation of a Working Party to progress this action was agreed. Members who volunteered to participate in the Working Party include:

- Cr Michael Gencher
- Cr Ruth Robins
- Cr Sue Heins
- Mary Brearton
- Narelle Hand
- Sam King
- Sue Johansson.

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
6.3	Form a Working Group to progress the Community Safety Plan 2021-2026 action regarding sexual assault and report back to the Community Safety Advisory Committee on progress.	Committee members	24 November 2022

6.4 COMMUNITY SAFETY PLAN - UPDATE

The Community Safety Coordinator provided an update on the implementation of Community Safety Plan actions including:

- The review of all Alcohol Free Zones in the Local Government Area is now complete and signage has been updated.
- A review of Alcohol Prohibited Areas will be forwarded to Council in coming months
- Sexual assault research project update at Agenda Item 6.3
- Work is about to commence on the action relating to safer online language
- Local and Community Drug Action Teams are recommencing project work following COVID related delays.

7.0 GENERAL BUSINESS

- 7.1 Sue Johansson shared with the Committee that the establishment of a community led Safe Spaces group has progressed. 70 people have volunteered to participate in the suicide intervention model, including those with lived experience of suicide with support being provided by [Roses in the Ocean](#). Approximately half have undertaken Local Health District Applied Suicide Intervention Skills Training (ASIST) training.

The proposal is to have a presence on Friday, Saturday and Sunday nights in a Pittwater location which is yet to be identified.

- 7.2 Antoin Cullen advised that a youth response has been established at Macquarie Hospital and plans are underway to establish a satellite at Mona Vale Hospital.

SUMMARY OF ACTIONS

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
6.1.1	Share with networks and the community that the reporting of crime, no matter how small, is essential to provide evidence and identification of patterns. Report crimes via the Police Portal or Crime Stoppers .	Committee members	N/A
6.1.2	Research and report on Council's process of investigating damage to Council facilities when video evidence comes to attention via social media.	Community Safety Coordinator	24 November 2022
6.3	Form a Working Group to progress the Community Safety Plan 2021-2026 action regarding sexual assault and report back to the Community Safety Advisory Committee on progress.	Committee members	24 November 2022

The meeting concluded at 11.25am

This is the final page of the minutes comprising 9 pages numbered 1 to 9 of the Community Safety Advisory Committee meeting held on Thursday 1 September 2022 and confirmed on Thursday 24 November 2022

12.0 Planning and Place Division Reports

ITEM 12.1	PLACEMAKING GRANTS FOR WORLDPRIDE 2023
REPORTING MANAGER	MANAGER, PLACE & ECONOMIC DEVELOPMENT
TRIM FILE REF	2022/682854
ATTACHMENTS	1 Placemaking Grants for WorldPride 2023

SUMMARY

PURPOSE

To seek approval to allocate funding under Council's Placemaking Grants program for WorldPride 2023.

EXECUTIVE SUMMARY

At the council meeting of 27 September 2022 in response to Notice of Motion 27/2022 – Council support for Sydney WorldPride 2023 activities, Council resolved amongst other things to provide support for local businesses and organisations through a small place-based grants program of \$20,000 in total. Council also resolved to nominate Councillors Glanville and De Luca to join a Grant Evaluation Panel established by the Chief Executive Officer with appropriate governance arrangements.

The Placemaking Grant Program for WorldPride 2023 provides small grants (total grant program \$20,000) to eligible individuals and organisations to support projects and initiatives that support the delivery of new and innovative activations as well as the adaption of existing activities to support Sydney WorldPride 2023 on the Northern Beaches.

The program aims to encourage the community to deliver local activations that promote community participation and celebrate WorldPride across villages and town centres in the Northern Beaches during the Sydney WorldPride festival dates and show a commitment to Sydney WorldPride's values of diversity, inclusion, and accessibility.

The Placemaking Grants for WorldPride 2023 Program has been developed in accordance with the adopted Community Grants and Partnerships Policy and the Guidelines for the Placemaking grants stream.

Council received the following grant applications:

Grant Program	Applications received	Eligible Applications	Eligible Applications Amount Requested	Amount Available
Place making for WorldPride 2023	24	24	\$110,090	\$20,000.00

The number of applications recommended for funding are shown below:

Applications Recommended for Funding	Full Funding	Partial Funding	Amount Recommended (ex GST)
7	2	5	\$20,000

A summary of successful applications, are outlined below and a brief project description with assessment feedback, are detailed in Attachment 1.

The delivery date for funded projects is from 17 February 2023 to 5 March 2023. Once successful applications have been approved, unsuccessful applicants will be notified with the opportunity provided to receive feedback on their application.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council pursuant to Section 356 of the *Local Government Act 1993*, approves the allocation of \$20,000 (excluding GST) under the WorldPride 2023 Placemaking Grants Program as outlined in Attachment 1.

REPORT

BACKGROUND

The Northern Beaches Council Placemaking Grants for WorldPride 2023 have been developed in response to Notice of Motion No. 27/2022 - Council support for Sydney WorldPride 2023 activities.

The Placemaking Grant Program provides small grants to eligible individuals and organisations to support projects and initiatives that support the delivery of new and innovative activations as well as the adaption of existing activities to support Sydney WorldPride 2023 across the Northern Beaches.

The program aims to encourage the community to deliver local activations that promote community participation and celebrate WorldPride in our villages and town centres.

Activations to support WorldPride 2023, supported by this grant program will take place in public places across the Northern Beaches during the Sydney WorldPride festival dates and show a commitment to Sydney WorldPride's values of diversity, inclusion, and accessibility.

WorldPride is a global event licenced by InterPride which is awarded to a different host city every 2-3 years. Sydney WorldPride 2023 will run between 17 February 2023 and 5 March 2023. The Sydney event will be the first WorldPride event held in the southern hemisphere.

Applications from eligible individuals and organisations were required to address the following assessment criteria:

1. Community Benefit

Demonstrate significant economic, social, community, cultural and/or environmental contribution to the Northern Beaches community.

2. Priority Areas

Strongly relate to one or more identified Council goals and/or strategies and the values of WorldPride.

3. Value for Money

Justify the grant amount requested and included a well-researched and realistic budget, clearly indicating what Council's funds would be spent on, as well as other contributions including corporate sponsorship and in-kind support.

4. Activation of Places

Priority given to activations held within town and village centres.

A total of 24 applications were received and 7 applications are recommended for funding. 2 projects are recommended to receive the full amount of funding requested, and 5 applications are recommended to receive partial funding, as shown in the following table.

Applicant	Project title	Recommended Funding (ex GST)
MANLY BUSINESS CHAMBER	WorldPride 2023 Manly Style	\$4,000 (full amount funded)
COLLARROY TENNIS CLUB INCORPORATED	Collaroy Tennis Club Pride Day	\$500

RUNNING STARS HEALTHY LIVING LTD	Run the Rainbow at Mona Vale and Curl Curl	\$500
MOUNT PRITCHARD & DISTRICT COMMUNITY CLUB LTD (Harbord Diggers)	WorldPride @ Harbord Diggers	\$4,000
ABILITY OPTIONS LTD (on behalf of GLAM)	GLAM World Pride 2023 Community Art Project	\$1,000
RAINBOW FAMILIES INCORPORATED (in partnership with Fusion Pride)	Pride Picnic	\$5,000 (full amount funded)
AVALON PALM BEACH BUSINESS CHAMBER INCORPORATED	Love is Love Community Social & PrideSwim	\$5,000
TOTAL		\$20,000

Note: See Attachment 1 for further detail on each of these projects.

CONSULTATION

The Placemaking Grants for WorldPride 2023 were open for applications from 12 October 2022 to 15 November 2022.

Program information and guidelines were advertised and promoted widely throughout the community, including information and emails to relevant grant, network and group distribution lists, Council's website, and several broad and targeted social media platforms.

Hard copy promotion was undertaken by staff within town and village centres.

Assessment Panel

Council staff conducted eligibility checks on all applications received prior to progressing to assessment by the Assessment Panel.

The Placemaking Grants Assessment Panel comprised of:

- One representative from Council's Place and Economic Development team
- One representative from Council's Events team
- One representative from Council's Open Space Bookings Team
- Two Councillors as community representatives (Councillors Glanville and De Luca)

Assessment Panel members undertook individual assessments and submitted a score for each application against the Assessment Criteria, resulting in a priority ranking. The Assessment Panel met in person to discuss the priority ranking and to reach consensus on the projects recommended for funding.

TIMING

Applications opened on 12 October 2022 and closed on 15 November 2022.

Successful applicants will be notified as soon as practicable following Council approval.

The delivery date for funded projects is from 17 February 2023 to 5 March 2023. Once successful applications have been approved, unsuccessful applicants will be notified with the opportunity provided to receive feedback on their application.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Environmental sustainability - Goal 6 Our Council is recognised as a leader in environmental sustainability
- Community and belonging - Goal 7 Our diverse community is supported to participate in their chosen cultural life
- Community and belonging - Goal 8 Our community feels safe and supported
- Community and belonging - Goal 9 Our community is inclusive and connected
- Housing, places, and spaces - Goal 11 Our local centres are vibrant and healthy, catering for diverse economic and social needs
- Vibrant local economy - Goal 15 Our centres are sustainable, encompassing a diverse range of businesses that attract visitation and provide work, education, leisure and social opportunities

FINANCIAL CONSIDERATIONS

Funding to support the Placemaking Grants for WorldPride 2023 is included in the existing 2022/23 budget.

SOCIAL CONSIDERATIONS

These actions will have a strong positive impact on our local community, particularly for the LGBTQIA+ community and their family and friends. It is anticipated that some members of the community may find this time challenging, with religious and cultural factors influencing their ability to show support towards WorldPride 2023.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations, noting that the activations approved on Council land will operate in accordance with Council's Single Use Plastic and Waste Minimisation for Functions and events approved by Council policies.

GOVERNANCE AND RISK CONSIDERATIONS

It is anticipated that some members of the community may find this time challenging, with religious and cultural factors influencing their ability to show support towards WorldPride 2023.

Placemaking Grants for WorldPride 2023 Applicant Overview

Council received twenty-four (24) applications to the Placemaking Grants for WorldPride 2023, with all twenty-four (24) proceeding to assessment after eligibility checks. The twenty-four (24) eligible applicants requested a total of \$110,090.00. The grant had the following assessment criteria:

1. Community benefit
 - demonstrate significant economic, social, community, cultural and/or environmental contribution to the Northern Beaches community
2. Priority areas
 - strongly relate to one or more identified Council goals and/or strategies and the values of WorldPride
3. Value for money
 - justify the grant amount requested and included a well-researched and realistic budget, clearly indicating what Council funds would be spent on, as well as other contributions including corporate sponsorship and in-kind support
4. Activation of places
 - priority given to activations held within town & village centres

Projects recommended for funding

Following the assessment of the twenty-four (24) eligible applications, the Panel recommends seven (7) projects for grant funding amounting to \$20,000. This includes 2 projects for full funding and 5 project for partial funding. The following table details the projects recommended

Organisation	Project	Request (Ex GST)	Recommendation (Ex GST)	Comment
Manly Business Chamber	Corso activation: installation of a rainbow arch for the duration of WorldPride with weekend activations including live musicians and roving entertainment in collaboration with Budgy Smuggler's WorldPride rainbow edition.	\$4,000	\$4,000	Demonstrates a clear rationale with identified community need, located in the public domain, contributes to at least one Council priority area and supports the values of WorldPride 2023.
Collaroy Tennis Club	Community open day: social tennis, music, food and drinks, raffle prizes and giveaways.	\$2,500	\$500	Demonstrates a clear rationale with identified community need, contributes to at least one Council

				priority area and supports the values of WorldPride 2023.
Running Stars Healthy Living Ltd	Run the Rainbow at Mona Vale and Curl Curl will promote the importance of diversity, tolerance and accessibility by dressing our courses and participants with rainbow colours and a post run rainbow breakfast.	\$2,485	\$500	Demonstrates a clear rationale with identified community need, located in the public domain, contributes to at least one Council priority area and supports the values of WorldPride 2023.
Harbord Diggers – Mountie Group	A large-scale lighting display on the Ocean Terrace as visual support, to the community alongside a program of in venue activities and fundraisers.	\$10,000	\$4,000	Demonstrates a clear rationale with identified community need, prominently located, contributes to at least one Council priority area and supports the values of WorldPride 2023.
Ability Options – on behalf of GLAM	Community Art Project as part of an information stall promoting GLAM Plus and GLAMrUS.	\$3,600	\$1,000	Demonstrates a clear rationale with identified community need, located in the public domain, contributes to at least one Council priority area and supports the values of WorldPride 2023.
Rainbow Families in partnership with Fusion Pride	Pride Picnic will be a free, all ages event with a focus on families and will offer the chance for families and friends to meet, grab some lunch from the local cafes and enjoy live music from local artists.	\$5,000	\$5,000	Demonstrates a clear rationale with identified community need, located in the public domain, contributes to at least one Council priority area and supports the values of WorldPride 2023.
Avalon Palm Beach Chamber of Commerce	Love is Love Community Social & PrideSwim fundraiser. Open day style event by and for the Queer Community of Pittwater and a charity swim.	\$10,000	\$5,000	Demonstrates a clear rationale with identified community need, located in the public domain, contributes to at least one Council priority area and supports the values of WorldPride 2023.

ITEM 12.2	SUSPENSION OF ALCOHOL FREE ZONE AT MARKET LANE MANLY, MARKET LANE LIVE - SMALL BAR
REPORTING MANAGER	MANAGER, PLACE & ECONOMIC DEVELOPMENT
TRIM FILE REF	2022/335309
ATTACHMENTS	1 Proposed Plan - Market Lane - Manly (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval to suspend a part of the existing Alcohol-Free Zone (AFZ) at Market Lane, Manly.

The AFZ proposed to be suspended is an area within Market Lane, Manly which is to be used as a Small Bar, known as Market Lane Live – Small Bar. Development Consent for the use of the land as a Small Bar was issued by the Northern Beaches Local Planning Panel (DA2021/2065) on 1 June 2022. The lodgement of the DA came following Council seeking tenders from operators in 2021 to activate the space as a pop-up wine garden.

The relevant part of the AFZ will be suspended for a period of three years, which is the period the development consent for the use of the land as a small bar will operate.

EXECUTIVE SUMMARY

It is proposed to suspend part of the existing Alcohol-Free Zone (AFZ) at Market Lane, Manly (as shown in Attachment 1) for a period of three years. The AFZ in Market Lane has been suspended in a temporary manner on several occasions since December 2020 to enable the activation of the Market Lane area for a pop-up wine garden.

The relevant part of the AFZ will be suspended for a period of three years, which is the period the development consent for the use of the land will operate.

The most recent Council resolution extending the suspension of the AFZ was on 23 March 2022, wherein Council resolved that the AFZ suspension be extended from 1 April 2022 to 30 June 2022.

The affected area is within Market Lane, Manly and is proposed to be used as a Small Bar, known as Market Lane Live – Small Bar. Development Consent for the use of the land as a Small Bar was issued by the Northern Beaches Local Planning Panel on 1 June 2022 (DA2021/2065). This followed Council seeking tenders from operators in 2021 to activate the space as a pop-up wine garden. The contract with the successful tenderer, required submission of a development application, seeking development consent for the use of the land as a Small Bar.

The activation initiative for Market Lane, Manly came following the economic and health impacts of COVID19, and a desire to create more outdoor activations where people could drink and dine in a controlled environment while minimising the risk of COVID19 transmission.

Suspension of Alcohol-Free Zones

Alcohol-Free Zones (AFZ) are established under section 644 of the *Local Government Act 1993* and operate in various locations across the Northern Beaches. Where a public road or public carpark is designated as an AFZ the drinking of alcohol is prohibited in the area designated as an AFZ.

An AFZ cannot operate for a period of more than 4 years but may be re-established from time to time.

Section 645 of the *Local Government Act 1993* allows a Council, at the request of any person or body, or by its own motion, to suspend the operation of an AFZ by publishing notice of the suspension in a manner that Council is satisfied is likely to bring notice to the attention of members of the public in the area as a whole or in a part of the area that includes the zone concerned.

The Act states that during the period indicated in such notice as the period of suspension, the zone does not operate as an AFZ. The Act also states that the Council may at any time cancel the operation of an AFZ.

This report seeks Council approval for the suspension of the relevant part of the existing AFZ at Market Lane Manly for a period of 3 years. The suspension will support the use of part of Market Lane Manly for a Small Bar as approved in DA2021/2065. The development consent allows the use of the land for a period of three years and the suspension of the AFZ is in accordance with the terms of the development consent.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Suspend the operation of that part of the Alcohol-Free Zone (AFZ) for the area of Market Lane, Manly as shown on Attachment 1 for a period of 3 years.
 2. Authorise the Chief Executive Officer to do all things necessary to give effect to the suspension of the relevant part of the Market Lane, Alcohol Free Zone including the publication of notices of suspension as required under section 645 of the *Local Government Act 1993*.
-

REPORT

BACKGROUND

In the interest of public safety, alcohol-free zones (AFZs) have been established in various locations across the Northern Beaches, designed to prevent drinking on the street. These areas are part of a wider Sydney and NSW Police program tackling anti-social drinking.

Alcohol-Free Zones are established under section 644 of the *Local Government Act 1993* and operate in various locations across the Northern Beaches. Where a public road or public carpark is designated as an AFZ the drinking of alcohol is prohibited in the area designated as an AFZ.

An AFZ cannot operate for a period of more than 4 years but may be re-established from time to time.

Section 645 of the *Local Government Act 1993* allows a Council, at the request of any person or body, or by its own motion, to suspend the operation of an AFZ by publishing notice of the suspension in a manner that Council is satisfied is likely to bring notice to the attention of members of the public in the area as a whole or in a part of the area that includes the zone concerned.

The Act states that during the period indicated in such notice as the period of suspension the zone does not operate as an AFZ. The Act also states that the Council may at any time cancel the operation of an AFZ.

AFZs are listed on the Council website www.northernbeaches.nsw.gov.au/community/safety-and-wellbeing/alcohol-free-zones

Due to the economic and health impacts of COVID19, there has been a desire to create more outdoor activations where people can drink and dine in a controlled environment while minimising the risk of COVID19 transmission.

Market Lane has been established as an AFZ which ordinarily operates 24 hours a day.

A contract was awarded by Council in July 2021 to MNT Investments Pty Ltd T/A Donny's Bar to operate the Market Lane Live Pop-up Wine Garden, subject to a requirement that the operator obtain development consent for the use of the land as a Small Bar.

The operation of the Market Lane AFZ has been suspended in the past, in relation to the Market Lane Live Pop-up Wine Garden which has been operating since 3 January 2021. Council has suspended the relevant part of the AFZ on several occasions since the operations of the trial pop-up wine garden commenced in January 2021, with the most recent Council resolution of 22 March 2022 being:

"That Council:

- 1. Suspend the operation of the Alcohol Free Zone (AFZ) at Market Lane, Manly for the Market Lane Live Pop up Wine Garden designated area from 1 April 2022 until 30 June 2022, pending the determination of Development Application DA DA2021/2065. If Development Application DA2021/2065 is approved and permits the consumption of alcohol on the site, suspension of the AFZ within the pop-up Wine Garden area will be sought for the duration of the DA consent period."*

The Council resolution of March 2022 foreshadowed a further suspension of the relevant part of the AFZ for the Small Bar area if approval was given to DA2021/2065. Development Consent DA2021/2065 was issued by the Northern Beaches Local Planning Panel on 1 June 2022 for the use of part of Market Lane as a Small Bar to be known as Market Lane Live – Small Bar. The terms of the development consent allow the use of the land as Small Bar for three years.

The development consent includes conditions, one of which requires the operator of the Small Bar to enter into a Licence Agreement with Council. The operator of the proposed Small Bar is in the final stages of discussions with Council's Property Team regarding an agreement to lease the public space. Until such time as the lease/licence has been issued and the development consent activated, the suspension would not begin and use of the area in Market Lane will not commence.

CONSULTATION

If the suspension of the relevant part of the AFZ is approved by Council, notice to members of the public will be published in accordance with the *Local Government Act 1993*.

DA2021/2065 was referred to the Northern Beaches Police Area Command (NBPAC) – Licensing Team. No comments from NBPAC were received in relation to the DA.

Staff have referred the proposed suspension of the AFZ to NBPAC and no objections have been raised.

TIMING

If approved, the suspension of the operation of the relevant part of the AFZ would take effect following notification from the operator of the commencement of DA2021/2065 and would operate for a period of three years.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and belonging - Goal 7 Our diverse community is supported to participate in their chosen cultural life
- Housing, places, and spaces - Goal 11 Our local centres are vibrant and healthy, catering for diverse economic and social needs
- Vibrant local economy - Goal 13 Our businesses are resilient, well-connected and thrive in an environment that supports innovation, entrepreneurialism, and economic growth
- Vibrant local economy - Goal 15 Our centres are sustainable, encompassing a diverse range of businesses that attract visitation and provide work, education, leisure, and social opportunities
- Partnership and participation - Goal 22 Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community

This report also relates to the Northern Beaches Events Strategy 2018-2023.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The consumption of alcohol will only be permitted within the Market Lane Live – Small Bar footprint and during the designated operating times granted by Development Consent.

The Market Lane Live – Small Bar provides an opportunity for our community to come together in a controlled environment while minimising the risk of COVID transmission and supporting our local businesses after what has been a difficult time throughout the COVID-19 pandemic.

ENVIRONMENTAL CONSIDERATIONS

The Market Lane Live – Small Bar will be operated in accordance with Council's Waste Minimisation for Functions and Events Approved by Council and Single Use Plastics policies. As part of the Development Assessment process environmental considerations were considered and the suspension of the AFZ is unlikely to have any discernible environmental impacts. Accordingly, it has been determined that the proposal will not significantly affect the environment.

GOVERNANCE AND RISK CONSIDERATIONS

Council has consulted with the Northern Beaches Local Area Command Licensing Team as stated above. The pop-up wine garden has been managed by the operator successfully to date, with no major incidents reported. Council staff will update the signage of the AFZ at Market Lane along with Council's website.

ITEM 12.3	DRAFT ECONOMIC DEVELOPMENT STRATEGY "BUSINESS ON THE BEACHES"
REPORTING MANAGER	MANAGER, PLACE & ECONOMIC DEVELOPMENT
TRIM FILE REF	2022/735510
ATTACHMENTS	1 ⇒ Draft Economic Development Strategy (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's endorsement for public exhibition of the draft Economic Development Strategy 'Business on the Beaches'.

EXECUTIVE SUMMARY

Council has prepared its first Northern Beaches wide Economic Development Strategy (EDS) to be known as 'Business on the Beaches'. The draft EDS sets a vision that 'The Northern Beaches is a more diverse, innovative, vibrant, and green economy' and outlines the key economic challenges, opportunities, and aspirations for the Local Government Area over the next 10 years and seeks to assist local businesses in their post COVID-19 recovery while planning for a sustainable economy long into the future.

The draft EDS sets out how Northern Beaches Council can attract, sustain, and support businesses, under four guiding themes: diverse economy, innovative economy, vibrant economy, and green economy. For each theme, there is a goal supported by a series of objectives, actions, and measures.

The draft EDS has been prepared by consultancy NDP Economic Development and is based on a thorough analysis of the current economic climate and engagement with the local Northern Beaches business community. It is informed by more detailed technical studies, namely the Northern Beaches Employment Study undertaken by SGS Economics & Planning, and the more recent Economic Health Check prepared by .ID Consulting. Both documents will be made available alongside the draft EDS during the public exhibition period.

Following public exhibition and consideration of submissions, the outcomes of the public exhibition will be presented to Council in 2023.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

1. Council place the draft Economic Development Strategy on public exhibition for 8 weeks.
 2. The outcomes of the public exhibition of the draft Economic Development Strategy be reported to Council.
-

REPORT

BACKGROUND

The draft Economic Development Strategy (EDS) '*Business on the Beaches*' sets a vision that 'The Northern Beaches is a more diverse, innovative, vibrant and green economy'. It is the first Northern Beaches wide Economic Development Strategy and outlines the key economic challenges, opportunities, and aspirations for the Local Government Area over the next 10 years.

The draft EDS has been prepared by consultancy NDP Economic Development and is based on a thorough analysis of the current economic situation and engagement with the business community. It is informed by more detailed technical studies, namely the *Northern Beaches Employment Study* undertaken by SGS Economics & Planning, and the more recent *Economic Health Check* prepared by .ID Consulting, and both documents will be made publicly available alongside the draft EDS.

Sustainable Economic Development

In preparing the draft EDS we have used a broader definition of *sustainable economic development* that considers the environment, inequality and living standards. In this regard, we consider *sustainable economic development* as:

- building up the area's economic capacity and resilience
- improving people's quality of life and access to opportunity
- encouraging increased levels of entrepreneurship and innovation
- aligning economic growth with environmental opportunities.

The Northern Beaches Economy

Based on desktop research and business consultation, the draft EDS provides a narrative about the Northern Beaches economy, including how the economy has changed between the 2016 and 2021 Census. The Strategy sets out what makes our local economy distinct and what are the opportunities, as well as the key challenges, to building a more sustainable and resilient economy.

Challenges

- Traffic congestion -this common frustration of business owners is slow transport for staff, customers, and suppliers, thus reducing profits.
- No major CBD - it is harder to attract major corporates and provide jobs that match residents' skills without a significant CBD.
- Lower paid roles - the absence of international students and working travellers, as well as rising housing costs that force many key workers to live outside of the LGA, has limited the pool of workers for lower-paid roles.
- Industrial and warehousing areas - these areas must be protected as they allow for existing and emerging industries that support the ongoing performance and functionality of the Northern Beaches economy.

Opportunities

- Innovation - new spaces or hubs to attract knowledge-based businesses and workers that align with the skills and aspirations of residents.
- Entrepreneurship - with some of the most talented professionals in Sydney and higher levels of home-based businesses, a focus on start-ups could grow the culture of entrepreneurship through information sharing, promotion, and networking opportunities.

- Town centres - through a combination of promotion, events, public domain improvements and regulations to revitalise our town centres, welcoming back locals and visitors.
- Cultural and creative industry- the Northern Beaches is home to the largest concentration of cultural and creative businesses outside of the Sydney CBD, offering scope for further growth by establishing creative hubs.
- Green economy- with local consumers wanting sustainable products and a high proportion of residents having the skills that could support a green economy, potential to explore and promote emerging investment opportunities in this sector.

Guiding Themes

The draft EDS is structured around four themes that have emerged from research and business consultation:

1. **Diverse** refers to the variety of different industry sectors, a mix of business sizes, and people with different skills and backgrounds participating in a more resilient economy.
2. **Innovative** refers to the entrepreneurial and creative economy that encourages start-ups, home-based businesses and creative and cultural industries.
3. **Vibrant** refers to thriving and welcoming town centres that attract residents and visitors during the day and into the evening.
4. **Green** is about protecting and enhancing the natural environment as the economy grows.

Actions and Measuring Success:

For each theme there is a goal supported by a series of objectives, actions, and measures.

Local government's role in economic development is usually more of an enabling role to create the conditions for economic growth. Most of the actions in the draft EDS require external partners and identifies the level of influence Council has in delivering that action, namely:

- Direct - Council has primary responsibility and ability to control, such as prepare investment brochure.
- Collaborate - Council needs to partner with businesses or organisations to deliver, such as growing business networks.
- Advocate - Council needs to inform or lobby other bodies to deliver, such as improve public transport.

The success of the draft EDS will be measured across a range of indicators, both internal (tasks or measurables for Council) and external (wider performance indicators for the economy/community), such as:

- increase in local jobs that align with residents' skills using the jobs to resident worker ratio and employment self-containment rate.
- number of new businesses starting up on the Northern Beaches including subsectors, such as home-based businesses and creative industries.
- revitalisation of town centres including foot traffic counts, local spend, visitor nights, alfresco dining and vacancy rates.
- progress towards net zero, including reduction of commercial/industrial Co2 emissions.

We will use these indicators to show how the EDS is tracking towards its vision every 2 years. As we emerge into a post-pandemic economy, it is now more important than ever to monitor changing

business conditions and regularly review the EDS to ensure that it supports the needs of local businesses and can respond to new opportunities.

CONSULTATION

The draft EDS has been developed through extensive business engagement, including:

- 25 stakeholder interviews (mix of business size/types, education institutions, chambers, and networks)
- nearly 100 business surveys (across a range of sectors, including a high proportion of home-based businesses)
- multiple workshops with the former Economic & Smart Communities SRG, including a presentation of the draft EDS to the SRG in March 2022.

In a survey of nearly 100 local business owners across all industry sectors and sizes, we heard Council can best support the Northern Beaches economy by:

- advocating for NBN and improved internet speeds (14%)
- promoting local training and job opportunities (12%)
- retaining industrial and warehousing spaces (12%)
- addressing housing affordability for key workers (11%)
- promoting the Northern Beaches as a genuine business location (10%)

Individual businesses want us to assist them by:

- providing information on grants and financial support (13%)
- ensuring affordable rental space for start-up businesses (12%)
- supporting greater networking amongst businesses (12%)
- encouraging Northern Beaches residents to buy-local (11%)
- streamlining council processes (eg. DAs) (7%).

Data from the *Living in Place* which surveyed 1,300 residents, has also been included to gauge what value the community place on the local economy and how they rate it. Whilst having a *prosperous economy* was rated quite highly overall, for younger residents, they rated their experience with accessing *good jobs prospects* as poorly.

Insights from business consultation have informed an analysis of the Northern Beaches economy's strengths, weaknesses, opportunities, and threats (SWOT).

Internal consultation was also undertaken with internal business units including: Strategic and Place Planning, Development Assessment, Greener Communities, Environment Resilience and Climate change, Waste Management and Cleansing, Transport Network, Arts and Culture, Social Planning and Services, Events, Resilience and Emergency Management, Place and Economic Development, and Corporate Strategy

TIMING

Public exhibition is proposed to occur for an extended period of 8 weeks, concluding on 28 February 2023. The outcomes of the public exhibition will be reported back to Council in 2023.

The draft EDS provides the framework for sustainable economic development over the next 10 years, with short-term 1-4 actions. It includes measures to monitor progress toward the vision that 'The Northern Beaches is a more diverse, innovative, vibrant and green economy', which will be reported on every two years.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Vibrant local economy - Goal 13 Our businesses are resilient, well-connected and thrive in an environment that supports innovation, entrepreneurialism, and economic growth
- Vibrant local economy - Goal 14 Our economy provides opportunities that match the skills and needs of the population
- Vibrant local economy - Goal 15 Our centres are sustainable, encompassing a diverse range of businesses that attract visitation and provide work, education, leisure, and social opportunities

The EDS will be the lead strategy for the economic pillar of Council and responds to commitments in the *Delivery Program 2022-2026 and the Local Strategy Planning Statement (Towards 2040) to develop an Economic Development Strategy*. It will sit alongside the lead strategies for the social and environmental pillars, namely the *Social Sustainability Strategy and Environment and Climate Change Strategy*.

To provide a whole-of-council approach to economic development, in drafting the EDS consideration has been given to other existing and emerging Council plans and strategies. In addition to the above, these include: the Resilience Strategy, the Arts and Creativity Strategy; the Northern Beaches Events Strategy and the Local Housing Strategy. It also considers emerging strategies/plans such as the Waste and Circular Economy Strategy, Youth Voice and various Place Plans and Structure Plans (such as the draft Brookvale Structure Plan currently on exhibition).

FINANCIAL CONSIDERATIONS

Funding to support the draft Economic Development Strategy is included in the existing budget.

The draft EDS identifies potential costs for implementing each action. We have used the same costing categories as other recent strategies/plans namely: \$ = low 0-\$15k; \$\$ = medium \$15k-\$500k; \$\$\$ = high \$500k to \$5million; \$\$\$\$ = significant +\$5million.

A lot of the actions are low cost as they are business as usual and continuation of existing council programs, such as the Business Support Service, or ongoing research. A few actions would require new research/consultancy, such as measuring the value of the green economy, but these would be relatively small costs and approval would be sought as part of normal business budget planning, over the life of the EDS.

Where there are actions which require 'high' or 'significant costs' (over \$500k), such as implementing Place Plans or Structure Plans, these would be subject to separate budget bidding processes, whilst noting that the EDS is not the primary plan implementing them.

SOCIAL CONSIDERATIONS

The recent impact of COVID-19 and natural disasters has highlighted the vulnerability of parts of the Northern Beaches economy, but also its resilience. Having a strategy in place to guide how Council and external partners can work together to support economic recovery and plan for prosperity, has become more important.

The draft EDS includes actions to help businesses adapt to economic shocks and stresses, including promoting services and programs to help businesses prepare, adapt, and thrive. It also includes actions to enable the Northern Beaches to become an inclusive economy by sharing of inclusive employment and business practices and promoting local training and emerging job opportunities.

ENVIRONMENTAL CONSIDERATIONS

Becoming a greener economy has emerged as one of the guiding themes for the draft EDS, recognising we have a unique natural environment and that our businesses and local customers are passionate about sustainability.

This draft EDS includes actions to help local businesses transition to a low carbon economy, through uptake of renewable energy and energy reduction. It also looks at ways we can encourage a more circular economy, through supporting businesses to repair, reuse and recycle.

GOVERNANCE AND RISK CONSIDERATIONS

Having an Economic Development Strategy provides Council with a vehicle to communicate to our local business community how we are currently supporting them and how we will continue to support their recovery and growth.

It also provides a framework for working with other organisations, such as local chambers, tertiary education providers and NSW Government agencies, to help build a more sustainable and resilient local economy. This potentially provides a platform to apply for grant funding opportunities.

ITEM 12.4	FIRE AND RESCUE NSW INSPECTION REPORT - 4-7 VILLIERS PLACE AND 69 MIDDLETON ROAD, CROMER
REPORTING MANAGER	MANAGER, BUILDING CONTROL
TRIM FILE REF	2022/728737
ATTACHMENTS	1 ⇒ Fire and Rescue NSW Inspection Report dated 13 September 2022 - 4-7 Villiers Place and 69 Middleton Road, Cromer (Included In Attachments Booklet) 2 ⇒ Draft Environmental Planning and Assessment Act 1979 - Notice of Intention to Give an Development Control Order (Fire Safety Order) (Included In Attachments Booklet)

SUMMARY

PURPOSE

Council has received an inspection report from Fire & Rescue NSW (FRNSW) (Attachment 1), in relation to the properties at 4-7 Villiers Place and 69 Middleton Road, Cromer.

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

Council's Fire Safety officer has investigated the concerns raised by FRNSW and recommends that a Fire Safety Order No.1 be issued to the owner of the property to ensure that adequate fire safety systems are provided at the property.

EXECUTIVE SUMMARY

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

Council must table any reports and recommendations at the next meeting of Council to determine whether it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Council's Fire Safety officer has investigated the matters raised by FRNSW and recommend that a Fire Safety Order No.1 is issued to ensure that adequate fire safety systems are provided.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. In accordance with the *Environmental Planning and Assessment Act 1979*, exercise its power to issue a Fire Safety Order No.1 to address the identified fire safety deficiencies at 4-7 Villiers Place and 69 Middleton Road, Cromer.
 2. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received an inspection report from Fire & Rescue NSW (FRNSW) dated 13 September 2022 in relation to a property known as 4-7 Villiers Place and 69 Middleton Road Cromer NSW 2099, as shown in Attachment 1 of this Report.

Part 8 of Schedule 5, section 17 (2), (3) and (4) of the *Environmental Planning and Assessment Act 1979* requires Council to table the reports and any recommendations at the next meeting of Council.

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

FRNSW conducted an inspection of the building on 11 April 2022 and 9 September 2022 and found the following items of concern during the inspections:

1. *Essential Fire Safety Measures*

1A. *Fire Hydrant System*

- A. *An isolation valve adjacent to storage compartment No. 001, lower ground level, was turned to the closed position contrary to the requirements Clause 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 21).*
- B. *Three fire hydrant block plans are installed at the hydrant booster assembly in Middleton Road. The following was observed which affect firefighting operations,*
- I Two of the plans (lower ground and ground levels) contain a highly reflective background that makes it difficult to read with natural or artificial lighting.*
- ii. Sectional lines on the plans in Item i. above obscure fire symbols.*
- iii. The ring main and isolation valves are not depicted contrary to the requirements Clause 7.4 (iii) and (viii) of Australian Standard (AS) 2419.1-2005.*
- a. Note: When FRNSW conduct pre-occupancy inspections, plans are often printed on white paper. Only when the plan is printed/etched can the final plan be viewed for its clarity.*
- C. *At the time of the initial inspection an attack fire hydrant installed adjacent to Unit No. 1 was not accessible due to scaffolding, garbage bins and other industrial material. Following the inspection, the strata manager provided evidence that the hydrant was cleared of obstructions.*

At the time of the follow-up inspection the attack hydrant was obstructed contrary to the requirements Clause 3.5 of AS 2419.1-2005.

1B. *Automatic fire Sprinkler Systems*

- A. *The secondary sprinkler pumpset was not operational contrary to the requirements Clause 81 of the EPAR 21. A tag labelled DANGER DO NOT OPERATE was attached to the pumpset due to a diesel leak.*
- B. *The fire sprinkler block plan identifies Pressure Flow Requirements for Level 12, Level 11 and Level 1. FRNSW are unable to determine what each level identifier represents.*

- C. *The fire sprinkler block plan indicates that the Pressure Flow Requirements for Level 1 is 3292 L/min (55 L/sec). The diesel pumpsets states the pump duty is 2970 L/min (49.5 L/sec). FRNSW are of the opinion that the pump duty does not meet the required flow requirements.*

1C. *Smoke Detection and Alarm System (SDAS)*

The application to waive AFA charges stated that multiple smoke alarms had been replaced by heat alarms.

The AED Fire Engineering Report¹ requires, "The building as a whole shall be provided with a Smoke Detection and Alarm System (SDAS)..." (Appendix 3 - extract FER).

- A. *FRNSW were advised that Unit 37 had replaced smoke alarms with heat alarms without going through a development process.*
- B. *The Fire Detection and Control Indicating Equipment (FDCIE) displayed 27 faults contrary to the requirements Clause 81 of the EPAR 21. The FAULT TYPE was identified as missing, type mismatch and extra device.*
- C. *The FDCIE indicated that all detectors in Unit 15 were missing. Upon investigation, all detectors and detector bases were removed from the unit. FRNSW have been provided with certification from Beyond Fire, stating that heat detectors had been removed (Appendix 2).*

FRNSW were unable to determine if the smoke detectors in Unit 15 had been changed to heat detectors prior to the Installation Certificate being issued for the removal of heat detectors.

Council may need to determine if the removal of the smoke/heat detection in Unit 15 was approved through the development process.

2. *Generally*

2A. *Barriers to Prevent Falls.*

- A. *A continuous barrier to prevent falls was not installed in the fire isolated stairway on the south/west part of the building contrary to the requirements of Clause D2.16 of the National Construction Code 2019 Volume One, Building Code of Australia. The stairway near Unit 18a, leading to Middleton Road, had an opening, approximately 1m² rising from the landing.*

FRNSW believes that there are inadequate provisions for fire safety for the building.

Recommendations

FRNSW recommends that Council:

- a. *Inspect and address any other deficiencies identified on the "the premises" and require items 1 and Item 2 of this report to be address appropriately.*
- b. *Relocate the fire hydrant adjacent to Unit 1 to a position s on the driveway side of the structural column near cap space No 1.*

Council staff inspected the property on 14 October 2022 to investigate the issues raised by FRNSW. A Notice of Intention to Give a Fire Safety Order was issued by Council on 24 October 2022 and is provided in Attachment 2. Council staff concur with the opinion of FRNSW that the fire safety and egress provisions are inadequate for the building. Accordingly, a Fire Safety Order No. 1 is recommended to be issued, requiring the owners to address the matters listed in the FRNSW report. The next step is to determine whether to issue a Fire Safety Order.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

Installation of any additional fire safety measures because of recommendations contained within this report will have minimal Environmental Impacts.

GOVERNANCE AND RISK CONSIDERATIONS

Council is required under the Environmental Planning and Assessment Act 1979 to table FRNSW inspection reports and decide whether or not to issue a Fire Safety Order. Failure to do so would be a breach of legislation. Failing to address any fire safety deficiencies identified could create a public safety risk.

13.0 Transport and Assets Division Reports

ITEM 13.1	MANLY STREETS AS SHARED SPACES - FEEDBACK ON THE TRIAL AND NEXT STEPS
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT & CIVIL INFRASTRUCTURE
TRIM FILE REF	2022/724062
ATTACHMENTS	1 ⇒ Manly Streets as Shared Spaces Trial Feedback Survey Report with Graphs - Manly SaSS - April 2021 to Nov 2022 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report back to Council on the outcome of the Manly Streets as Shared Spaces trial and make a recommendation to Council on how to proceed based on the feedback received and usage of the installations.

EXECUTIVE SUMMARY

The Manly Streets as Shared Spaces trial was approved in December 2020 by Council and installed March 2021 as part of the broader Streets as Spaces program funded by the Department of Planning, Industry and Environment.

The installation was undertaken in three main locations, Darley Road, The Corso, and Market Place adjoining the Whistler Street carpark. Other changes were made to parking restrictions and additional road markings were installed to highlight the changed road environment and generally slow traffic through the Manly Town Centre.

Whilst the installation was designed to assist business in managing the impact of COVID-19 social distancing and provide additional outdoor dining opportunities they also allowed visitors to the town centre to have alternative seating for take away meals and improved public amenity.

The Market Lane installation removed two parking spaces adjoining the Whistler Street carpark and the installation on The Corso removed 2 parking spaces and relocated the motorcycle parking into a third space. The Darley Road installation is the largest unit and removed 4 parking spaces and relocated the loading zones to the northern end of the street.

The installations were received with mixed responses from the community with the general complaints being that the parking was more important than the street dining opportunities and that they were not used by the community.

The Market Place and Corso installations are well used by the community during periods of good weather and high visitation. The Darley Road installation has been underutilised, with a combination of business turnover adjoining the location, not being used by the adjoining businesses (mainly due to the lack of staff to service the additional capacity) and the installation itself catering more for dining rather than the passive use for takeaway food and pedestrian dwelling.

Consultation has been undertaken through the trial period with the community and adjoining businesses, through both written submissions and online surveys. A summary report is attached to this report.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Support the retention of the Market Place and The Corso installations for another 12 months with the future option of formalising these areas as built out dining areas, subject to future funding availability.
 2. Support the removal of the Darley Road installation and the reinstatement of the on-street parking with suitable timed parking restrictions as approved by the Northern Beaches Council Local Traffic Committee.
-

REPORT

BACKGROUND

In May 2020, Council was given the opportunity to apply for funding from the Department of Planning, Industry and Environment (DPIE) Streets as Shared Spaces program. Several projects were proposed under Category 1 and 2, namely:

Category 1 rapid deployment activations: Tania Park car free trial; The Strand, Dee Why closure and dining activation; Robertson Road, Newport closure and dining activation and Waratah Street, Mona Vale partial closure and outdoor dining activation, and;

Category 2 semipermanent pilot projects: Activate Manly and Activate Bilgola, projects which were evaluated by a panel containing members from various NSW Government Departments, including TfNSW, DPIE, NSW Health, and the Government Architect NSW.

Whilst the Activate Manly project was progressed in December 2020, the Activate Bilgola project was not progressed due to considerable community feedback and the need to undertake further design and consultation. The delays resulting from the feedback mean that Council would not have met the timeline in the grant funding deed. The beachfront location on The Strand Dee Why was identified as an alternate location and met DPIE's grant funding conditions and was subsequently approved.

The DPIE Streets as Shared Spaces program is designed to allow Council to gauge the community's response to changes to the road environment before considering longer term changes or future activations. The program benefits to the community are to encourage physical activity and wellbeing, whilst providing opportunities to improve social distancing in high pedestrian activity areas.

The Manly Streets as Shared Spaces trial was approved in December 2020 by Council and installed March 2021 as part of the broader Streets as Spaces program funded by the Department of Planning, Industry and Environment.

The installation was undertaken in three main locations, Darley Road, The Corso, and Market Place adjoining the Whistler Street carpark. Other changes were made to parking restrictions and additional road markings were installed to highlight the changed road environment and generally slow traffic through the Manly Town Centre.

Whilst the installation was designed to assist business in managing the impact of Covid social distancing and provide additional outdoor dining opportunities they also allowed visitors to the town centre to have alternative seating for take away meals and improved public amenity.

The Market Lane installation removed two parking spaces adjoining the Whistler Street carpark and the installation on The Corso removed 2 parking spaces and relocated the motorcycle parking into a third space. The Darley Road installation is the largest unit and removed 4 parking spaces and relocated the loading zones to the northern end of the street.

The installations were received with mixed responses from the community with the general complaints being that the parking was more important than the street dining opportunities and that they were not used by the community.

The Market Place and Corso installations are well used by the community during periods of good weather and high visitation. The Darley Road installation has been underutilised, with a combination of business turnover adjoining the location, not being used by the adjoining businesses (mainly due to the lack of staff to service the additional capacity) and the installation itself catering more for dining rather than the passive use for takeaway food and pedestrian dwelling.

Consultation has been undertaken through the trial period with the community and adjoining businesses, through both written submissions and online surveys. A summary report of the survey is attached to this report.

Council has been approached by other businesses in the Manly CBD who are looking to trial this type of installation adjacent to their businesses, however this would be a separate matter and not dealt with in this report due the community consultation that is required. The planters are to be reused in the Dee Why and Avalon Street as Shared Spaces projects as appropriate. The road markings will remain in the Darley Road area to assist in reinforcing the 30km/h High Pedestrian Activity Area road environment.

CONSULTATION

There was a survey undertaken during the first six months of the trial with the community providing positive feedback on the Market Place and The Corso units with mixed responses on the Darley Road installation.

Individual adjoining business operators were interviewed by the Manly Mainstreet Coordinator on a one-on-one basis to discuss their opinion and preferences on the projects future and whether they have had any benefits or any risks that they could see with the installations.

Feedback from the Manly resident groups have also been considered that has been provided through face-to-face meetings and written submissions.

An onsite notice providing a link to a survey via a QR code was also included to gather feedback from users and visitors to the area. There were 108 individual responses to the onsite survey which provided detailed feedback through the online form.

TIMING

The removal of the Darley Street units would need to be programmed with the contractors and resident notifications undertaken. It is likely the removal of the Darley Road units would take place in Mid-January over several nights.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Vibrant local economy - Goal 15 Our centres are sustainable, encompassing a diverse range of businesses that attract visitation and provide work, education, leisure and social opportunities
- Transport, technology and connectivity - Goal 17 Our community can safely and efficiently travel within and beyond the Northern Beaches

FINANCIAL CONSIDERATIONS

The removal of the Darley Street installation will be undertaken and funded through the existing operational budget from the Transport Network Team at a cost of \$9,800.

SOCIAL CONSIDERATIONS

The benefit of this approach will allow the locations that are being utilised to continue as per the current usage and allow the less successful location to be returned to the community as parking to assist in the adjoining businesses.

ENVIRONMENTAL CONSIDERATIONS

The units that are removed will be stored at a Council facility for future reuse. No waste will be created from this project.

GOVERNANCE AND RISK CONSIDERATIONS

There is no risk or governance issues with this report or the recommendations for Council's consideration.

ITEM 13.2**OUTCOME OF PUBLIC EXHIBITION - TO RENAME
GEOGRAPHICAL FEATURES REFERRED TO OR NAMED BY
NATURALIST GEORGE CALEY IN 1805****REPORTING MANAGER****EXECUTIVE MANAGER PARKS & RECREATION****TRIM FILE REF****2022/129744****ATTACHMENTS**

- 1 [⇒](#) **Map of Eight Geographical Features Proposed to be Named in Recognition of George Caley (Included In Attachments Booklet)**
- 2 [⇒](#) **Community Engagement Report - Naming Proposal - George Caley (Included In Attachments Booklet)**
- 3 [⇒](#) **Location Map: Belrose Reservoir Proposed to be Named Sea Sight Reserve (Included In Attachments Booklet)**
- 4 [⇒](#) **Location Map: Area within Oxford Falls Proposed to be Named Caley Falls (Included In Attachments Booklet)**
- 5 [⇒](#) **Location Map: Area in Narrabeen Proposed to be Named Thick Brush Reserve (Included In Attachments Booklet)**

SUMMARY

PURPOSE

To consider the outcomes of the public exhibition of 3 naming proposals that recognise naturalist and explorer George Caley.

EXECUTIVE SUMMARY

The Geographical Names Board of NSW (GNB) has requested that Council comment on an application received from a Northern Beaches resident to name 8 Northern Beaches geographical features in recognition of naturalist and explorer George Caley. Three of these geographical features are located on Council land and 5 are not on Council land (Attachment 1).

In response to the GNB's request Council resolved at its meeting held 28 September 2021 (resolution 246/21) that:

1. *Council place on public exhibition for a period of 42 days the proposal to:
 - A. *Rename Belrose Reservoir as Sea Sight Reserve.*
 - B. *Officially name Oxford Falls Cascades as Caley Falls.*
 - C. *Name the reserve along Wakehurst Parkway, Narrabeen, unofficially known as Middle Creek 2 as Thick Brush Reserve.**
2. *The outcome of the public exhibition of the proposal of the renaming be reported to Council.*
3. *Council note the intention of the Geographical Names Board to consider the naming of the 5 geographical features for which Council does not have care, control, or management, and to provide a further update to Council upon receiving further advice from the Geographical Naming Board.*

In response to clause 1 of resolution 246/21 the 3 naming proposals were publicly exhibited between 1 October 2021 and 14 November 2021. The majority of submissions received did not support the naming proposals. The submissions not in support of the proposals largely indicated a preference for an Aboriginal name. Many objected to naming associated with early colonisation.

George Caley's name is already recognised on the Northern Beaches. The critically endangered local plant *Grevillea caleyi* (Caley's Grevillea) is named after George Caley and a popular trail in the Deep Creek area is known as Caley Trail.

Given that George Caley is already recognised on the Northern Beaches it is recommended that the GNB be informed that Council does not support these proposals. In other areas, the Ku-ring-gai Wildflower Garden's pavilion is named Caley's Pavilion and includes Caley's patio and garden. At Mount Tomah Botanic Gardens there is a plaque and monument in memory of George Caley.

In regard to clause 3 of resolution 246/21 the GNB have requested Council's comments on the 5 proposals; Saw the Sea Hill, Southern Sister, Northern Sister, Thick Brush Hill and Sea Sight Hill. A map of these sites is presented in Attachment 1. These sites are not on Council land, nonetheless, the feedback from the public exhibition described in this report will give the GNB an indication of our community's sentiment regarding naming.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note the outcomes of public exhibition.
 2. Inform the Geographical Names Board of NSW that Council does not support the proposal to:
 - Rename Belrose Reservoir as Sea Sight Reserve
 - Name Oxford Falls Cascades as Caley Falls
 - Name the reserve along Wakehurst Parkway, Narrabeen, unofficially known as Middle Creek 2 as Thick Brush Reserve.
-

REPORT

BACKGROUND

The Geographical Names Board of NSW (GNB) has requested that Council comment on an application it has received from a Northern Beaches resident to name 8 Northern Beaches geographical features in recognition of naturalist and explorer George Caley.

George Caley documented in his journal *An Account of a Journey to the Sea* (1805) his 5 day journey from Pennant Hills to Narrabeen during which he collected plant specimens and unofficially named eight geographical features in the Northern Beaches Local Government Area:

- Sea Sight Reserve, Caley Falls, Thick Brush Reserve - on Council land.
- Southern Sister, Northern Sister, Thick Brush Hill, Sea Sight Hill, Saw the Sea Hill - not on Council land.

The application submitted to the GNB requested formalising these 8 names. A map of the sites is presented in Attachment 1.

In response to the GNB's request Council resolved at its meeting held 28 September 2021 (resolution 246/21) that:

1. *Council place on public exhibition for a period of 42 days the proposal to:*
 - A. *Rename Belrose Reservoir as Sea Sight Reserve.*
 - B. *Officially name Oxford Falls Cascades as Caley Falls.*
 - C. *Name the reserve along Wakehurst Parkway, Narrabeen, unofficially known as Middle Creek 2 as Thick Brush Reserve.*
2. *The outcome of the public exhibition of the proposal of the renaming be reported to Council.*
3. *Council note the intention of the Geographical Names Board to consider the naming of the 5 geographical features for which Council does not have care, control, or management, and to provide a further update to Council upon receiving further advice from the Geographical Naming Board.*

In response to clause 1 of resolution 246/21 the 3 naming proposals were publicly exhibited between 1 October 2021 and 14 November 2021. The majority of submissions received did not support the naming proposals. The submissions not in support of the proposals largely indicated a preference for an Aboriginal name. Many objected to naming associated with early colonisation.

There are already a number of ways that George Caley has been recognised both locally and in other areas. The critically endangered local plant *Grevillea caleyi* (Caley's Grevillea) is named after George Caley and a popular trail in the Deep Creek area is known as Caley Trail. In other areas, the Ku-ring-gai Wildflower Garden's pavilion is named Caley's Pavilion and includes Caley's patio and garden. At Mount Tomah Botanic Gardens there is a plaque and monument in memory of George Caley.

Given that George Caley is already recognised on the Northern Beaches it is recommended that the GNB be informed that Council does not support these proposals.

In regard to clause 3 of resolution 246/21 the GNB have requested Council's comments on 5 proposals of which they have publicly exhibited the following 3 proposals for feedback:

- Saw the Sea Hill – on private land
- Southern Sister – on State land

- Sea Sight Hill – on Sydney Water land

The other two sites were not exhibited by the GNB as they are still in negotiations with the respective landowners, Northern Sister, and Thick Brush Hill. These sites are not on Council land, nonetheless, the feedback from the public exhibition described in this report will give the GNB an indication of our community's sentiment regarding naming.

CONSULTATION

The 3 naming proposals were publicly exhibited for 6 weeks between Friday 1 October 2021 and Sunday 14 November 2021. The community were informed of the opportunity to comment on these proposals via; a Have Your Say project page, media release, community engagement newsletter and stakeholder emails.

During the exhibition period 472 submissions were received which included 414 with written comments (see the Community Engagement Report at Attachment 2). The majority of submissions did not support the naming proposals. The submissions not in support of the proposals largely indicated a preference for Aboriginal names.

TIMING

Should the recommendations in this report be supported, the GNB would be advised in writing and Council will provide the community feedback on the proposals - Southern Sister, Northern Sister, Thick Brush Hill, Sea Sight Hill, Saw the Sea Hill.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

George Caley's name is already recognised on the Northern Beaches. The critically endangered local plant *Grevillea caleyi* (Caley's Grevillea) is named after George Caley and a popular trail in the Deep Creek area is known as Caley Trail. In other areas, the Ku-ring-gai Wildflower Garden's pavilion is named Caley's Pavilion and includes Caley's patio and garden. At Mount Tomah Botanic Gardens there is a plaque and monument in memory of George Caley.

ENVIRONMENTAL CONSIDERATIONS

The recommendations in this report pose no environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

The recommendations in this report are aligned with Council's Naming our Reserves, Facilities and Roads Policy and the GNB Policy – Place Naming.

ITEM 13.3**OUTCOME OF PUBLIC EXHIBITION - DRAFT LET'S PLAY!
NORTHERN BEACHES OPEN SPACE AND OUTDOOR
RECREATION STRATEGY AND ACTION PLAN****REPORTING MANAGER****EXECUTIVE MANAGER PARKS & RECREATION****TRIM FILE REF****2022/552589****ATTACHMENTS**

- 1 [⇒](#) **Community Engagement Report - Public Exhibition of Draft Let's Play! Northern Beaches Open Space and Outdoor Recreation Strategy (Included In Attachments Booklet)**
- 2 [⇒](#) **Let's Play! Northern Beaches Open Space and Outdoor Recreation Strategy and Action Plan - Final Draft (Included In Attachments Booklet)**

PURPOSE

To report the outcome of the public exhibition of the draft Let's Play! Northern Beaches Open Space and Outdoor Recreation Strategy and Action Plan and consider for adoption.

EXECUTIVE SUMMARY

The Northern Beaches is home to a large and diverse open space network with significant areas of parkland, beaches and foreshores and natural areas along with an extensive range of outdoor recreational facilities. This unique mix of land and water environments and facilities provides a strong sense of place and belonging for our community, many recreation opportunities and is a defining feature of the culture and identity of the Northern Beaches. The wellness of our people, our community and our economy is linked to the access to and quality of our open space network and facilities.

Our Northern Beaches Open Space and Outdoor Recreation Strategy and Action Plan – Let's Play! (Strategy) has been developed to guide future policy, planning, improvements and management of open spaces and outdoor recreation facilities holistically and equitably over the next 15 years through the staged implementation of almost 200 actions.

At the 28 June 2022 Council meeting it was resolved (resolution 169/22) that:

1. *Council place the draft Open Space and Outdoor Recreation Strategy and Action Plan – Let's Play! - on public exhibition for a minimum of 42 days.*
2. *A report on the outcome of the public exhibition is reported back to Council.*

The draft Strategy was placed on public exhibition for six weeks from 1 July 2022 until 14 August 2022. 141 submissions were received. The majority of submissions were either supportive of the Strategy or supportive with changes.

A summary of the key themes raised through submissions include:

- environmental protection, appreciation and enjoyment
- needs of specific groups, e.g. walking, off road cycling, horse riding and tennis
- access and inclusion
- requests for new and improved facilities
- needs of older children and youth

- maintenance, improvements and supporting facilities
- concern about potential changes at Whitney Reserve, Mona Vale
- requests to improve facilities at JJ Melbourne Hills Memorial Reserve

Some of the key feedback received and Council's responses are outlined in this report. A more detailed summary of submissions and Council's response can be found in the Community Engagement Report at Attachment 1. Some minor changes have been made to the Strategy in response to submissions. The final draft Strategy for consideration for adoption is at Attachment 2.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note the outcome of the public exhibition.
 2. Adopt Let's Play! Northern Beaches Open Space and Outdoor Recreation Strategy and Action Plan.
 3. Rescind the relevant sections of Council's current recreation strategies and policy, as outlined in this report.
-

REPORT

BACKGROUND

Our Northern Beaches Open Space and Outdoor Recreation Strategy and Action Plan – Let's Play! (Strategy) has been developed to guide future policy, planning, improvements and management of open spaces and outdoor recreation facilities holistically and equitably over the next 15 years through the staged implementation of almost 200 actions.

Consideration has been given to all kinds of outdoor recreation activities and recreation facilities including those enjoyed in our coastal, urban park and bushland areas. From swimming and surfing along our coast, to off road cycling and horse riding through bushland, to walking and running in a variety of settings, to enjoying our facilities such as playgrounds, outdoor courts, fitness equipment and skate parks. Quiet time in nature and on our beaches is also much valued in our community.

The Strategy has been informed by community feedback and research. It identifies current and future community needs and demographics and includes land and facility audits, literature reviews, gap analyses and best practice guidelines and open space trends relevant to the Northern Beaches.

Community feedback gathered to inform the Strategy indicates that our residents value and appreciate:

- a diversity of recreation opportunities
- access to nature
- environmental sustainability
- wellbeing benefits
- proximity to open spaces, nature and views.

KEY INITIATIVES

The Strategy's Action Plan outlines the actions recommended for implementation over the next 15 years to meet current and future community needs. These actions are aligned to the strategic directions in the Strategy, Council's Resourcing Strategy (including the Long Term Financial Plan) and the Community Strategic Plan 2040. Key initiatives include:

- additional playgrounds at Parkes Road Collaroy Plateau, Fielding Reserve Collaroy Beach, Brick Pit Reserve Frenchs Forest, Ashley Parade Fairlight and Condoover Reserve North Balgowlah
- prioritising playspace upgrades to offer higher quality and more diverse play experiences that benefit a broader range of people, rather than smaller playgrounds/playspaces that service a smaller catchment. This may include alternative facilities for older children and young people such as bike parks and basketball facilities
- developing new and improved off road cycling facilities for a broad range of interests and skills, including improvements to the Manly Warringah War Memorial State Park (Manly Dam) mountain bike trail, new bike parks, formalising some unauthorised trails and continuing to work with the NSW National Parks and Wildlife Service (NPWS) on additional cross tenure trails

- installing new outdoor fitness equipment and basketball/netball/multi-use courts at appropriate locations and where there is demand
- improving maintenance regimes (particularly in key areas and during periods of high use) to increase the standard of service and to provide a higher quality and more consistent experience
- improving access to and quality of amenities and facilities
- continuing to support the sustainable recreational use of bushland and managing edge effects
- continuing support for our parks, gardens and trail volunteers
- continuing to partner with the NSW State Government regarding shared access of school grounds and facilities and partnerships for new and upgraded facilities
- undertaking future recreation planning such as an Indoor Sport and Recreation Study.

CONSULTATION

Public exhibition aimed to obtain community feedback on the draft Strategy and was conducted between 1 July 2022 and 14 August 2022. Public exhibition included:

- Your Say page with online submission form
- Community Engagement Newsletter
- Council's e-News
- Mayor's message
- Social media
- Meeting with the Off Road Cycling Stakeholder Group
- Meeting with the Manly Warringah War Memorial State Park Advisory Committee
- Meeting with the Save Manly Dam Catchment Committee
- Notification to families using Council's childcare services
- Disability newsletter
- Emails to relevant resident and special interest groups
- Email to Council's Youth Advisory Group
- Emails to some community centre hirers

141 submissions were received during public exhibition of the draft Strategy. The majority of submissions were either supportive of the Strategy or supportive with changes.

A summary of the key themes raised through submissions include:

- environmental protection, appreciation and enjoyment
- needs of specific groups, e.g. walking, off road cycling, horse riding and tennis
- access and inclusion

- requests for new and improved facilities
- needs of older children and youth
- maintenance, improvements and supporting facilities
- concern about potential changes at Whitney Reserve, Mona Vale
- requests to improve facilities at JJ Melbourne Hills Memorial Reserve

Some of the key feedback received and Council's responses are listed in the table below. A more detailed summary of submissions and Council's response can be found in the Community Engagement Report at Attachment 1.

Topic	Feedback	Council's response
Tennis	Request for a tennis-specific strategy	An action to develop a forward plan for the management of Council's tennis assets has been added to the Strategy
Astronomy	Request for improved accommodation of astronomy activities at JJ Melbourne Hills Memorial Reserve, including minimising light pollution and improved access	Reference to lighting needs of astronomy activities have been added to the Strategy
Whitney Reserve	<p>Objection to sportsfields, lighting and subsequent increase in parking and noise. Desire to keep the park local and for passive use</p> <p>Objection to expanding the basketball facilities. Small and local is good and quiet</p>	<p>Whitney Reserve is a local level park. It is not intended to develop sportsfields with lighting at Whitney Reserve. The Sportsgrounds Strategy 2017 does not identify Whitney Reserve for sportsfields. The wording in the Strategy has been amended to clarify that lighting is not proposed for Whitney Reserve</p> <p>The basketball area will be maintained in line with the wishes of the local community</p>
Older children and Youth	<p>Support for providing play spaces and facilities for older children and youth and encouraging youth participation at existing facilities, e.g.</p> <ul style="list-style-type: none"> *Bouldering equipment *Ninja style *Basketball *Bike parks 	<p>Potential opportunities for providing equipment for older children and young people will be considered as parks are upgraded, in particularly at District and Regional level playgrounds</p> <p>There are a range of actions in the Strategy related to the provision of outdoor basketball and multiuse courts and outdoor bike parks and trails</p>
Access and inclusion	Requests for spaces for girls. Gender equity	<p>For the strategy Council will continue to consult inclusively with stakeholders including girls and women about proposed improvements to open spaces, new facilities and delivery of female and family friendly amenities</p> <p>Consultation with Council's Youth Advisory Committee is an important way of obtaining the views of young people including young women</p>

Topic	Feedback	Council's response
Off Road Cycling	<p>Concern about unauthorised trail building and environmental impacts, e.g.at Deep Creek</p> <p>Objection to formalising illegally built trails</p>	<p>Unauthorised trail building has a significant environmental impact. By providing additional authorised off-road cycling trails that better meet rider needs it is anticipated that unauthorised trail building will decrease. Environmental reviews and trail audits have been undertaken in several areas to help guide decisions regarding which trails may be suitable to formalise and which should be closed. It is anticipated that any further new unauthorised trails built without Council approval will be closed as resources permit. The Strategy has been amended to make reference to this</p>
	<p>Objections to formalising bike parks at:</p> <ol style="list-style-type: none"> 1. Whitney Reserve (Alternative locations suggested include near the Kitchener Park skatepark or near Winnererremy Bay) 2. North Narrabeen Reserve (suggest Boondah Reserve or near the Kitchener skate park instead) 	<ol style="list-style-type: none"> 1. There is support from riders and parents for a bike play area to be retained at Whitney Reserve 2. There are some small existing jumps at North Narrabeen Reserve. Whether or not to retain them will be considered when the new Masterplan is developed. Boondah Reserve may be a suitable alternate location <p>1. & 2. There is insufficient space near the Kitchener Park skate park for a bike park due to the proximity of the sportsfields and the Mona Vale golf course</p>
	<p>Objection to new bike park opposite Avalon Public School</p>	<p>Consideration will be given to locating the proposed Avalon Bike Park in another Avalon site</p>
	<p>Objection to any new trails at Manly Dam due to impact on biodiversity</p> <p>Objection to improvements and expansion of mountain biking at Manly Dam</p>	<p>Realignments may be implemented for improved safety and environmental outcomes where required and as permitted in the Plan of Management 2014</p> <p>Trails will be maintained as required</p>
	<p>Objections to formalising Nemesis and Quarry trails at Manly Dam</p>	<p>An audit of unauthorised off-road cycling trails at Manly Dam found that the Nemesis trail provides an important safe linkage that allows bikes to avoid riding through the playspace and sports field. The audit also found that the Quarry trail provides a high value technical trail for riders as an alternative to the predominately intermediate trail. The Quarry trail is largely constructed on rock</p>

Topic	Feedback	Council's response
		<p>which limits the likelihood of erosion and environmental damage.</p> <p>Both trails will be retained and integrated into a future plan of management</p>
	Support more cross tenure partnerships with State Government for new and improved off road cycling trails	Partnerships with neighbouring land managers will continue as opportunities arise.
Horses	Council needs to protect use of JJ Melbourne Hills for horses and the important unique recreational offering and ensure the important aspect of the Terrey Hills character is not lost	<p>Actions in the Strategy are aimed at maintaining and improving the horse riding facilities at JJ Melbourne Hills Memorial Reserve. This includes the development of a recreation plan and implementation of recommendations of the cross country horse trail audit. Council will continue to discuss options for other improvements such as to the sand arena and the club house building and amenities.</p> <p>Acknowledgment of horse riding at other locations aside from Terrey Hills and Duffys Forest has been added to the Strategy, for example, Warriewood and the National Parks</p>
	Request improvements to the sand arena and the cross country horse trail at JJ Melbourne Hills. Bikes are causing ruts on the cross country horse trail	
	Support for a new mountain bike trail head at JJ Melbourne Hills to separate bikes and horses and minimise conflict and prevent bike entry onto the cross country horse trail	Agreed. Works are to be completed following completion of any necessary environmental assessments and when resources permit
Dogs	Support for more off-leash dog areas including parks and trails and spaces for all kinds of dogs, e.g. big, small and special needs	A Dogs in Public Places Policy will be developed and will include a review of current dog off-leash areas and opportunities for improvements

TIMING

The Strategy's recommended actions are proposed to be considered in a delivery timeframe linked to Council's Resourcing Strategy and Long Term Financial Plan as follows: current actions (22/23), short term actions (23/24 to 25/26), medium term actions (26/27 to 31/32) and long-term actions (32/33 to 36/37).

The actions will be reviewed each year via Council's annual budgeting process and each fifth year to ensure alignment with the community's needs and Council's priorities.

LINK TO STRATEGY

The draft Strategy has been informed by and is integrated with Council's strategies and plans including the Community Strategic Plan 2040, Northern Beaches Local Strategic Planning Statement 2020, Better Together: Social Sustainability Strategy 2040, Disability Inclusion Action Plan 2022-2026, Northern Beaches Environment and Climate Change Strategy 2040 and the Northern Beaches Resilience Strategy 2022.

The draft Open Space and Recreation Strategy relates to the Community Strategic Plan Outcomes of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.

FINANCIAL CONSIDERATIONS

Implementation of the recommended actions in the Strategy's Action Plan is dependent on resourcing, funding and planning approvals, environmental assessments, outcomes of any relevant feasibility research and will be informed by community feedback. Grant funding and external funding will also be sought from other tiers of government and the community and corporate sectors.

A review of the Strategy's actions will be undertaken as part of Council's annual budgeting process and after each fifth year to ensure these actions are financially viable. Budget impacts will be considered on a case-by-case basis via business case analysis prior to funding approval.

SOCIAL CONSIDERATIONS

The wellness of our people, our community and our economy is linked to the access to and quality of our open space network and facilities. The Strategy is not only a guide for how Council can meet the open space and outdoor recreation facility needs of our community but also underpins Council's commitment to the provision of quality recreation opportunities and to our community's well-being.

ENVIRONMENTAL CONSIDERATIONS

The need for recreation opportunities to be sympathetic to the natural environment was a strong theme that emerged through community engagement undertaken for the draft Strategy. The Strategy supports sustainable recreational access to natural areas. Undertaking appropriate environmental assessments and implementing assessment outcomes is Council's practice for all projects and programs and applies to the Strategy and implementation of its actions.

GOVERNANCE AND RISK CONSIDERATIONS

Developing an Open Space and Outdoor Recreation Strategy was identified as an action in the Northern Beaches Local Strategic Planning Statement (2020). A review of the Strategy's recommended actions will be undertaken as part of Council's annual budgeting process and after each fifth year to ensure that these actions remain consistent with community needs and are sustainably and financially viable. Any works undertaken will be in accordance with the relevant plans of management.

Should the recommendations in this report be adopted the relevant sections of Council's current recreation and related strategies of the former Councils will be rescinded including the Pittwater Public Space and Recreation Strategy 2014, A Spirit of Play Warringah's Open Space Strategy 2015, Warringah's Recreation Strategy 2009, Mountain Biking in Warringah Research and Directions 2012 and the Unstructured Recreation Policy U50 (former Manly).

The commitments in these strategies and the policy have been reviewed and considered as part of the development of the Open Space and Outdoor Recreation Strategy and Action Plan.

15.0 Notices of Motion

ITEM 15.1	NOTICE OF MOTION NO 45/2022 - PROPOSED SALE OF COUNCIL LAND AT 2 BANGAROO STREET, NORTH BALGOWLAH
TRIM FILE REF	2022/778311
ATTACHMENTS	NIL

Submitted by: Councillor Candy Bingham

MOTION

That Council:

1. Pauses the Expression of Interest process for Council-owned lands Lot 1 DP 130467 and Lot 873792, also known as 2 Bangaroo Street, North Balgowlah, to allow for further assessment and consultation.
2. Reassesses any future subdivision or sale of this public land against current environmental standards including the proposed riparian corridor and riparian buffer zones identified in the Watercourse, Wetlands and Riparian Lands (Technical) Study, commissioned by Council as part of the Draft Local Environment Plan process.
3. Undertakes community-wide consultation in recognition of the value of the Burnt Bridge Creek to the wider community

BACKGROUND FROM COUNCILLOR CANDY BINGHAM

Acting upon Resolution 7.1 of Warringah Council's Minutes of Council Meeting of 11th April, 2006, Northern Beaches Council's newly-formed Property Strategy Committee has commenced the sale of this land. A real estate agent was engaged and advertisements noting DA approval to subdivide the land into three lots were placed calling for "Expressions of Interest". This process closed on 2 December, 2022.

The land, known as 2 Bangaroo Street, North Balgowlah (Lot 1 DP 130467 and Lot 873792) was originally identified for rezoning, reclassification and development on April 11, 2006, by Warringah Council during the period from 2003-2008, when that Council was under administration. It was rezoned from Community Land/Open Space to Low Density Residential, R2.

DA 2015/1156 was filed on behalf of Warringah Council on Nov 27, 2015, to subdivide the two parcels (Lot 1 DP 130467 and Lot 873792) into three parcels of land.

Warringah Council was disbanded on May 12, 2016, with the amalgamation of the three northern beaches councils to form the Northern Beaches Council.

The Notice of Determination for DA2015/1156 was issued on May 30, 2016, by Northern Beaches Council, while under the governance of the Administrator, shortly after it was formed. This DA2015/1156 would have ordinarily expired on June 6, 2021, but was extended for two years to June 6, 2023 due to COVID 19.

It is important to note that since the original Resolution was passed in 2006 a great deal has changed.

Relevance to Today

This land includes a valuable forested riparian zone along the northern banks of Burnt Bridge Creek, serving to mitigate against floods and land slippages. This was clearly demonstrated recently during the extreme weather and floods that damaged properties on the built-up southern creek banks in March 2022.

The land also makes up an essential part of the riparian wildlife corridor running down towards Manly and supports many local species such as the endangered grey headed flying foxes, powerful owls, long nosed bandicoots and echidnas. Lot 1 DP 130467 and Lot 873792 include part of a vital vegetative link from Manly Dam/north Seaforth to the coast. The many mature native trees within the land also contribute significantly to the shade, temperature regulation and scenery of the Burnt Bridge creek reserve, walking and bike tracks - a reserve the Council acknowledges is highly valued by the community. The Northern Beaches Council website states: *'The reserve is significant in terms of both ecological and community values.*

In Council's draft Conservation Zones Review, currently on public exhibition as part of the proposed new Local Environment Plan, the land in question is proposed to have extensive new protections due to its environmental importance.

Below" The land as advertised for sale.



The draft NBC LEP proposed riparian buffer zone

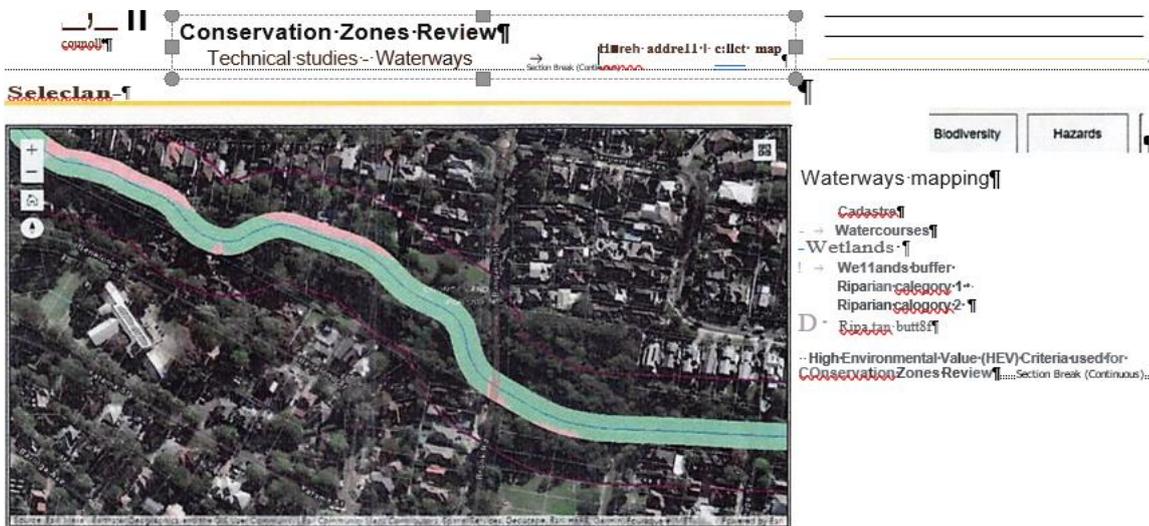


Below: Burnt Bridge Creek Bushland Reserve is a riparian corridor which runs along Burnt Bridge Creek from Seaforth and North Balgowlah

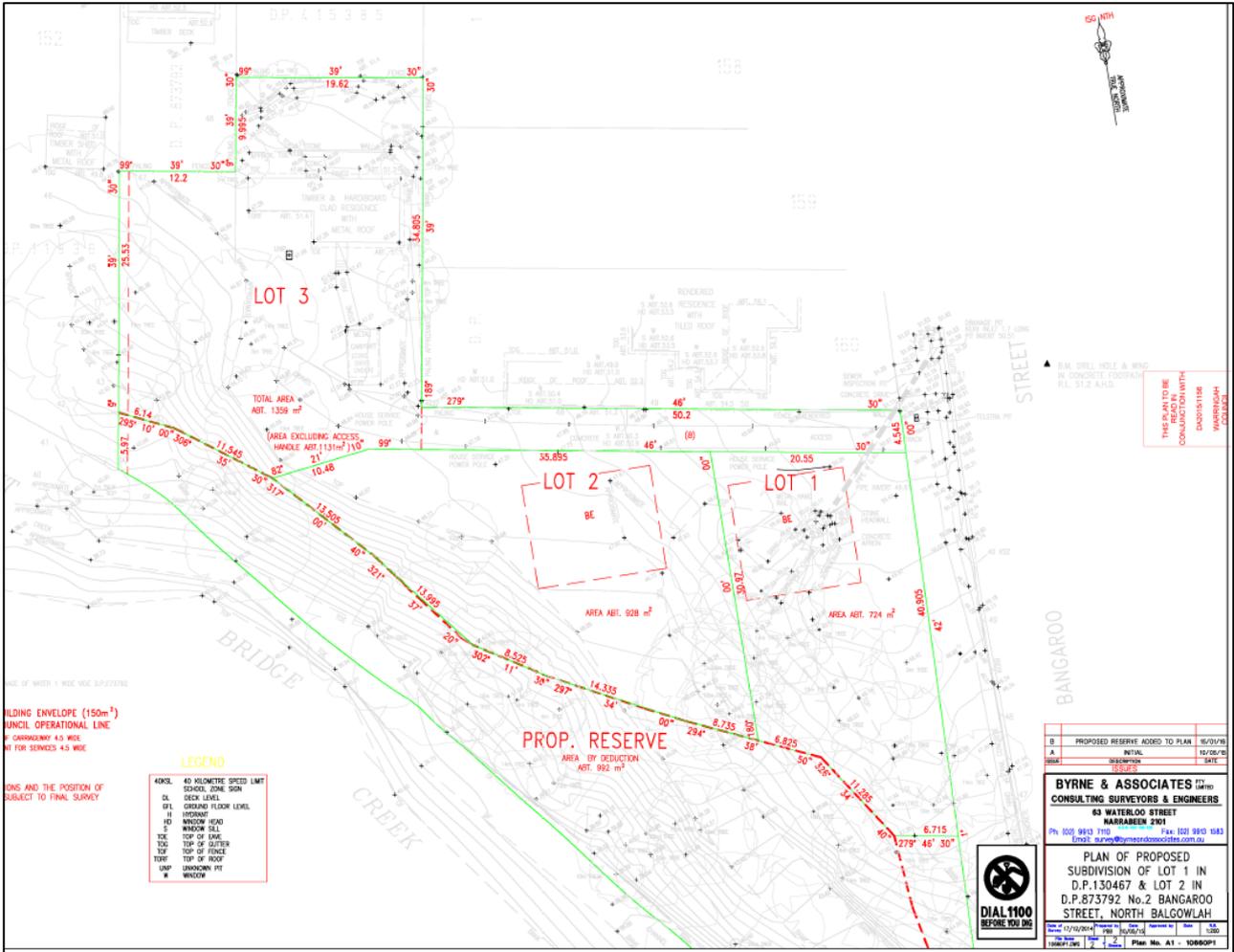
Balgowlah, eventually flowing into Manly Lagoon.



Below: Extract from the Waterways, Wetlands and Riparian Lands (Technical) Study and the visual definition of the riparian buffer proposed.



DA2015/1156 – Stamped Plans:



Zoning R2 and RE1:



16.0 Questions with Notice

ITEM 16.1	QUESTION WITH NOTICE NO 23/2022 - GRANDVIEW DRIVE, SEAVIEW AVENUE, NEWPORT - TRAFFIC CHANGES
TRIM FILE REF	2022/782061
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

QUESTION

Could Council staff review the feedback and comments by residents (circulated to staff) on the traffic changes made to Grandview Drive and Seaview Avenue, Newport and provide a report back to the February 2023 meeting of Council about what steps can be taken to improve the situation, noting the resident feedback, including but not limited to, considering:

1. What other measures can be taken to improve safety along the route
2. Relocating some or all of the speedbumps
3. Addressing concerns about the slipperiness of the bumps in the wet
4. Whether some or all the current speedbumps on the uphill lane are required
5. Other matters raised by residents.

17.0 Responses to Questions With Notice

ITEM 17.1	RESPONSE TO QUESTION WITH NOTICE NO 19/2022 - HOUSING AFFORDABILITY
TRIM FILE REF	2022/712274
ATTACHMENTS	NIL

Submitted by: Councillor Kristyn Glanville

QUESTION

1. Since the Council enacted its Affordable Housing Policy on 5/6/2017, in the past 5 years, how many affordable homes have been created on the Northern Beaches as a consequence of this policy?
2. Noting that "*Council is committed to a 10% affordable rental housing target for all strategic plans and planning proposals for urban renewal or greenfield development*"
 - A. In the past 5 years, how many strategic plans or planning proposals for urban renewal or greenfield development have been approved on the Northern Beaches?
 - B. Was this 10% target met?
 - C. If not, why not?

RESPONSE

1. Council adopted its Affordable Housing Policy and Action Plan in June 2017. The policy outlined Council's position and approach to the provision of affordable housing in the Northern Beaches and the Action Plan outlined steps that needed to be taken to implement the Policy.

Council successfully lobbied the State government to be included in State Environmental Planning Policy 70 - Affordable Housing (Revised Schemes) which permitted Council to include requirements for affordable housing in its Local Environmental Plans.

Subsequently, Council prepared its Local Strategic Planning Statement (March 2020), Local Housing Strategy (December 2021), Affordable Housing Contributions Scheme and Affordable Housing Tenancy Guidelines (April 2022) to establish expectations when rezoning proposals were being considered, and to manage any affordable housing transferred to Council as part of that process.

Council is currently undertaking preparations to tender for a Community Housing Provider for tenancy and property management services of any Northern Beaches Council Affordable rental housing dwellings.

Having regard for lead times associated with the development pipeline and the limited number of applicable developments (as outlined below) since the adoption of the Policy, Council is yet to receive any affordable rental dwellings via this approach.

- 2A. In the last five years there have been very few strategic plans or planning proposals for urban renewal or greenfield development on the Northern Beaches. These are:
 - 22 February 2022 - PEX 2018/0009, 1294-1300 Pittwater Rd & 2-4 Albert St, Narrabeen – the proposal sought an increase in height (one storey) plus some additional permitted uses.

- 2021 Frenchs Forest Planned Precinct – major redevelopment involving the creation of a new town centre and surrounding residential/retail development.
- 2022 draft Brookvale Structure Plan – redevelopment of an existing centre.

2B. The following affordable targets were achieved:

- 1294-1300 Pittwater Rd & 2-4 Albert St, Narrabeen - \$1.13M (subject to indexation)
- Frenchs Forest Planned Precinct - 15% contribution rate within the town centre and a 10% contribution rate elsewhere within the precinct.
- Brookvale Structure Plan – 5%

2C. The 10% target was not met for the Narrabeen Planning Proposal or Brookvale Structure Plan as these developments would not be feasible if the 10% rate is applied. The State Government will not approve LEP amendments where the outcome will not provide for feasible development.

ITEM 17.2	RESPONSE TO QUESTION WITH NOTICE NO 20/2022- URBAN TREE CANOPY PLAN
TRIM FILE REF	2022/712174
ATTACHMENTS	NIL

Submitted by: Councillor Miranda Korzy

QUESTION

1. When will the Council's new draft of the Urban Tree Canopy Plan be completed?
2. Given the substantial reworking being done by consultants and time elapsed since preparation of the 2018 draft, will the new draft go on public exhibition, and if so, when?
3. When will the final draft of the Urban Tree Canopy Plan come to council for approval?

RESPONSE

1. Council's draft Tree Canopy Plan has been completed. A briefing was provided to Councillors on 6 December 2022.
2. Subject to Council endorsement the draft Tree Canopy Plan will be placed on public exhibition in March 2023.
3. The Final draft Tree Canopy Plan will be brought to Council for endorsement once the public exhibition is completed and comments are considered. It is envisaged to be June 2023.

ITEM 17.3	RESPONSE TO QUESTION WITH NOTICE NO 21/2022 - NEWPORT SURF LIFE SAVING CLUB
TRIM FILE REF	2022/724620
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

QUESTION

Could Council offices please provide information on the following matters:

1. The recent outcome of the Development Application regarding the Newport Surf Life Saving Club.
2. A summary of the reasons the application was refused by the independent panel.
3. Next steps (and timings) Council will take in relation to progressing the Development Application
4. How the Application will be varied to maximise chances of success?

RESPONSE

1. On 5 October 2022, the Sydney North Planning Panel (SNPP) determined DA2021/2173, which pertains to Newport Surf Life Saving Club and is for “alterations and additions to a surf lifesaving club and construction of coastal protection works”, by way of refusal.
2. The reasons for refusal are summarised as follows:
 - a. The SNPP is not satisfied that the written request to vary clause 4.3 Height of Buildings of the Pittwater Local Environmental Plan 2014 has adequately addressed the matters under clause 4.6 of the Pittwater Local Environmental Plan 2014 and is not satisfied that the development is in the public interest.
 - b. The SNPP does not accept that the site is suitable due to coastal hazards with the proposal retaining parts of the building with little heritage significance and considers that alternative site options were not properly considered.
 - c. The SNPP is unconvinced of the merits of using coastal protection to protect the building, citing inundation to the building would occur and erosion damage to the beach and park is likely.
 - d. The SNPP is not satisfied that satisfactory arrangements have been made to address the requirements of section 27 of the *Coastal Management Act 2016*.
 - e. The SNPP is not satisfied that the development is in the public interest.
3. Council has made a request under Division 8.2 of the *Environmental Planning and Assessment Act 1979* that the SNPP review its refusal of DA2021/2173. The documentation was lodged by Council on Tuesday 29 November 2022. The proposal is currently out for public notification prior to determination by the SNPP.
4. Environmental and planning specialists, together with coastal engineering consultants were engaged to prepare the review application documents. These documents seek to address the reasons for refusal and provide additional supportive evidence about the merits of the

proposal. The statement of environmental effects (SEE), the heritage impact statement and the architectural montages have been updated and form part of the final documentation set.

ITEM 17.4	RESPONSE TO QUESTION TAKEN ON NOTICE NO 09/2022 - PLANNING PROPOSAL SUBMISSION TO DPE - MORGAN ROAD, BELROSE (LIZARD ROCK)
TRIM FILE REF	2022/750347
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 22 November 2022 from: Councillor Vincent De Luca OAM.

QUESTION

With regard to the Biodiversity Development assessment report submitted does it identify any risk of serious and irreversible impact pursuant to NSW Biodiversity Conservation Act or the Commonwealth Environmental Protection and Biodiversity Act?

RESPONSE

Section 7.16 (2) of the *Biodiversity Conservation Act 2016* (NSW) (BC Act) provides that a consent authority must refuse to grant consent under Part 4 of the *Environmental Planning and Assessment Act 1979* to a development application (other than for State significant development), if it is of the opinion that the proposed development is likely to have serious and irreversible impacts on biodiversity values.

The Preliminary Biodiversity Development Assessment Report for the Proposed zoning of deferred lands, Morgan Road, Belrose (Hayes Environmental October 2022) (Preliminary BDAR) submitted with the Planning Proposal includes consideration of the predicted and candidate species that are identified in the Threatened Biodiversity Data Collection as being at risk of serious and irreversible impact (SAIL). The Preliminary BDAR notes that there remains some uncertainty over the presence or absence of several threatened plant species that are listed as SAIL entities, and that further survey is required (section 9 of the Preliminary BDAR).

The environmental assessment and approvals process under the *Environment Protection Biodiversity Conservation Act 1999 (Cth)* (EPBC Act) is different to the process under the BC Act. In accordance with Part 3 of the EPBC Act, an approval is required for activities which have a significant impact on a matter of national environmental significance (MNES). Relevantly to the Lizard Rock planning proposal, Commonwealth listed threatened species and communities are a MNES.

The Preliminary BDAR notes that a number of Commonwealth listed threatened species predicted or assumed to occur within the development zone would be impacted by the draft Structure Plan. The Preliminary BDAR states that the scale of the project warrants referral to the Commonwealth under the EPBC Act. Referral to the Commonwealth would typically occur at the subdivision stage of this proposal and is the responsibility of the proponent.

18.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

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

- A. Item 18.1 Exemption from Tendering for a Variation to Contract 2021/004 - Manly Place Plan Review and Preparation on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

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

- B. Item 18.2 RFT 2022/195 - Clontarf Tidal Pool Design and Construction on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

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

- C. Item 18.3 Response to Mayoral Minute No 11/2022 - Proposal to Investigate Options to Increase Capacity at the Women's Shelter on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) Local Government Act 1993]; and matters affecting the security of the Council, Councillors, Council staff or Council property [10A(2)(f) Local Government Act 1993].

This report discusses/provides advice concerning the location and provision of the refuge service. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would potentially place at risk the customers of the service.

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

19.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

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

