

ATTACHMENT BOOKLET

ORDINARY COUNCIL MEETING

TUESDAY 28 FEBRUARY 2023

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ATTACHMENT 1 Progress of the Operational Plan - December 2022 ITEM NO. 9.2 - 28 FEBRUARY 2023



December 2022

Quarterly Report on service

performance -

Implementing the

Operational Plan 2022/23

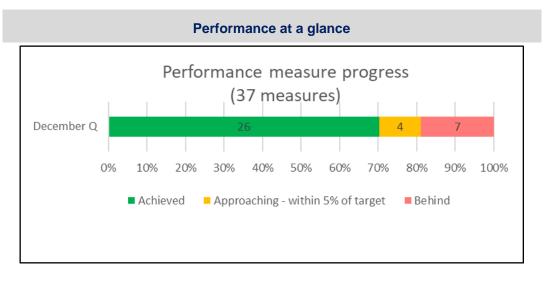


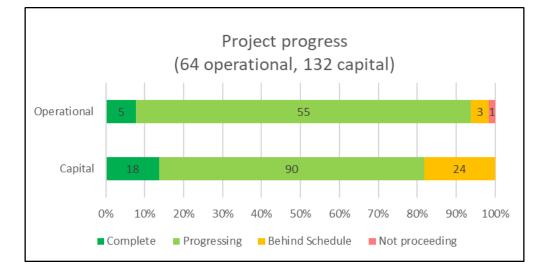
Executive summary

This is a report on progress in implementing the Operational Plan 2022/23 for the quarter ending 31 December 2022. It is structured by the four sustainability elements – environmental, social, economic and civic - with a total of 16 key services. This report details each service's highlights, progress of projects, and the performance of services and finances. An overview of progress and performance is below.

Of the 196 projects, 86% were either progressing or completed (comprised of 94% of operational and 82% of capital projects). Council's target is for 80% of all projects to be completed or progressing on schedule by 30 June 2023. In total, 23 projects have been completed. Half of the projects that are behind schedule are due to delays caused by storm events, persistent wet weather, COVID-19 or third-party issues.

Results for 37 performance measures are included. Overall 81% of targets were met or approaching, and 19% were missed. Most results that were behind target were impacted by external factors such as persistent wet weather, third party issues or reduced demand.







Six Awards and Recognition

(N = National)

Council was recognised with six awards and commendations for achievements across customer service, the environment and sustainability, digital transformation, events and overall local government excellence.

LG NSW, AR Bluett Memorial Award 2022

Northern Beaches Council – Metropolitan Winner

National Local Government Customer Service Network (NLGCSN) Awards 2022 (N)

Innovation of the Year – Customer Activity Tracker (the CAT) – Winner

CIO50 Awards 2022 (N)

 Best Government Project 2022 – Northern Beaches Council Digital Transformation – Winner

LG NSW, Excellence in the Environment Awards 2022

 Communication, Education and Empowerment – Simplifying Solar Program – Highly Commended

Banksia Foundation NSW Sustainability Awards 2022

Net Zero – Protect.Create.Live – Towards Net Zero Northern Beaches – Finalist

Australian Event Awards 2022 (N)

Complete

Sest New Event (Virtual, Live or Hybrid) – Play Manly Festival - Finalist

In this report each service summary includes a short update on projects for the quarter:

Key:

Progressing



Not proceeding



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ENVIRONMENTAL

Environment and Sustainability

HIGHLIGHTS

Assessing applications

In the second quarter over 1000 referrals were assessed for development applications with environmental considerations, to ensure that impacts and hazards are properly addressed for the natural environment and infrastructure:

- approximately 320 referrals undertaken by Development Engineering in relation to stormwater, vehicular access and infrastructure considerations.
- 287 with coastal, riparian considerations and water management.
- 235 with bushland and biodiversity considerations.

In addition, approximately 260 applications were received in the quarter for assessment and certification under the Roads Act, Environmental Planning & Assessment Act, Conveyancing Act and the Local Government Act for activities such as driveways, legal document authorization, hoarding permits and subdivisions.

Bushland and biodiversity

Bushland regeneration works continued in over 250 bushland sites. Over 1,400 local native plants were planted, enhancing habitat for local and threatened species. Grant funding from the NSW Department of Primary Industries and Pittwater Natural Heritage Association has also helped Council protect and restore a threatened species of grevillea and an endangered ecological community in Pittwater.

Work also commenced to establish a seed bank at Council's community nurseries with 540 grams of seed collected from 25 species around the central/southern parts of the LGA area, to ensure a supply of local plants for all our projects in this area.

Public exhibition of draft mapping and reporting of biodiversity values across the Northern Beaches has now been completed and submissions are currently under review. Council also completed exhibition of the Draft Flying-Fox Camp Management Plan and is now reviewing submissions. Staff have continued work on activities associated with environmental assessment and consultation relating to the proposed dog off-leash areas at Mona Vale Beach (South) and Palm Beach (North).

Other achievements include:

- completing 235 development planning referrals (at 15 December 2022) and providing advice on four pre-lodgement development applications, responding to 48 customer requests relating to pest animals and 17 requests for weeds.
- conducting 40 weed inspections on private property.
- culling 168 rabbits and 13 foxes including conducting a fox baiting program and fumigation of a rabbit warren complex in Dee Why.

Bushfire management

Six hazard reduction burns which involved Council land were completed by the fire agencies. These burns have seen over 66 hectares of Council bushland hazard reduced, protecting 455 nearby properties as well as achieving important ecological outcomes. Another 24 Council sites are prepared and awaiting fire agencies to undertake the controlled burns. To support these



hazard reduction burns, Council secured an additional \$101,000 in grant funding from the NSW Rural Fire Service to facilitate control line and traffic management works.

In preparation, active maintenance has continued on the Asset Protection Zone (APZ) network throughout the fire season with works completed on 103 high priority zones. Maintenance works were also undertaken on a number of fire trails around the LGA, including throughout Manly Dam, Anembo Reserve, Corymbia Circuit Reserve and near Red Hill Reserve. Works were also planned in partnership with the NSW National Parks and Wildlife Service to upgrade fire trails throughout Morning and Lovett Bays on Pittwater's western foreshore.

Council continued to work with the Northern Beaches Bush Fire Management Committee (BFMC) to finalise the new draft Bush Fire Risk Management Plan to reduce bushfire risk across the landscape.

Corporate sustainability and climate change adaptation

In November, Council was recognised as a leader by the Carbon Disclosure Project (CDP) and was awarded a rating in the highest band possible, the "Leadership Band" with an "A minus" score for the second year running. This reflects Council's strong mitigation plans and demonstrated progress towards climate targets.

Council was also recognised for its progress in embedding sustainability into its procurement activities, achieving a Sustainable Procurement Culture level of 'Advanced' according to Local Government Procurement's Sustainable Choice Performance Report and Scorecard. Council's Procurement and Contracts Policy has been revised to better integrate sustainability and provide increased supplier engagement on sustainability through completion of a pilot study on Scope 3 emissions from its supply chain. Through this study Council worked with its suppliers to identify opportunities to reduce emissions and has made initial progress towards implementing key actions.

In December Council launched a dashboard on its website to track progress against its commitments in the adopted Protect.Create.Live - Northern Beaches Environment & Climate Change Strategy.

Water saving, renewable energy and energy efficiency initiatives were also progressed during the quarter. Feasibility studies for solar PV installation and rainwater harvesting at Cromer Works Depot were completed and business cases approved for lighting upgrades at Cromer Community Centre, Collaroy Progress Hall, Newport Community Centre and Avalon Recreation Centre.

Work has continued to designate Palm Beach Headland as an Urban Night Sky Place. Upgraded street lighting was installed at Governor Phillip Park and events held to help inform the community about the project, good lighting principles and impacts of light on biodiversity.

Council's Climate Change Risk Assessment Project has also progressed, with internal workshops held to identify and review risks, existing controls and preliminary adaptation actions.

Stormwater and floodplain management

Works have continued this quarter to improve stormwater management across the Northern Beaches. Drainage upgrade at Park Street and the culvert upgrade on Scotland Island were completed. Detailed design is progressing for Willandra Road outlet rehabilitation works and the Collaroy ocean pool outlet stormwater investigation which will address stabilisation of the seawall and drainage system near the pool.



Freshwater catchment flood study and concept options to support the concept design have been completed. Design works and concept options have been finalised for Newport beach culvert repairs (at Ocean View Road) and detailed design has commenced with community consultation to commence in early 2023. The concept design options for drainage improvements at Abbotts Road are being finalised. Stormwater pit modification works for Freshwater and Collaroy Plateau – Stage One have been completed. Pit upgrades have also been completed at Beacon Hill and Freshwater (Package Two), Allambie Heights, Dee Why, Seaforth and Balgowlah.

Community sustainability

In December, Council was highly commended at the Local Government Excellence in the Environment Awards in the Communication, Education and Empowerment Category for its Simplifying Solar Program. This Program is designed to accelerate community solar uptake and help meet renewable and net zero targets on the Northern Beaches. As part of this Program, Council delivered six Solar Conversations and launched its Expert Energy and Solar Advisory Service to support residents on their solar journey. Recent data shows an increase of 607 solar installations across the Northern Beaches in the past three months.

Engagement with businesses continues to grow through the Sustainability Business Network. Two Business Sustainability events were held, including a networking and information event on waste and circular economy with 68 businesses, with an additional 17 new businesses signed up to the Network. Council is also working to help local businesses reduce energy costs and associated emissions through a group Power Purchase Agreement (PPA) and has sought appropriate models to deliver the PPA through an expression of interest.

Events held include Celebrate our Eco Heroes, Ocean Festival and the 40th Anniversary of North Harbour (Sydney) Aquatic Reserve in partnership with NSW Government Department of Primary Industries. Council also hosted the tightly contested Underwater! and Bushcare photography competitions during the reporting period with some fabulous entries and winners.

Northern Beaches environment centres

The Northern Beaches environment centres have been back functioning at full capacity for school groups and preschool groups, completing the School Holiday Program and running a series of community events. Using the catchment model, schools and community groups were educated on stormwater pollution and investigated the challenges of micro-plastics on our beaches. Council also opened applications for its 2022/23 Eco Schools Grant Program.

Education and volunteering

Council has over 400 enthusiastic environmental volunteers working with the Bushcare and Friends of Cabbage Tree Bay teams. Staff have supported these volunteers to propagate over 500 native plants at Council's community nurseries, all of which are expected to find homes in the LGA's bushlands, in Council landscaping works and at Citizenship Days.

Coast and catchments

Following several storms in March, April and July 2022 Council completed some important recovery works. This included beach scraping at various locations, as well as coastal landslip and geotechnical inspections. Planning for coastal protection works at Collaroy beach street ends has progressed, and Council continues to work with residents regarding their development applications and private construction works for permanent protection at Collaroy-Narrabeen beach.



Council is also developing coastal management programs for priority beaches, starting with a scoping study co-ordinated with key stakeholders. This includes Collaroy-Narrabeen, Fisherman's, Bilgola and Basin beaches.

For the 11th consecutive year, lagoons and Pittwater are being monitored this summer for their estuarine health, building a valuable record to help better manage them.

Other progress included:

- completing draft studies and then Public Exhibition of those technical documents that will contribute to a new Northern Beaches LEP and DCP – studies include Estuarine Planning Level Studies for the Harbour and Cowan Creek, Stormwater Study and Watercourse, Wetlands and Riparian Lands Study
- monitoring groundwater under an interim site management plan at Addiscombe Road Reserve, Manly Vale
- geotechnical monitoring and signage installation at key sites
- installation of a floating wetland at Curl Curl Lagoon
- bush regeneration and weed control in dunes, headlands and riparian areas across 93 hectares of bushland
- completion of the Coast Action Plan and the Waterways and Catchments Action Plan, now on Council's website
- scraping at Great Mackerel, Fisherman's and South Newport beaches.

Environment and Sustainability - Performance measures	Target	September quarter	December quarter
Volunteer bushland regeneration (hours)	Q1,4: 1,875 Q2,3: 1,575	1,271*	1,547*
No. sustainability education events	40	26*	48
No. invasive pest animals controlled to protect native flora and fauna	100	89*	181
Workload measures			
Gross pollutants removed from stormwater networks (tonnes)	-	0**	236
No. DA referrals for assessment of environmental controls [†]	-	1,013	1,010

.Results Key: 📕 Achieved 📕 Approaching - within 5% of target 📕 Behind - more than 5% off target

Notes on results:

- * Impacted by persistent wet weather.
- ** Due to ongoing storms and contractor unavailability, GPT cleanings were not done.

[†] DA referrals for assessment of environmental controls include those for coastal protection works, development engineering, stormwater/ floodplain/ creek works, or others that affect the natural environment or its biodiversity. This is a subset of all applications that Council receives and assesses.



OPERATIONAL PROJECTS



Key: 🔽 Complete 😡 Progressing 📘

Behind schedule

Expand and improve volunteer, sustainability and environment centre programs in response to community priorities - Executive Manager Environment & Climate Change

CEC Schools Program and Kids on the Coast fully booked

Consulting with community groups (FOC and PEF) options paper in development for proposed education programs at Field Study Centre, Currawong. Concepts being developed for a combined field centre/community nursery/community garden in the Avalon area. Other locations being considered include Forestville and Long Reef. CEC Painting Complete.

Corporate Environmental Volunteering increasing in capacity and generating income. Discussions with local groups at both Manly and Curl Curl about establishing lagoon and creek care groups.

Manly Environment Centre (MEC) continues to operate from Manly Library. Investigate and implement viable options to reduce minor flooding on Wakehurst Parkway - Executive Manager Environment & Climate Change

The Wakehurst Parkway investigations are focused on identifying and, if feasible, implementing options to reduce frequent flooding of the Wakehurst Parkway roadway. A report was presented to Council in March 2022 providing the outcomes of the public exhibition of the draft feasibility study.

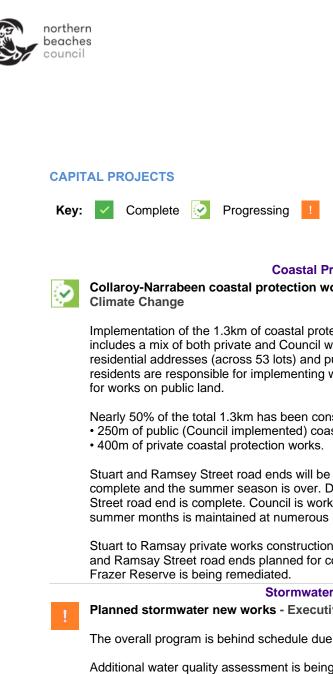
Council endorsed immediately progressing the Oxford Falls and Oxford Falls Road west sites - detailed design and environmental assessments and approvals. A consultant was engaged and works have progressed on the design and approvals for culvert upgrades at Oxford Falls. Preliminary design has been developed and a draft Review of Environmental Factors (REF) has been prepared. Concept design is currently on hold pending a decision from TfNSW on their design requirements and any implications from the change in funding to the TfNSW program of works along Wakehurst Parkway.

Re the works at The Bends, Council endorsed undertaking a peer and technical review of the options in conjunction with key stakeholders to determine if the environmental impact of options at that location can be reduced further. Additional modelling, discussions with community members, a technical review workshop and subsequent multicriteria analysis was undertaken by workshop attendees and a refined option has been identified which achieves a significantly reduced area of vegetation clearing. The vegetation clearing may be reduced from the original proposal of 3.1ha to as little as 1ha, subject to further design development. This refined option includes the same location of culverts and levees, but a significantly reduced area of sediment removal. The preferred option consists of channel widening and construction of an access track to allow for sediment removal if the channel fills in. Further design development is required to confirm the required levee heights, channel width, culvert sizes, localised road drainage requirements and to confirm no impact on the adjacent coastal wetlands. Work at the Bends cannot progress until final clarification is received on any implications from the change in funding to the TfNSW program of works along Wakehurst Parkway, and environmental assessments are undertaken.

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Progress is on target for the revised schedule, still to be formally approved by TfNSW. Develop and implement action plans and reporting to support the Environment and Climate Change Strategy - Executive Manager Environment & Climate Change All Action Plans supporting the Environment & Climate Change Strategy have been developed and are being implemented. A dashboard has been launched on Council's website to track progress against our commitments, with additional data to be incorporated as it becomes available. Develop and implement a Narrabeen Lagoon Entrance Management Strategy -**Executive Manager Environment & Climate Change** The Narrabeen Lagoon Entrance Management Strategy is a comprehensive report which investigates and makes recommendations for the long term, as well as for optimising Council's existing emergency response arrangements. The Final Strategy was adopted by Council at the Council Meeting on 27 September, 2022. Numerous actions have been identified and prioritised for delivery over the next two to three years. An entrance clearance is likely to be undertaken earlier than expected following an accumulation of sand at the northern end of the Narrabeen embayment over the last 12 months, which has led to the entrance temporarily closing. The Council website has been updated and some public education delivered through social media posts and news articles as a result of current interest in the lagoon closure. An emergency opening will be conducted should conditions allow (dependent on tides, rainfall, and swell). Develop and implement coastal management programs - Executive Manager **Environment & Climate Change** This program is delayed due to staff shortages, and resources being directed to managing frequent coastal storms during 2022, and the Collaroy Beach coastal protection work program. Coastal Management Plans are being developed for Sydney Harbour, Hawkesbury Nepean River (Pittwater) and several coastal hazard areas (Collaroy-Narrabeen, and Fisherman's, Bilgola and Basin Beaches). A Coast Action Plan has also been developed. setting out Council's priorities, and is now available on the website. Develop and implement a creek management strategy - Executive Manager **Environment & Climate Change** This program is delayed due to staff resources being directed to managing frequent coastal storms during 2022 and managing the Collaroy Coastal protection work program. The workload associated with the LEP reports, exhibition and staff shortages have also impacted delivery. Comprehensive mapping has been undertaken on riparian lands and stormwater technical studies, to help prioritise catchments for protection and active management. Grants and other funding sources are being considered for future priority works.





Coastal Protection

Collaroy-Narrabeen coastal protection works - Executive Manager Environment &

Implementation of the 1.3km of coastal protection works program is currently in progress and includes a mix of both private and Council works. The 1.3km beach frontage comprises 202 residential addresses (across 53 lots) and public assets across 11 land parcels. Private residents are responsible for implementing works on private land and Council is responsible

Nearly 50% of the total 1.3km has been constructed with the following breakdown:

• 250m of public (Council implemented) coastal protection works.

Stuart and Ramsey Street road ends will be constructed by Council once private works are complete and the summer season is over. Design, approvals and procurement for Wetherill Street road end is complete. Council is working to ensure access to the beach during summer months is maintained at numerous locations, and beach amenity is retained.

Stuart to Ramsay private works construction were completed in December, and the Stuart and Ramsay Street road ends planned for construction Easter 2023. The site compound at

Stormwater Program

Planned stormwater new works - Executive Manager Environment & Climate Change

The overall program is behind schedule due to technical delays.

Additional water guality assessment is being undertaken for the Collarov stormwater project to determine pollutant loads at the rock pool outlet. Park Street drainage upgrades have been completed. A short-term solution has been implemented at Marine Parade and longerterm drainage upgrade solutions are being investigated.

Scotland Island culvert upgrade has been completed. Concept designs are being prepared for Lindley and Walker Avenue, Narrabeen. Design has been prepared for Mona Vale Beach drainage outlet improvement works and Ankali Place, with detailed design for works at Surf Side Avenue underway. Willandra Road outlet rehabilitation works detailed design are nearing completion.

Various planned asset inspection works are being finalised at several locations across the LGA. Works have been completed for Starkey St catchment in Killarney Heights and nearing completion in Freshwater catchment.

Warriewood Valley creekline works - Executive Manager Environment & Climate Change

The Valley View wetland concept at Prosperity Park was developed to improve creek water quality. Design is complete and a contractor engaged - additional community consultation



was undertaken regarding design and construction during December, which are expected to commence early 2023.

Planned stormwater renewal works - Executive Manager Environment & Climate Change

The overall program is behind schedule due to delays for technical reasons, supply chain / contractor issues, and some planning issues.

Park Street drainage improvement works have been completed in Mona Vale, and culvert upgrade works are about to commence in Mullet Creek crossing Garden Street in Warriewood. Stormwater pits have been repaired or upgraded at Freshwater, Collaroy Plateau, Beacon Hill, Allambie Heights, Dee Why, Seaforth and Balgowlah. At Newport Beach two projects are in progress to improve a stormwater outlet and a culvert.

Detailed design is underway for Collaroy ocean pool outlet; Dee Why Gross Pollutant Trap; drainage in Abbotts Road North Curl Curl, Darley Road in Manly, Pozieres Parade in Allambie Heights, Freshwater Beach outlet, and at the intersection of Garden Street and Powderworks Road Warriewood.

Concept design has commenced for the Freshwater catchment flood study and options, and drainage improvements in Eustace Street Manly, Foxall Street Elanora Heights and Minkara Road Bayview. For improving drainage at Wakehurst Parkway in Oxford Falls, a consultant is progressing a site survey and concept designs, with detailed design to follow in early 2023.

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Reactive stormwater renewal works - Executive Manager Environment & Climate Change

The reactive stormwater renewal project covers the everyday customer requests (CRMs), emergency works and high risk minor construction works for Council's stormwater assets. A total of 36 CRMs were received in December 2022, leaving a total of 369 CRMs currently open.

Projects undertaken during the last quarter include:

- Cabarita Road drainage improvements finished construction.
- detailed design solution prepared for North Steyne ponding issue.

- construction of revised inlet pits completed at Kirkwood Road Seaforth and Whale Beach Road Whale Beach.

- detailed design completed for several drainage improvement projects including Nengah Street North Manly, Hudson Parade Clareville, and Cutler Road Seaforth.

- open channel repairs completed at Bilgola Beach.

- tender preparation for stage two in Corso pipeline replacement commenced, with works expected in 4th quarter (commencing after April 2023).



Gross pollutant trap renewal works - Executive Manager Environment & Climate Change

There are a total of 287 Water Quality Devices across Northern Beaches Council LGA. This project manages the renewals of the GPT within this group.

Total Waste Removal to date this FY is 236.30 tonnes.

A feasibility report for the Dee Why Creek pollution boom has been completed and is pending final review. Preliminary investigations for the Careel Bay pollution boom, and South Creek Reserve Floating Pollution Control Device (PCD) will commence in January 2023.



Request for Quotations are currently in preparation for GPT rectification works at Sandy Bay Clontarf, and for a trash rack at Abbott Road North Curl Curl. Works are expected to commence in March 2023.

Water and Energy Saving initiatives

Energy saving Initiatives works program - special rate variation - Executive Manager Environment & Climate Change

This project is delivering the works associated with designating the Palm Beach Headland site as an Urban Night Sky Place. During the quarter, Ausgrid installed upgraded lighting at Governor Phillip Park with upgraded lighting for the surf club and amenities supplied. Events were held to provide opportunities to inform our community about the project as well as discussing good lighting principles. One event was held at Forestville library that included a week-long display as well talks on astronomy and one on the impacts of light on biodiversity. An event was also held at Mona Vale Headland to coincide with the lunar eclipse on 8 November 2022.



Energy savings initiatives program - Executive Manager Environment & Climate Change

This project delivers energy savings initiatives such as renewable energy and energy efficiency projects across Council assets. During the quarter \$51K was received in income from Energy Saving Certificates from BAU energy efficient street lighting upgrades. Quotes were received and accepted for lighting upgrades at Cromer Community Centre and Collaroy Progress Hall with business cases approved for additional upgrades at Newport Community Centre and Avalon Recreation Centre. Quotes were received for Energy Audits and Transition from Gas Plan for Council sites, with evaluation underway. Evaluation is also underway of quotes received for energy efficient upgrades at the Warringah Aquatic Centre. During the quarter a feasibility study was finalised for a solar installation at the Cromer Works Depot.



Water saving and re-use initiatives - Executive Manager Environment & Climate Change

During the quarter a feasibility study was prepared for a rainwater harvesting system at Cromer Works Depot with tanks expected for delivery in early 2023. A draft Request For Quotations was prepared for a water audit of Warringah Aquatic Centre and quotes received from Sydney Water for online monitoring of sites proposed for 2023/24 water savings initiatives.



FINANCIALS - Environment and Sustainability

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	1,133	1,148	(15)	2,176	2,246	2,227
Investment Fees and Revenues	1	1	(0)	-	1	1
Other Revenues	-	-	-	-	-	-
Grants and Contributions - Operating Purposes	528	526	2	3,185	3,662	3,426
Other Income	-	-	-	-	-	-
Gains on disposal of Assets		-	-	-	-	-
Total Income from Operations	1,662	1,675	(13)	5,361	5,909	5,655
Expenses from Operations						
Employee Benefits and Oncosts	(3,977)	(4,086)	109	(8,940)	(8,940)	(8,905)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(4,046)	(4,158)	113	(8,182)	(9,578)	(9,675)
Depreciation and Amortisation	(3,838)	(3,838)	-	(7,679)	(7,679)	(7,206)
Other Expenses	(3,893)	(3,941)	47	(7,841)	(8,541)	(8,543)
Internal Charges	(1,313)	(1,314)	0	(2,650)	(2,640)	(2,640)
Overhead Allocation	(1,605)	(1,605)	-	(3,211)	(3,211)	(3,211)
Total Expenses from Operations	(18,673)	(18,942)	269	(38,504)	(40,589)	(40,180)
Surnius / (Deficit) from Operations	(17,011)	(17,267)	256	(33,143)	(34,680)	(34,526)
Surplus / (Deficit) from Operations	(17,011)	(11,207)	230	(33,173)	(04,000)	(37,320)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	51	53	(2)	-	1,066	1,117
					,	,,
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(16,960)	(17,214)	254	(33,143)	(33,614)	(33,409)
Rates and Annual Charges						
Rates and Annual Charges	16,332	16,330	1	32,975	32,974	32,974
Rates and Annual Onarges	10,002	.0,000		02,010	02,014	02,01 1

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Budget commentary - year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$17.0m) is lower than forecast by \$0.3m at the end of the quarter.

Total Income from Operations of \$1.7m is slightly lower than forecast due to lower development engineering fee revenue.

Total Expenses from Operations of (\$18.7m) are lower than forecast by \$0.3m.

Employee Benefits and Oncosts are lower by \$0.1m as a result of staff leave taken and vacant positions within the service.

Materials and Services are lower by \$0.1m as a result of the timing of contract payments associated with bush regeneration, environmental sustainability and education and land use planning offset by increased road network and tree management expenditure arising from storm events.

Annual Forecast

For the full financial year the Total (Deficit) from Operations is forecast to decrease by (\$0.2m) to (\$34.4m) principally due to lower depreciation offset by storm-related expenditure. Expenditure on the the Currawong environmental project has been re-phased into 2023/24.



Waste and Cleansing

HIGHLIGHTS

Waste education and community impact

An extensive program of waste recovery projects, trials, audits, online and in-person training and communication has been conducted. This helps to build capability and resilience in the community in the transition to a circular economy model of waste management. The program included:

- four workshops were held covering home composting, reusable nappies, fermenting food and low waste Christmas ideas.
- provision to the community of the Avalon Car Boot Sale, Dee Why Bags to Riches events and the Chemical CleanOut event.
- four news stories were published, two presentations to community groups were delivered and three local schools participated in the Kimbriki Eco House and Garden Workshops.
- 58 Event Waste Management plans were assessed in this period.
- to reduce plastic waste associated with buying water in disposable bottles at events, water fountains were loaned to nine community-led events including the Sunset Festival and the Carols by the Lake events.
- the interactive artwork, "Inconvenience Store' was displayed at the Coastal Environment Centre and the PCYC in Dee Why.
- a number of ongoing programs continued including the school Plastic Free Canteen program with seven schools participating in the current cohort, community medical waste collection, battery and x- ray collections.
- the waste education team also continued to update Council waste webpages, community dashboard and recycling network online map throughout the period.
- the annual waste calendar was developed and distributed to residents.

Collecting and managing waste

Council progressed the development of a comprehensive Waste and Circular Economy Strategy to guide future direction of waste avoidance and management in the area.

An initial telephone survey of 600 residents was conducted to identify and understand community attitudes and behaviours around a range of waste recycling and reuse issues. The results will be analysed in January and inform follow up workshops, to drill down on the details and enable subsequent drafting of the new strategy.

A comprehensive red bin options and feasibility analysis was also finalised in December 2022. Investigations into potential options to recover more waste commenced including a Request for Quotations to recover and recycle soft plastics into new products, and discussions with potential service providers are continuing. The collapse of the popular Redcycle program during the period indicates the difficulty of finding viable end markets for these waste types even if they can be collected successfully. Discussions with potential recyclers are continuing.

Other problematic waste types being investigated include food waste, with staff visiting facilities presently processing food and garden organics.

A successful trial of timber recovery from bulky goods was completed in cooperation with Kimbriki and is being considered for expansion. The first stage of an expanded polystyrene (EPS) recovery and recycling trial was also completed in cooperation with Kimbriki. This will continue in January 2023 and, if successful, staff will consider if and how this can be further expanded.



Implementation has commenced on recommendations from a comprehensive litter study to help reduce litter. This will continue into the new year, including consolidation of litter bin types and signage in the community.

Rapid graffiti removal program

Cleansing services removed 2,372 reported incidences of graffiti in the LGA during the December quarter.

Bus shelter cleaning program

The bus shelter program serviced 191 Council owned bus shelters in the LGA over the quarter. No significant damages or repairs were reported.

Street sweeping program

The street sweeping program is on track and scheduled zones were completed on time. The services collected 416 tonnes of waste materials, 295 tonnes of these are disposed of as organic leaf litter for recycling. The rest of the materials were disposed of as landfill due to contamination and non-organic matters.

Illegal dumping removal program

In the quarter, nine tonnes of illegally dumped waste material were collected and disposed of. The majority of the material is bulky household waste left on kerbside without a booking.

Performance measures – Waste and Cleansing	Target	September quarter	December quarter	
No. participating in education events on waste and circular economy solutions	1,000	4,000	5,021	
Reports of missed waste collection and litterbin services	< 0.5%	0.15%	0.18%	
Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target				



OPERATIONAL PROJECTS

Key: 🔽 Complete 📝 Progressing 👖 Behind schedule



Manage contracts for cleaning of streets, pavements, graffiti and bus shelters to provide clean public places - Executive Manager Waste Management & Cleansing

All contract performances are on track and meeting the key performance indicators. The street sweeping service delivery model is currently under review.

- Street sweeping and pavement scrubbing: being completed on time. No interruptions recorded.
- Graffiti Removal: cleaning response to graffiti reported on Council assets is being done on time. There has been an increase in cases on non-Council assets, and vandalism in the Mona Vale area.



Manage domestic waste contracts to maximise resource recovery and adapt to community needs - Executive Manager Waste Management & Cleansing

Waste Collection Contract – URM:

Formal midterm contract negotiations are continuing. In the interim, some aspects of the contract not currently being completed by the contractor include supply and delivery of residential waste bins. Plan to return to contracted start times for collections once asbestos removal works completed at Cromer depot in early 2023. Contract prices were significantly impacted by the end of June CPI result and have been addressed in the September budget review.

Waste Processing Contract - CLEANAWAY:

This contract continues to divert approximately 35% of the red bin contents from landfill. Working with Cleanaway on a long-term plan for red bin management. A site visit by waste staff was conducted at the Belrose Transfer Station to better understand operations there.

Recycling and waste disposal contract - KIMBRIKI:

Kimbriki delivers recycling via sub-contractors such as Australian Native Landscapes (ANL) and IQRenew as well as landfill primarily from bulky goods disposal. Council is working with Kimbriki to recover more from the bulky goods stream, such as timber and metal. Waste staff visited ANL operations at Badgery's Creek to inspect the final composting process of vegetation from the Northern Beaches and the processing of FOGO from other areas. A polystyrene recovery trial which was well patronised commenced on 18 December 2022 and successfully recovered approximately 24 x 1 cubic metre bags (approximately 200kg) for recycling. The trial will continue in January 2023.

IQRenew Container Deposit Scheme sharing:

Council continues to receive funds each quarter from the Container Deposit Refund Scheme and is working with IQ Renew on long-term plans for revenue sharing.



Deliver waste programs and education to support Council's domestic waste collection services, including waste reduction and circular economy principles - Executive Manager Waste Management & Cleansing

A comprehensive community waste education program included the following elements.



Seven **workshops** covering home composting, reusable nappies, fermenting food and low waste Christmas ideas were held. These included three local schools participating in the Kimbriki Eco House and Garden Workshops.

Community events delivered included the Avalon Car Boot Sale, Dee Why Bags to Riches and the Chemical CleanOut event.

Four **news stories** were published and two **presentations** to community groups were delivered.

58 **Event Application waste management plans** were assessed in this period. Water fountains to reduce plastic waste were loaned to nine events including the Sunsets Festival and Carols by the Lake.

Problematic waste programs included:

- a trial timber recovery from bulky goods completed in cooperation with Kimbriki, and the results are being used to investigate potential expansion of the trial.
- a comprehensive litter study was conducted and reported to the Environmental Protection Authority, with a number of actions recommended and commenced.
- a polystyrene recycling collection trial commenced. At the first event 24 cubic metres of polystyrene was collected with four to be recycled locally, and 20 to be pelletised locally and then sent offshore for manufacturing into recycled products.
- investigations into collection and recycling of soft plastics continued, although the popular Redcycle program run through supermarkets collapsed recently, demonstrating the difficulty of finding productive alternatives for this material.
- a community medical waste collection trial continued with four participating pharmacies.
- Council's battery and x-ray collections continued.

Ongoing and other waste education programs continued including

- the school Plastic Free Canteens with seven schools participating in the current cohort.
- the Council waste webpages, 'community dashboard' and 'recycling network online' map updated throughout the period.
- the interactive artwork 'Inconvenience Store' was displayed at the Coastal Environment Centre and the PCYC at Dee Why.
- the annual waste services calendar was developed and distributed to residential properties.



Consult on and implement a new long-term waste and circular economy strategy -Executive Manager Waste Management & Cleansing

A community telephone survey was completed by a consultant in December 2022. Results will be analysed in January 2023 and will inform the content of workshops which are being designed.

A Request for Quotation to facilitate the workshops was sent to four companies and will close on 16 January 2023.

The following projects completed or underway will also inform the strategy development:

- audit of residential waste bin contents composition (Completed 21/22).
- red bin contents recovery opportunities research study (Completed September 2022).



- audit of public place litter and litter bins (Completed in October 2022).
- soft plastics recovery and opportunities study and trial (no quotations accepted options to develop a trial currently under review).
- timber recovery from bulky goods trial (Completed 30 Sept 2022).
- implementation of NSW Government Waste and Sustainable Materials Strategy 2041 (Released June 2022).
- NSW Plastics Action Plan (Published June 2022).



Promote opportunities to the community for separate collection of recoverable waste types - Executive Manager Waste Management & Cleansing

RFQ to conduct a circular economy trial for soft plastics was conducted asking for the full process of collection, transport, processing and re manufacture into new products. None of the respondents could fully satisfy the full circularity. No quotations were accepted and discussions with companies are continuing to find a suitable trial option. (Note that during the quarter the largest soft plastic recycling program - Redcycle - collapsed indicating the difficulty of processing this material).

During this quarter, an evaluation of the separate timber collection/processing trial (which took place in Quarter One) occurred, for learnings for wider roll out across LGA.

A trial polystyrene recovery trial commenced in conjunction with Kimbriki, with the first day held on 18 December 2022 being very successful. The trial will continue into January 2023.



Delivery of new enclosures delayed due to minor design change. Delivery expected late February or March 2023 and will include all enclosures required to complete the current program. Installation will be completed from March/April 2023.



FINANCIALS - Waste and Cleansing Services

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	8	19	(11)	38	38	38
Investment Fees and Revenues	38	23	15	46	46	46
Other Revenues	262	325	(63)	650	650	650
Grants and Contributions - Operating Purposes	110	199	(89)	-	351	351
Other Income	-	-	-	-	-	-
Gains on disposal of Assets		-	-	-	-	-
Total Income from Operations	417	566	(149)	734	1,085	1,085
Expenses from Operations						
Employee Benefits and Oncosts	(4,093)	(3,935)	(157)	(8,420)	(8,520)	(8,559)
Borrowing Costs	(124)	(120)	(4)	(240)	(240)	(240)
Materials and Services	(23,177)	(24,091)	914	(49,056)	(49,307)	(49,269)
Depreciation and Amortisation	(1,358)	(1,358)	(0)	(2,716)	(2,716)	(2,716)
Other Expenses	15	(8)	23	(16)	(16)	(16)
Internal Charges	(1,482)	(1,478)	(3)	(2,977)	(2,977)	(2,977)
Overhead Allocation	(900)	(900)	-	(1,801)	(1,801)	(1,801)
Total Expenses from Operations	(31,119)	(31,890)	772	(65,227)	(65,578)	(65,578)
Surplus / (Deficit) from Operations	(30,701)	(31,324)	623	(64,493)	(64,493)	(64,493)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes		-	-		-	
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(30,701)	(31,324)	623	(64,493)	(64,493)	(64,493)
Rates and Annual Charges						
Rates and Annual Charges	31,954	31,933	21	64,493	64,493	64,493

2022/715016



Budget commentary - year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$30.7m) is lower than forecast by \$0.6m at the end of the quarter.

Total Income from Operations of \$0.4m is lower than forecast by (\$0.1m).

Other Revenues are lower by (\$0.1m) as a result of timing differences in the notification of recycling income allocation.

Grants and Contributions for Operating Purposes are lower by (\$0.1m) due to timing differences in the receipt of grant funds.

Total Expenses from Operations of (\$31.1m) are lower than forecast by \$0.8m due to lower than forecast tonnages on disposal.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain at (\$64.5m).

2022/715016



Kimbriki Resource Recovery Centre

HIGHLIGHTS

Kimbriki services

Kimbriki continued to provide its expanding range of services to Council and residents over the busy Christmas season. Daily customer visits have been higher than usual throughout the quarter as other facilities in the area experience capacity issues. Kimbriki's processing charges continue to be impacted by higher costs, particularly fuel.

Construction of the Clean Water Diversion System (CWDS) continued and is due for completion around the middle of 2023. This will further reduce the environmental footprint of the site as well as allowing access to additional areas for landfilling, significantly extending the life of the landfill.

Kimbriki improvements

Kimbriki's engineered timber trial continues with over 700 tonnes of material diverted from landfill, recovered and recycled since May 2022. The volume of self-sorted loads arriving at Kimbriki is steadily increasing as customers realise the potential savings.

Kimbriki's trial of manufacturing recycled soil products has recovered over 1,000 tonnes of soils since April 2022, enabling them to be re-used and saved from landfill.

The Kimbriki website has been enhanced with the creation of the Education Hub which houses a range of information for students, teachers and the wider community. The Hub is separated into three sub-categories for primary schools, secondary/tertiary education and the wider community.

Performance measures – Kimbriki	Target	September quarter	December quarter
Total waste from all sources diverted from landfill onsite	82%	78%*	78%*
Waste sources diverted from landfill in the Mixed Waste section onsite from all sources	10%	10%	7%**

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* Continues to be impacted by higher volumes of mixed waste received (due to problems at other waste facilities) and lower volumes of construction recyclables (due to the economic slowdown).

** The slowing economy has reduced sales of manufactured soil products. Freight issues have delayed transport off site of metal and engineered timber stockpiles.



OPERATIONAL PROJECTS



Complete 🧭 Progressing

Behind schedule



Research and develop improved resource recovery consistent with the endorsed Business Plan, reviewed annually - Executive Manager Waste Management & Cleansing

Engineered timber trial recovery rates being maintained despite the busy pre-Christmas rush. A new initiative to process excavated material (rock and soil) has enabled the recovery of 600 tonnes for reuse from landfill.



Expand the sustainability hub and enhance social enterprise opportunities -Executive Manager Waste Management & Cleansing

Reverse Garbage and Bikes4Life continue to operate. Boomerang Bags and Peninsular Senior Citizen Toy Repairers preparing to move in.

CAPITAL PROJECTS

Kimbriki improvements Kimbriki clean water diversion system -**Executive Manager Waste Management & Cleansing** Bulk Earthworks completed. Channel construction underway. Kimbriki landfill cell development area 4A -**Executive Manager Waste Management & Cleansing** The revised Site Masterplan allocates a different cell for development next. Funding has been transferred to the project Kimbriki Future Cell Development. Kimbriki gas capture system - Executive Manager Waste Management & Cleansing Installation of the Gas Capture network is on an 'as needed basis' depending on incoming wastes and filling plans. All gas capture works have been done as required. Kimbriki future cell development -**Executive Manager Waste Management & Cleansing** Design work commenced on Area 4B. Kimbriki landfill cell development mid-west landfill -Executive Manager Waste Management & Cleansing The revised Site Masterplan allocates a different cell for development next. Funding has been transferred to the project Kimbriki Future Cell Development. Kimbriki vehicles - Executive Manager Waste Management & Cleansing Replacement vehicle purchased, a plug-in hybrid electric vehicle (PHEV) Kimbriki renewal program - Executive Manager Waste Management & Cleansing Installation of boom gate to regulate traffic flows. Kimbriki other - Executive Manager Waste Management & Cleansing Office equipment replaced as required.



FINANCIALS - Kimbriki Resource Recovery Centre

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	19,041	18,678	363	34,930	37,550	37,913
Investment Fees and Revenues	414	169	245	60	199	739
Other Revenues	2,114	2,002	112	3,124	3,629	3,741
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	135	140	(5)	274	278	277
Gains on disposal of Assets	(0)	-	(0)	-	-	-
Total Income from Operations	21,704	20,989	715	38,388	41,655	42,671
Expenses from Operations	(0.504)	(0.5.40)	10	(4.00.4)	(5.007)	(5.040)
Employee Benefits and Oncosts	(2,521)	(2,540)	18	(4,994)	(5,037)	(5,019)
Borrowing Costs	(997)	(995)	(1)	(1,739)	(1,993)	(1,993)
Materials and Services	(9,404)	(9,185)	(219)	(16,641)	(18,288)	(18,802)
Depreciation and Amortisation	(2,018)	(2,007)	(12)	(4,003)	(4,010)	(4,022)
Other Expenses	(4,807)	(4,540)	(267)	(8,385)	(8,912)	(9,179)
Internal Charges	-	-	-	-	-	-
Overhead Allocation	-	-	-	-	-	-
Total Expenses from Operations	(19,747)	(19,267)	(480)	(35,763)	(38,241)	(39,015)
Surplus / (Deficit) from Operations	1,957	1,722	235	2,626	3,415	3,656
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes		-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	1,957	1.722	235	2,626	3,415	3,656

Rates and Annual Charges



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total Surplus from Operations of \$2.0m is higher than forecast by \$0.2m at the end of the quarter due to higher than anticipated volumes of mixed waste and higher than budgeted interest income from higher interest rates.

Total Income from Operations of \$21.7m is higher than forecast by \$0.7m due to:

User Charges and Fees are higher by \$0.4m as a result of the higher than budgeted volume of mixed waste.

Investment Fees and Revenues are higher by \$0.2m as a result of higher than anticipated interest rates on term deposits.

Other Revenues are higher by \$0.1m as a result of higher than budgeted revenue from recycling activities.

Total Expenses from Operations of (\$19.7m) are higher than forecast by (\$0.5m).

Materials and Services are higher by (\$0.2m) as a result of higher than anticipated Site Revenue Rental and higher than budgeted roadwork repairs to areas affected by rainfall.

Other Expenses are higher by (\$0.3m) as a result of higher than budgeted EPA levies on higher than anticipated landfill tonnes.

Annual Forecast

For the full financial year, the Total Surplus from Operations is forecast to increase by \$0.2m to \$3.7m principally due to higher investment revenues and volumes of incoming material.



SOCIAL

Community, Arts and Culture

HIGHLIGHTS

Arts and culture

The 2022 Arts and Creativity Grants were endorsed, providing support to 16 artists working across a range of art practices to deliver events and produce new work, as well as professional development.

From 21 October to 4 December 2022 Manly Art Gallery & Museum hosted *Abstract Realities: The MAG&M Project* that brought together three Australian artists, Julian Goddard (Perth) - Sarah Robson (Northern Beaches) and David Thomas (Melbourne) who created site-sensitive installations in the Gallery; and *Resonance* featuring selected works by the 2022 Advanced Diploma graduates from Northern Beaches TAFE Ceramics. On 9 December 2022, *Fair Play: Sport as motif & metaphor* and *Barely Wearable: Ruth Downes* opened, accompanied by a remounting of *Manly by Ferry: Treasures from the Vault*, back by popular demand.

The Public Art Selection Panel convened to progress key public art projects and Council endorsed North Mona Vale Headland as a site for new public art. Progress was also made on the new artwork for McKillop Park.

Glen Street Theatre

The 2023 membership program and first release of 2023 shows was launched on 21 November 2022. This saw 35 different shows ranging from children's entertainment, film, drama, live music and comedy released for sale to the community.

Local dance schools were able to resume staging end of year concerts post-pandemic. This quarter saw 23 dance schools from across the Northern Beaches and surrounding suburbs use the professional performing arts asset in their community to present 46 concerts to over 13,000 people.

Socially sustainable Northern Beaches

The Better Together 2040 Social Sustainability Strategy is now in its second year of implementation.

The first Better Together Forum was held in November with more than 50 representatives from local social service providers and state government departments joining Council staff to learn, share and collaborate on a range of topics impacting social sustainability on the Northern Beaches.

The Better Together Leadership group met during the quarter and provided strategic advice to the planning of the Better Together Forum and facilitation support on the day of the event.

Project work between October and December has been focused on getting the draft Youth Voice Action Plan 2028 - Shaping the Beaches Future on public exhibition, developing a Community Service Hubs Framework, beginning implementation of the Disability Inclusion Action Plan 2022-2026, starting a project focused on cultural diversity and inclusion, and developing the first indicator report for the Community Wellbeing Framework.

Community development



The 2022 Community Development Grants were endorsed, providing support to 22 local groups and services to deliver a variety of initiatives building community connections and addressing family and domestic violence.

There were 25 Meet Your Neighbour parties held as part of the 'It Takes a Village' program, which inspires and equips the local community to increase social connections and feelings of belonging in neighbourhoods across the Northern Beaches.

Council worked with the Northern Beaches Mental Health Interagency to host a Mental Health Month information event at the Berry Street markets including 13 mental health services and interactive activities such as a drumming circle, live band and smoking ceremony.

Council ran the first Discover Ability Day event at the Dee Why PCYC to celebrate the International Day for People with Disability with 15 stalls from local services, music performances, sing along sessions and three inclusive sports.

Council marked the first day of 16 Days of Activism with a memorial service for the International Day for the Elimination of Violence against Women. The memorial service was coordinated with the Northern Beaches Domestic Violence Network to honour the memory of those who have lost their lives to domestic and family violence this year. The memorial was attended by over 90 community members.

Empowering young people and families

Council supported Share the Spark for the 2022 *Spark Tank* at Glen Street Theatre. Over 200 people attended to hear young people pitch their entrepreneurial ideas to judges and audience. Six finalists received mentoring sessions plus cash prizes to bring their ideas to life.

The Bags to Riches Market was held in December 2022 at Walter Gors Park in Dee Why with 40 youth stall holders, four young musicians and Youth Advisory Group members coordinating the day.

Several meetings have commenced with the local School Captains' Network in preparation for the 2023 Have Your Say Day. One of these meetings involved a handover from 2022 school captains to 2023 school captains who will be organising the day in May 2023.

The newly formed Child and Families Northern Region Network of Councils met to consolidate and share ideas and plans for 2023. Relationships are strengthening and with Council leading, our first coordinated event will be held in February 2023.

The Adolescent and Family Counselling Service provided 224 free client counselling sessions to young people and their families. The service continued to host a monthly social club for young people experiencing social isolation to build capacity in social skills and relationships.

Supporting seniors

A successful Celebrating Carers morning tea was hosted by Council at Forestville Seniors Centre as part of Carers Week with over 40 carers attending a laughter yoga workshop and a presentation from Yourside on the support services provided by the Carer Gateway.

Meals on Wheels delivered over 4,800 meals to older people in the community to enable them to live at home for longer and prevent social isolation. This included weekly community lunches at Manly Seniors Centre, monthly social barbeques in Seaforth and monthly social outings which enable connection and reduce social isolation.

Council worked with the Northern Beaches Dementia Alliance to host the 'cuppa and a chat' morning tea at Narrabeen Tramshed with over 40 people attending including people with lived experience of dementia, their family and carers. The event included presentations and a facilitated



table discussion about what is most useful and most challenging for people with dementia and their carers.

Community safety

Council continued to lead a coordinated response to community safety through consultative meetings with local police, local agency and interagency representatives and other stakeholders. In response to antisocial behaviour and vandalism at various locations, assessments of the safety and security of those sites were conducted in consultation with police and strategies developed to address those issues.

Recent activities of the Community Safety Advisory Committee considered the impact of ecigarettes (vaping) and forming a Sexual Assault Prevention and Response Working Group, holding its first meeting in November 2022. The Working Group has been established to identify community actions to impact the context and incidence of sexual assault across the Northern Beaches and to improve support to victims.

Following consultation with the community and key stakeholders, Council established a new Alcohol Free Zone (AFZ) in Mona Vale, adjacent to the existing AFZ, to address alcohol-related antisocial behaviour in that area.

Valuing our volunteers

Volunteers were active in all programs across Council to continue delivering valued services to our community. International Volunteer Day was celebrated on 5 December 2022 with a newsletter to volunteers, Council news article, and social media posts recognising the contributions of our many volunteers on the Northern Beaches.

Nominations closed and judging was completed for the 2023 Australia Day Awards to recognise the significant contribution of volunteers across our community.

Community centres

The tender for the construction of the Warriewood Community Centre was released in late November 2022. Construction should commence after May 2023, with the Nelson Heather Centre to be demolished to make way for the new community centre. The regular groups hiring Nelson Heather Centre will be relocated to other community centres until the new Warriewood centre is completed late in 2024/2025.

Community Centre staff continue to work with the online booking and payments system project. Automatic bookings and payments will be implemented early in 2023, to enhance the customer experience and ease of making a booking.

The new Mona Vale Performance Space is scheduled to be completed in March 2023. This exciting new space is currently under construction on the Mona Vale Public School site. The use of the space outside of school hours will be managed by Council and be available for the public to hire for a variety of purposes.

Works were completed on the corner of Abbott and Griffin Roads outside the North Curl Curl Community Centre, to enhance safety of the shared path route/pedestrian connections of the whole precinct.

A morning tea was held for the regular user groups on 11 November 2022 at the Avalon Recreation Centre, to celebrate the 20th anniversary of the opening of the Community Centre in 2002.



Community Arts and Culture - Performance measures	Target	September quarter	December quarter
Volunteers who actively participate in ongoing programs across Council	650	523*	544*
Community centre bookings	Q1: 9,270 Q2: 8,450 Q3: 7,500 Q4: 9,000	9,119**	8,585
No. Meals services	4,500	4,674	4,748
Workload measures			
No. information and referral enquiries	-	75	65

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* Impacted by persistent wet weather.

** Fall in demand due to COVID has endured. This year 43 regular hirers have cancelled their bookings, and a further 20 hirers have reduced their booked hours.

OPERATIONAL PROJECTS

Key:	Complete 😥 Progressing ! Behind schedule
	Deliver the Performance Space at Mona Vale Public School with the State Government - Executive Manager Community, Arts & Culture
	Works on site progressing well. Due to open to the public in March 2023.
$\mathbf{>}$	Plan for an integrated community and cultural hub at Mona Vale - Executive Manager Community, Arts & Culture
	Consultants appointed and preliminary briefing meetings completed.
>	Implement Gatekeeper training program for suicide prevention - Executive Manager Community, Arts & Culture
	Third and final year of grant funding from the NSW Ministry of Health towards suicide prevention community gatekeeper training and community awareness activities. 868 community members have now completed training.
>	Implement the Coast Walk Public Art Strategic Plan - Executive Manager Community, Arts & Culture
	Projects are progressing. Planning for the next two projects is underway.
>	Implement Better Together 2040 Social Sustainability Strategy and develop supporting action plans to address community priorities - Executive Manager

Quarterly report on service performance - December 2022



Community, Arts & Culture

Work progressing, activity in December 2022 on Community Service Hubs framework, the draft Youth Voice Action Plan, the Multicultural Inclusion Plan and Wellbeing Outcomes Framework.

\mathbf{x}_{i}	Develop a mental health discussion paper - Executive Manager Community, Arts & Culture
	This project will not be proceeding, as mental health challenges are being addressed by significant work already undertaken by Council, and in partnership with other organisations.
\diamond	Develop Youth Voice – shaping the beaches' future - Executive Manager Community, Arts & Culture
	Draft Youth Voice Action Plan was placed on Public Exhibition on 1 December 2022, consultation activities are underway.
\diamond	Develop a Multicultural Access and Equity Plan - Executive Manager Community, Arts & Culture
	Project underway, engagement planning in progress.
\diamond	Implement actions from the Disability Inclusion Action Plan - Executive Manager Community, Arts & Culture
	Project underway.
;API1	TAL PROJECTS

С

Key:	Complete 😥 Progressing ! Behind schedule 🗙 Not proceeding				
	Art Works				
\checkmark	Gallery artwork purchases - Executive Manager Community, Arts & Culture				
	Works complete in 2021/22. Final payment made in 2022/23.				
$\mathbf{>}$	Theo Batten bequest purchases - Executive Manager Community, Arts & Culture				
	Development consent has been received and planning for fabrication and installation of artwork has commenced.				
	Community Centre Improvements				
1	Warriewood Valley Community Centre new works - Executive Manager Capital Projects				
	Delayed as further reviews were required before releasing the tender to the market. The tender has now been released to shortlisted contractors. The current Community Centre will remain open until late February/early March 2023.				
\bigcirc	Community buildings works program - Executive Manager Property				
	This program of works is allocated to community buildings projects this financial year, the project includes the playground upgrade works at the Harbord Literary Institute over two financial years with proposed commencement of works on site in May/June 2023 and				



completion in July/August 2023. This project is managed by Parks and Recreation and delivery by Capital Projects.

In this quarter, the landscape concept design was completed by the Parks team and the drainage design was completed by the Stormwater team. The project was handed over to the Capital Projects team for delivery.

Ted Blackwood hall repairs will also be undertaken under this program.

Some preparation for major air-conditioning works at Glen Street Theatre will also take place under this program, though the major element of the procurement has been delayed.

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Community centres minor works program - Executive Manager Property

This program of works includes minor renewal works to community centres buildings. The final project in this program of works is the structural rectification works at Ted Blackwood Community Centre.

The works that were completed this quarter include the repair works to the lift at the Tramshed Arts nd Community Centre and the replacement of the roof to the store room at Manly Art Gallery.

Cultural Improvements

Coast walk art trail - Executive Manager Community, Arts & Culture

Program of works are progressing with artwork endorsed for North Mona Vale Headland site, and planning continuing for McKillop Park and 2023 projects.

Coast Walk Aboriginal art and signage

- Executive Manager Community, Arts & Culture

This project was successfully launched on 4 August 2022. New site signage is currently being updated.



Glen Street Theatre renewal works - Executive Manager Property

The tenders for the air-conditioning works were refused by Council in September 2022. The tenderers were contacted to discuss options for potential savings. The direct purchase of the equipment by Council was considered and investigated with the chiller supplier. Works to the auditorium ducting were removed from the scope and will be undertaken separately this financial year. The tender documentation will be updated for release of a fresh public tender in early February 2023 with a proposed timeframe for works on-site in April-May 2024.

Creative Arts Space Mona Vale design works - Executive Manager Property

This project will deliver an evaluation of the options for arts services at Mona Vale Admin/Library/Community Hall.



FINANCIALS - Community, Arts and Culture Service

Income and Expenditure Statement		Year to date			Annual		
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current	
	Actual	Forecast	Variance	Budget	Forecast	Forecast	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	
Income from Operations			(2.2)				
User Charges and Fees	1,634	1,722	(89)	4,277	4,178	4,109	
Investment Fees and Revenues	-	-	-	-	-	-	
Other Revenues	449	467	(19)	842	788	818	
Grants and Contributions - Operating Purposes	1,241	1,064	177	1,908	2,033	2,071	
Other Income	21	21	0	42	42	42	
Gains on disposal of Assets	-	-	-	-	-	-	
Total Income from Operations	3,345	3,274	70	7,068	7,041	7,039	
Expenses from Operations							
Employee Benefits and Oncosts	(3,224)	(3,262)	38	(7,174)	(7,114)	(7,114)	
Borrowing Costs	-	-	-	-	-	-	
Materials and Services	(1,099)	(1,281)	182	(3,459)	(3,351)	(3,339)	
Depreciation and Amortisation	(316)	(316)	-	(632)	(632)	(632)	
Other Expenses	(1,093)	(977)	(116)	(1,594)	(1,711)	(1,749)	
Internal Charges	(22)	(21)	(0)	(44)	(47)	(47)	
Overhead Allocation	(429)	(429)	-	(858)	(858)	(858)	
Total Expenses from Operations	(6,182)	(6,285)	104	(13,761)	(13,713)	(13,738)	
Surplus / (Deficit) from Operations	(2,837)	(3,011)	174	(6,693)	(6,672)	(6,699)	
Income from Capital Grants and Contributions							
Grants and Contributions - Capital Purposes	23	4	19	-	23	23	
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(2,814)	(3,007)	193	(6,693)	(6,649)	(6,677)	
Rates and Annual Charges							
Rates and Annual Charges	3,515	3,515	-	6,606	6,606	6,606	



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$2.8m) is lower than forecast by \$0.2m at the end of the quarter.

Total Income from Operations of \$3.3m is higher than forecast by \$0.1m.

User Charges and Fees are lower by (\$0.1m) as a result of a reduction in community centre hire, mainly due to hirers reduced classes due to reduced demand.

Grants and Contributions for Operating Purposes are higher by \$0.2m as the Mona Vale Performance Space grant milestone was achieved earlier than forecast, Glen St Theatre COVID support grant and the prepayment of grants the Youth and Family Counselling Service.

Total Expenses from Operations of (\$6.2m) are lower than forecast by \$0.1m.

Materials and Services are lower by \$0.2m as a result of delayed minor maintenance and servicing for Glen Street Theatre and program costs in community and cultural development that will be spent to Quarter 3 and 4.

Other Expenses are higher by (\$0.1m) as a result of payments for Mona Vale Performance Space from the Stronger Communities Fund.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to increase slightly by \$0.27 to (\$6.7m) principally due to the minor reduction in income from community centre hire.

2022/715016



Children's Services

HIGHLIGHTS

Transition to school success

Many of the children are transitioning to formal schooling in 2023. To support the transition to school, the early learning services:

- visited with local primary schools, including a primary school teacher from Mimosa who visited Belrose Children's Centre to meet the children who would be transitioning to the school. This strengthened Council's connection with the school.
- sent handwritten letters and drawings from the preschool children to the local schools and formed buddies to ask questions they may have regarding school next year.
- completed Transition to School Statements by Early Childhood Teachers and Educators. These statements provide schools and families a summary of the child's strengths, interests and approaches to learning providing a link between childcare centres and schools.
- held a Transition to School ceremony where families and special friends were invited to watch their children celebrate their achievements. The children sang songs and used Australian sign language as a part of their performance.
- celebrated 'schoolies week' at North Harbour preschool a week preschool leavers can dress in their new uniform, use a pretend canteen and make connections with others going to the same school.

End of year celebrations also took place across the centres to bid farewell to the children commencing school. Brookvale Children's Centre and Preschool celebrated the end of the year with a family picnic gathering in Brookvale Park, allowing families, children and educators to get together in a relaxed informal environment, building our community connection. Belrose Children's Centre held their Christmas disco party after hours where children and families were invited to celebrate and connect through music, dance and food. Harbour View Children's Centre celebrated with a puppet show, face painting and the opportunity to catch up and spend time with our families.

Community connections

Brookvale Preschool and Brookvale Children's Centre welcomed visits from the community including NSW Rural Fire Services, NSW Police and NSW Ambulance to support childrens' understanding of safety and eagerness to connect with these community support networks.

There is an ongoing relationship established between Cromer Vacation Care and Dee Why Gardens Retirement Village where, during the spring school holidays, some of the residents visited the centre to catch up with the children and enjoy a magic show together. North Harbour Vacation Care made kindness cards to send to the residents at Bupa Aged Care in Seaforth. These were delivered by the Vacation Care Services Coordinator and were very enthusiastically received.

Thousands of families, individuals and seniors were in for a treat as children who attend our nine early learning centres delivered gifts and hand-crafted Christmas cards to those who need them most. The children were proud and excited when they saw more and more gifts and food items under their Christmas trees each day. The initiative has also taught the children about caring for others in the community, and the gift of giving.



Brookvale Children's Centre, Harbour View Children's Centre, North Harbour Preschool and Manly Community Preschool contributed to 1,000 boxes of food and gifts to Basket Brigades who delivered them to vulnerable families and individuals.

Roundhouse Children's Centre donated canned and non-perishable foods to Street Mission while the Preschool children created Christmas cards and delivered them to residents at Uniting Care Wesley Heights in Manly.

Narrabeen Children's Centre donated gifts to children in foster care through Hope in a Suitcase Australia and Belrose Children's Centre gave gifts to children and families in hospital through Smiles2u. Dee Why Children's Centre took a different approach and started a community pantry where local families can take what they need anytime over the next year.

Sustainability in practice

Narrabeen Children's Centre received a variety of recycling donations from families and the wider community, helping reduce waste going to landfill. This included batteries, used pens, bottle tops, over six boxes of bread tags, and other items from a company rebranding cards, paper and gift tags.

Plastic Pollution Solutions continue to work with the centres to challenge the children and educators regarding the huge amount of plastic which is in the ocean and the impact on our total environment; including what we ingest as micro plastics. This further supported the Centre Philosophy of Sustainability and linked with the Indigenous perspective of caring for country. Children were encouraged to be Plastic Ninjas embracing the Reduce/ReUse and Recycle philosophy into their everyday lives.

Performance measures – Children's Services	Target	September quarter	December quarter
No. children attending Long Day Care programs	700	762	864
No. children attending Family Day Care programs	380	317*	325*
No. children attending Preschool programs	100	199	208
No. children attending Vacation Care programs	Q1,2,4: 350 Q3: 525	433	421

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* The number of educators supporting the service reduced during COVID as Public Health Orders required all household members to be vaccinated. Since Health Orders were relaxed, educator numbers have not yet recovered, and several others are also closed due to taking leave.



OPERATIONAL PROJECTS

Key: Complete 🤣 Progressing ! Behind schedule



Implement the Children's Services Strategy - Executive Manager Early Learning and Customer Services

1. Deliver a program collaboratively with one centre and one elder care service and report on the outcomes for community connections.

There is an ongoing relationship established between Cromer Vacation Care and Dee Why Gardens Retirement Village. During the spring school holidays some of the residents visited the centre to catch up with the children and enjoy a magic show together. Cromer Vacation Care is planning on doing some Christmas craft or carols with the Dee Why Gardens residents. North Harbour Vacation Care made kindness cards to send to the residents at Bupa Aged Care in Seaforth - these were delivered by the Vacation Care Services Coordinator and were very enthusiastically received. They are now in discussions to try and organise an in-person visit in the April school holidays.

2. Develop a business case for a new Council-run centre in the upper Northern Beaches and/or Frenchs Forest: This is being explored for future opportunities.

3. Facilitate efficient and effective recruitment and onboarding processes to ensure the seamless delivery of high-quality service. Review and refine employment policies to strengthen the delivery of accessible and integrated services for families.

The Manager Early Learning Centres continues to work with marketing/communications and HR to refine the recruitment and onboarding process as well as ensuring that our employment policies support our model of service delivery. The Manager Early Learning Centres also attended a careers expo at North Sydney TAFE to promote Northern Beaches Council as an early childhood employer of choice and, in an attempt to fill some of the current permanent and temporary vacancies, directly contacted educators from the casual pool highlighting the benefits of permanent and temporary positions with Council.

4. Empower and support educators to feel confident in articulating Council's early learning approach and the importance of early learning.

Council's Children's Services early learning approach is embedded in our policies, procedures and practices. Staff discussions about our early learning approach and the importance of early learning take place at monthly service team meetings, management team meetings, policy review meetings and daily in the services. Continuous learning is encouraged for all educators via training aligned with our services philosophies that support our early learning approach. A poster articulating this learning approach has been produced in consultation with the marketing and communications team along with other reference materials to support the educators in articulating our early learning approach. Consultation about the best format and distribution of these resources is continuing, with distribution planned in early January 2023.





A grant offer was received from NSW Department of Education in October 2022 which required additional co-contribution funds from Council. The grant offer was declined as it was inadequate to cover the project costs. Council funds have been diverted to priority works at the site including drainage and lift replacement.

Urgent works to renew playground surfaces in response to WHS concerns have also been delivered under this year's program at Dee Why Children's Centre. Works were completed in July 2022. Further works to renew outdoor play areas at the Centre are planned and will be delivered later in the financial year, overlapping into next financial year.

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FINANCIALS - Children's Services

Income and Expenditure Statement	Y	ear to date			Annual	
01 July 2022 to 31 December 2022	YTD Actual \$'000	YTD Forecast \$'000	YTD Variance \$'000	Annual Budget \$'000	Approved Forecast \$'000	Current Forecast \$'000
Income from Operations						
User Charges and Fees	6,959	7,115	(156)	14,021	13,999	13,999
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	13	2	12	4	4	4
Grants and Contributions - Operating Purposes	1,415	1,521	(107)	2,126	2,126	2,126
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	8,388	8,638	(251)	16,151	16,128	16,128
Expenses from Operations						
Employee Benefits and Oncosts	(6,441)	(5,773)	(668)	(12,503)	(12,485)	(12,485)
Borrowing Costs	(3)	(0,770)	(000)	(12,000)	(12,460)	(12,400)
Materials and Services	(651)	(1,129)	477	(2,237)	(2,250)	(2,250)
Depreciation and Amortisation	(32)	(1,120)	(0)	(59)	(2,200)	(2,200)
Other Expenses	(02)	(02)	(0)	(00)	(00)	(00)
Internal Charges	(249)	(263)	14	(538)	(536)	(536)
Overhead Allocation	(392)	(392)	-	(785)	(785)	(785)
Total Expenses from Operations	(7,769)	(7,592)	(177)	(16,128)	(16,120)	(16,120)
Surplus / (Deficit) from Operations	618	1,046	(428)	22	8	8
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	41	11	30	-	100	100
Surplus / (Deficit) from Operations including Capital Grants and Contributions	659	1,058	(399)	22	108	108
Rates and Annual Charges						
•						



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total Surplus from Operations of \$0.6m is higher than forecast by (\$0.4m) at the end of the quarter.

Total Income from Operations of \$8.4m is lower than forecast by (\$0.3m).

User Charges and Fees are lower by (\$0.2m) as a result of a combination of lower utilisation at Roundhouse due to urgent rectification works throughout August and September, lower occupancy at Family Day Care due to lower educator numbers and lower utilisation of Vacation Care.

Grants and Contributions for Operating Purposes are lower by (\$0.1m) as a result of a timing/phasing issue with grant funding and new funding arrangements from NSW Education to support fees for four year-old children.

Total Expenses from Operations of (\$7.8m) are higher than forecast by (\$0.2m).

Employee Benefits and Oncosts are higher by (\$0.7m) as a result of higher casual salaries due to unavailability of Agency staff and not being able to fill Trainee positions.

Materials and Services are lower by \$0.5m as a result of lower than anticipated spending on Agency personnel, timing of rent for Dee Why being paid and lower spending on excursions and incursions for vacation care.

Annual Forecast

For the full financial year, the Total Surplus from Operations is forecast to remain at \$0.0m.



Library Services

HIGHLIGHTS

Valued social institutions

With more than 185,000 visits to public libraries over the quarter, library services are one of Council's most valued social institutions on the Northern Beaches. At end-December 2022, there were more than 69,000 active members of the library service who regularly borrow items, attend programs and events, volunteer or browse the local history portal 'History Hub'.

515 community members receive a tailored home library service, with Council volunteers delivering more than 6,221 items this quarter, providing valuable recreational and education material to those in the community unable to visit Council's libraries.

The library has ensured contemporary, popular collections are available, in both print and digital platforms, with over 207,000 physical loans and over 76,000 eloans from the service in the last three months.

Creative and connected communities

The library provided a varied programming and events calendar such as HSC Take Overs, the Zine Fair, Local History Talks, the return of Local Author Talks and the biennial Artist Book Award competition, Community Wishing Trees and the ever-popular Story Times and Christmas Pantomime shows. This quarter more than 9,411 members of the community attended a program with more than 437 programs or events on offer.

In response to Council resolution, a trial partnership with Early Ed Cubby Toy House Library is in development, to commence a 12-month trial of toy library facilities in the library space.

Digital inclusion

Digital library services continue to play a key role in supporting the community, with more than 76,000 loans of the digital collection occurring in the quarter.

The Northern Beaches Library app continues to grow in popularity with more than 47,200 visits in the last three months. The library app allows access to the library anywhere and at any time.

The local studies team continues to focus on the preservation of rich collections, with 255 items digitised this quarter and a total 28,557 items accessible on History Hub. An online portal, History Hub provides instant access to photographs, videos and oral histories and has received more than 8,719 users in the quarter.

Improved spaces and places

Forestville library has continued to be transformed into an accessible and contemporary community space with a public trial completed for 24/7 access to the library.

The public trial has been exceptionally well received by the Forestville community. In the threemonth trial, a total of 655 community members signed up with more than 50% of new members under 30 years old. Forestville library was visited more than 7,500 times after regular staffed opening hours, often studying, working or simply enjoying the space on a rainy Sunday. Members



praised the "stellar service" and the ability to "visit on the weekend, without having to rush", stating "this is easily the best council initiative that makes a positive impact to me in recent years".

With assistance from Dementia Australia, audits have been conducted at all library branches, working towards a dementia-friendly accreditation.

Performance measures – Library Services	Target	September quarter	December quarter
No. Home Library customers	525	522*	515*
No. library programs and activities	400	389**	437
No. of physical visits to libraries	175,000	217,991	185,622

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* Numbers are constrained by the loss of elderly clients and those that leave LGA.

** The number of programs and activities have not yet returned to pre-COVID levels.

OPERATIONAL PROJECTS

Key:	×	Complete		Progressing	1	Behind schedule
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Develop a Library Strategy - Executive Manager Library Services

Tender awarded, consultant onboarded. Initial research and stakeholder engagement sessions conducted.

Review and implement opportunities for 24/7 access to the physical library space - Executive Manager Library Services

Public trial completed 30 November 2022.

Final documentation approved in preparation for full launch for Forestville March 2023.

Exploring opportunities at Manly Library.

Achieve dementia friendly accreditation across appropriate library services -Executive Manager Library Services

Pending dementia friendly audit report for further advice and direction.



CAPITAL PROJECTS
Key: Complete Progressing
Library Upgrades
Mona Vale library - upgrades and new works - Executive Manager Property
Any building works will progress following advice received from the consultancy services in connection with the Mona Vale Community Cultural Precinct.
Library Bookstock - Executive Manager Library Services
Works complete in 2021/22. Final payment made in 2022/23.
Library buildings works program - Executive Manager Property
This program allows for works at Council's libraries.
This year's priority is roofing works at Dee Why.
Community Space and Learning
Library local priority grant purchases - Executive Manager Library Services
Additional CCTV installation complete. Minor children's area refurbishment underway.
Planning continues for an inclusive toilet upgrade.
Library books - replacement - Executive Manager Library Services
December saw an overspend of \$19,256 compared to forecast. Ordering adjusted to reflect publishing cycle.
Of the physical items received, Adult Fiction comprised 47% of stock, Adult Non-Fiction 19%, Junior items 23% and DVDs 5%. The remaining 6% of stock received was Young Adult and

Audio Visual items.



FINANCIALS - Library Services

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	76	75	1	151	151	133
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	69	46	23	92	92	110
Grants and Contributions - Operating Purposes	796	-	796	799	799	799
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	940	121	819	1,043	1,043	1,043
Expenses from Operations						
Employee Benefits and Oncosts	(3,488)	(3,616)	128	(7,800)	(7,800)	(7,800)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(603)	(607)	4	(1,174)	(1,285)	(1,285)
Depreciation and Amortisation	(911)	(911)	-	(1,823)	(1,823)	(1,823)
Other Expenses	(91)	-	(91)	(118)	(118)	(118)
Internal Charges	(36)	(39)	3	(96)	(84)	(84)
Overhead Allocation	(527)	(527)	-	(1,054)	(1,054)	(1,054)
Total Expenses from Operations	(5,657)	(5,700)	43	(12,064)	(12,164)	(12,164)
Surplus / (Deficit) from Operations	(4,716)	(5,579)	862	(11,022)	(11,122)	(11,122)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	64	-	64	162	244	111
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(4,653)	(5,579)	926	(10,859)	(10,878)	(11,011)
Rates and Annual Charges						
Rates and Annual Charges	5,551	5,551	-	11,022	11,022	11,022



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$4.7m) is lower than forecast by \$0.9m at the end of the quarter.

Total Income from Operations of \$0.9m is higher than forecast by \$0.8m.

Grants and Contributions for Operating Purposes are higher by \$0.8m as a result of the timing of the receipt of the Library Subsidy and Local Priority Grants.

Total Expenses from Operations of (\$5.7m) are slightly lower than forecast.

Employee Benefits and Oncosts are lower by \$0.1m as a result of leave taken and vacant positions within the Service.

Other Expenses are higher by (\$0.1m) as a result of the timing of subsidy payments to Community Libraries.

Grants and Contributions for Capital Purposes are higher by \$0.1m as a result of the timing of the receipt of the Local Priority Grant.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain at (\$11.1m). Expenditure of the capital grant has been rephased in 2023/24.

2022/715016



Strategic Land Use Planning

HIGHLIGHTS

Northern Beaches Local Environmental Plan

Council undertook a three-month public exhibition of its Conservation Zones Review, finishing on 5 December 2022. The Review provided an assessment of the use of environmental conservation zones in Council's current Local Environmental Plans (LEPs), other relevant studies and guidance, and recommended a methodology to create a single set of Conservation Zones for the new Northern Beaches LEP based on mapping of hazards and ecology (e.g. bushfire and flooding, threatened species and core habitat).

The exhibition received 950 submissions and the strategic planning team responded to hundreds of telephone and written enquiries during the exhibition period. Next steps in the process are:

- to review submissions in consultation with Council's consultants in January/February 2023.
- to present outcomes to Council in late February 2023.

Morgan Road planning proposal assessment

Council received notice from the Department of Planning and Environment of a Planning Proposal by the Metropolitan Local Aboriginal Land Council to rezone land in Morgan Road, Oxford Falls Valley, to permit a 450-allotment subdivision of their land.

Council was given only 28 days to review the hundreds of pages of documentation, report to Council and provide comments back to the Department. The strategic planning team coordinated comments from across Council and provided a detailed submission to the Department with Council's full endorsement.

The matter was considered by the Northern Region Strategic Planning Panel on 21 December 2022. The Panel recommend to the Minister for Planning and Homes to grant a 'Gateway' approval for the Planning Proposal to allow for its formal public exhibition.



OPERATIONAL PROJECTS



Kev: 🗸

Develop Place Plans for Mona Vale, Avalon, Manly and other centres on a rolling

program - Director Planning & Place

Complete 🧭 Progressing

- Mona Vale Place Plan housing and employment data is being used to develop a detailed Traffic Report, to consider impacts on local transport networks and major intersections.
- Draft Manly Place Plan undergoing internal review and costings. Feedback received on concept designs from Manly Project Working Group.

Behind schedule

• Avalon Beach Place Plan - adopted by Council in July 2022.



Prepare Northern Beaches Local Environmental Plan, Development Control Plan and associated studies - Director Planning & Place

Conservation Zones Review exhibition completed on 2 December 2022. Over 950 submissions received. Review of submissions commenced in consultation with our consultants, Meridian Urban. The Department of Planning has requested involvement as a "pilot" project. Internal workshop proposed in early February and a Councillor briefing is to occur in late February 2023. Work on LEP and DCP progressing with plans for six weekly meetings with Department of Planning in the new year to workshop key issues. The Department is also to arrange a meeting to discuss the capacity of the Planning Portal to provide an exhibition environment for the new Northern Beaches LEP.



Frenchs Forest precinct planning for a sustainable area with Green Star Communities rating - Director Planning & Place

Land at Frenchs Forest rezoned and came in on 1 June 2022. The statutory provisions do not provide for the ability or certainty for an application for Green Star Communities rating to be successful.



Complete Brookvale Structure Planning and Rezoning - to revitalise Brookvale town centre - Director Planning & Place

The draft Brookvale Structure Plan was endorsed by Council for public exhibition at its November 2022 meeting. Public exhibition is from 1 December 2022 to 28 February 2023.

Ingleside Precinct – work with Department of Planning and Environment on the potential land release - Director Planning & Place

This project is now closed by NSW Government following its decision on 10 June 2022. The future strategic planning for the Ingleside area is now being considered by Council under the new LEP/DCP project.



FINANCIALS - Strategic Land Use Planning

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	608	586	22	1,172	1,172	1,172
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	1	-	1	-	-	-
Grants and Contributions - Operating Purposes	320	323	(3)	332	332	332
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	929	909	20	1,503	1,503	1,503
Expenses from Operations						
Employee Benefits and Oncosts	(2,153)	(2,218)	65	(4,783)	(4,783)	(4,783)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(300)	(654)	353	(765)	(1,129)	(970)
Depreciation and Amortisation	(27)	(27)	-	(55)	(55)	(55)
Other Expenses	(527)	(528)	1	(715)	(715)	(715)
Internal Charges	(100)	(100)	-	(213)	(213)	(213)
Overhead Allocation	(215)	(215)	-	(430)	(430)	(430)
Total Expenses from Operations	(3,323)	(3,742)	419	(6,961)	(7,325)	(7,166)
Surplus / (Deficit) from Operations	(2,394)	(2,833)	439	(5,457)	(5,821)	(5,662)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes		-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(2,394)	(2,833)	439	(5,457)	(5,821)	(5,662)
Rates and Annual Charges						
Rates and Annual Charges	2,665	2,665	-	5,044	5,044	5,044



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$2.4m) is lower than forecast by \$0.4m at the end of the quarter.

Total Expenses from Operations of (\$3.3m) are lower than forecast by \$0.4m.

Employee Benefits and Oncosts are lower by \$0.1m as a result of staff leave taken and vacant positions within the Service.

Materials and Services are lower by \$0.4m as a result of lower Contract Service payments associated with Land Use Planning.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to decrease by \$0.2m to (\$5.7m) principally due to reduced expenses for the Northern Beaches LEP project and the review of Section 7.11 and 7.12 Contribution Plans.

2022/715016



Development Assessment

HIGHLIGHTS

This guarter 487 Development Applications, 160 Modifications of Consent and two Review of Determination Applications were lodged for assessment and 22 Pre-Lodgement meetings were held.

Council received Development Applications with a total value of \$402 million in cost of works, an increase of 5.2% received when compared to the same quarter in 2021. The total value of works highlights the extent and volume of development occurring within the Northern Beaches.

In December, Council received the outcome of a Performance Audit conducted by the NSW Auditor General of Development Applications – Assessment and Determination Stages. Northern Beaches Council was one of three Councils selected for the audit. In the report tabled to the NSW Parliament, the Auditor-General made no recommendations for Northern Beaches Council concerning Development Applications or any process improvements. This exceptional outcome validates the robust, transparent, and efficient development assessment systems and processes in place.

Performance measures - Development Assessment	Target	September quarter	December quarter
Average determination time of 90% of Development applications, modifications and reviews (days)	<u><</u> 75	64	63
Outstanding applications, modifications and reviews older than 100 days (since application received)	<u><</u> 20%	23%*	19%

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* The target was marginally missed due to resourcing constraints. This result has been steadily improving over the latest quarter.



FINANCIALS - Development Assessment

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	2,195	1,774	421	3,550	3,550	3,550
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	-	-	-	-	-	-
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	2,195	1,774	421	3,550	3,550	3,550
Expenses from Operations						
Employee Benefits and Oncosts	(2,592)	(2,591)	(1)	(5,589)	(5,589)	(5,589)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(327)	(290)	(37)	(584)	(662)	(662)
Depreciation and Amortisation	(40)	(40)	-	(80)	(80)	(80)
Other Expenses	-	-	-	-	-	-
Internal Charges	(87)	(87)	-	(187)	(187)	(187)
Overhead Allocation	(342)	(342)	-	(685)	(685)	(685)
Total Expenses from Operations	(3,388)	(3,350)	(38)	(7,124)	(7,203)	(7,203)
Surplus / (Deficit) from Operations	(1,193)	(1,576)	383	(3,574)	(3,653)	(3,653)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes		-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(1,193)	(1,576)	383	(3,574)	(3,653)	(3,653)
Rates and Annual Charges						
Rates and Annual Charges	1,578	1,578	-	3,574	3,574	3,574

Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$1.2m) is lower than forecast by \$0.4m at the end of the quarter.

Total Income from Operations of \$2.2m is higher than forecast by \$0.4m.

User Charges and Fees are higher by \$0.4m as a result of greater development applications.

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Total Expenses from Operations of (\$3.4m) are higher than forecast due to the timing of contract payments associated with land use planning expenditure.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain at (\$3.7m).

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Environmental Compliance

HIGHLIGHTS

Council's arborvirus surveillance program continues this year. To-date, the program has identified low mosquito populations with zero arbovirus detections.

Given growing community feedback regarding dog management across the Northern Beaches, the rangers team have commenced a two-week proactive dog patrol program. The proactive program focuses on patrols of key areas during weekday peak times (6am – 10am and 4pm – 8pm) and all day on weekends at the following locations:

- North Curl Curl Beach
- Mona Vale Beach
- Narrabeen and North Narrabeen Beach
- Freshwater Beach
- Palm Beach
- Avalon Beach

- Long Reef Beach
- Collaroy Basin
- Forty Baskets Beach
- Sandy Bay Beach
- Clontarf Beach
- Newport Beach

Performance measures –	Target	September	December
Environmental Compliance		quarter	quarter
All mandatory food inspections completed	100%	100%	48%*

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* Impacted by resourcing constraints of staff vacancies and extended leave. Staff recruitment and onboarding continues; and a meeting is scheduled with the NSW Food Authority on current trends.

OPERATIONAL PROJECTS



Review environmental compliance tools and procedures to improve customer experience - Executive Manager Environmental Compliance

Council continues to partner with the RSPCA in the Keeping Cats Safe at Home program. The program aims to promote responsible animal ownership, for animal welfare and protection of wildlife.

Online payment facilities are working well for Building Information Certificates, Complying and Development Certificates, Construction Certificates and appointment of Principal Certifiers. This allows applicants to pay online and removes unnecessary delays.



FINANCIALS - Environmental Compliance

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations	4 000		(100)	o 400	0.050	0.070
User Charges and Fees	1,003	1,133	(130)	2,433	2,353	2,278
Investment Fees and Revenues	-	-	-	-	-	
Other Revenues	2,866	3,784	(918)	8,200	7,870	7,535
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	3,869	4,918	(1,048)	10,633	10,223	9,813
Expenses from Operations		<i></i>		<i>(</i>)		<i>(</i>)
Employee Benefits and Oncosts	(4,352)	(4,705)	353	(9,942)	(10,123)	(9,713)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(779)	(769)	(9)	(1,742)	(1,478)	(1,478)
Depreciation and Amortisation	(77)	(77)	-	(155)	(155)	(155)
Other Expenses	(12)	(0)	(12)	(2)	(2)	(2)
Internal Charges	(332)	(335)	3	(723)	(723)	(723)
Overhead Allocation	(605)	(605)	-	(1,211)	(1,211)	(1,211)
Total Expenses from Operations	(6,157)	(6,492)	334	(13,773)	(13,691)	(13,281)
Surplus / (Deficit) from Operations	(2,288)	(1,574)	(714)	(3,140)	(3,468)	(3,468)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes		-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(2,288)	(1,574)	(714)	(3,140)	(3,468)	(3,468)
Rates and Annual Charges						
Rates and Annual Charges	1,195	1,195	-	3,140	3,140	3,140



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$2.3m) is higher than forecast by (\$0.7m) at the end of the quarter.

Total Income from Operations of \$3.9m is lower than forecast by (\$1.0m).

User Charges and Fees are lower by (\$0.1m) as a result of lower Environmental Health fee receipts and timing differences associated with Regulatory Support fees.

Other Revenues are lower by (\$0.9m) as a result of lower Parking and Other Fines income.

Total Expenses from Operations of (\$6.2m) are lower than forecast by \$0.3m.

Employee Benefits and Oncosts are lower by \$0.4m as a result of staff leave taken and vacancies within the Service.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain at (\$3.5m). Reductions in Fee and Fine income have been offset by reductions in Employee Benefits and Oncosts expenses.

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Parks and Recreation

HIGHLIGHTS

Open space booking system

The online bookings system has been expanded and booking enquiries can now be submitted via Council's website for weddings and small to medium events across the Northern Beaches. The system also enables our community to see the availability of venues which can be reserved whilst a booking application is being assessed by Council.

Beach safety

The summer season is well and truly underway with favourable beach conditions for most of the past quarter. The Christmas period was especially busy with great weather and mild ocean temperatures. The past few years have been impacted by COVID-19 restrictions and La Nina weather patterns – this year saw a return to more beach friendly conditions.

In the past quarter lifeguards have recorded 3.8 million visitors and completed 310 rescues, 102,500 preventative actions and 1,500 first aid actions.

Recreation planning

Let's Play the Northern Beaches Open Space and Outdoor Recreation Strategy and Action Plan was adopted by Council. This Strategy will guide improvements, management and future planning of our open spaces and outdoor recreation facilities over the next 15 years through the staged implementation of over 200 actions.

Sport and Recreation Infrastructure Grants Program

Council approved funding of these projects through the 2022/2023 Sport and Recreation Infrastructure Grants Program:

- Manly Warringah District Cricket Club; to remove the two existing junior cricket wickets and to install three new junior cricket wickets at Seaforth Oval \$50,000.
- Forest Hills Pony Club; to upgrade existing obstacles and install new obstacles at the cross country equestrian course at the JJ Melbourne Hills Memorial Reserve, Terrey Hills \$16,315.
- Manly Croquet Club; to install a new reverse cycle air-conditioning system in the Manly Croquet Club building at Keirle Park, Manly - \$13,685.
- Beacon Hill Youth Club (Beacon Hill Football Club); contribution towards the installation of a new awning and a kitchen upgrade for the club house building at Beacon Hill Reserve, Beacon Hill - \$10,000.
- Bareena Park Tennis Club; contribution towards the resurfacing of tennis courts at the Bareena Park Tennis Complex, Balgowlah Heights - \$10,000.

Naming proposals

In this quarter these naming proposals were adopted by Council: Brian Green lookout on Carrington Parade Curl Curl, Purple Poppy Dog Park at the Forestville War Memorial Playing Fields and the Irene Crump Reserve in Freshwater.

Managing urban trees

There were 1,730 requests received from the community regarding trees on public land. Over 450 trees were planted across the Northern Beaches as part of our ongoing public open space tree planting program.



Tree Services received and processed 132 private tree applications to remove or prune trees, there was 82 approved for removal and 28 approved for pruning. There were 20 applications refused and 82 applications recommended for a tree replacement.

Upgrading parks, trails, foreshores and playgrounds

The bank stabilisation and new seawall at Taylors Point, Clareville has been completed. This significant engineering undertaking will assist in preventing pollution events and reducing impacts to public and private property from coastal erosion.

Construction of the new Wyatt Avenue Bike Park in Belrose is nearing completion and will be opened in early February 2023. Fencing was replaced at David Thomas Reserve and around the dog off-leash area at Rowland Reserve, Bayview.

Playground upgrades were completed at Jacka Park Freshwater, Allworth Reserve Davidson and Lindsay Reserve Forestville. Safety improvements were made to the playground at Catherine Park Scotland Island with sand soft fall replacement; and installation of fencing around the playground in May Road, Narraweena.

Various gardens have been refurbished including replanting of the garden on the corner of St David's Avenue and Pittwater Road Dee Why, where a new garden was established with over 350 tube stock plants planted in recognition of the Lions Clubs' 75th anniversary.

The encapsulation of the boat ramp at Little Manly has been completed ensuring the structural integrity of this important recreational asset for the long term.

Enhancing and managing our sports facilities

A range of works were undertaken to improve the quality and safety of our sportsfields and recreation areas including:

- topdressing Warriewood 1 and 2, Cromer Park 3,4 and 5, Beacon Hill 1 and 2 and the Collaroy Plateau Park fields.
- completing over 3,000m² of returfing at Harbord Oval, David Thomas Reserve and the Forestville War Memorial Playing Fields.
- replacing the irrigation bore at Cromer Park which will assist in keeping the grass healthy over the summer period.
- carrying out turfing works and top dressing at the equestrian ground at JJ Melbourne Hills Memorial Reserve..
- improving drainage at the following sportsfields:
 - o new drainage swales at Cromer Park, Wyatt Reserve, Terrey Hills and Beacon Hill
 - installation of drainage at the Boondah Multi-use Courts and Frank Gray Oval at John Fisher Park.
- completing repairs to the cricket nets at Newport Oval, Collaroy Plateau Park, St. Matthews Farm, Hitchcock Park, and Kitchener Park.
- upgrading a number of baseball nets at North Narrabeen Reserve.

Commercial centres

Extensive planting and maintenance works were undertaken in Newport in preparation for the Newport Festival 2022. Some returfing and upgrades to planting were also completed at the North Balgowlah Shops.



Parks and Recreation - Performance measures	Target	September quarter	December quarter
Rockpools cleaned weekly during summer season and every two weeks outside of summer – subject to tidal conditions	95%	90%*	99%
Sportsfields mowed weekly in summer playing season and monthly in winter – subject to weather conditions	95%	90%**	100%
- Workload measures			
Number of preventative actions by professional lifeguards on patrolled beaches ⁺	-	4,852	102,500

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* Storms, big ocean swells and persistent wet weather prevented some scheduled maintenance

** Persistent wet weather prevented some scheduled mowing but grass length did not impact on availability to the public.

[†] Preventative actions are highly seasonal and reflect the increase in beach visitors.

OPERATIONAL PROJECTS

Key:	Complete 😥 Progressing ! Behind schedule
>	Develop an 'Iconic Tree Register' for trees on public land – Executive Manager Parks and Recreation
	Work is continuing on the development of an Iconic Tree Register.
\diamond	Facilitate implementation of the Open Space and Recreation Strategy and Action Plan - Executive Manager Parks and Recreation
	Project is scheduled to start in January 2023.
\bigotimes	Development of the Indoor Sport and Recreation Strategic Plan - Director Transport & Assets
	Project is in the planning stages, with some initial research conducted.
>	Implement the Sportsground Strategy - Executive Manager Parks and Recreation
	Work is progressing well on the implementation of the sportsground strategy. At Cromer High School, Council has awarded a contract for the installation of irrigation which will be installed in the summer holidays. The DA for the installation of lighting at this sportsground will be lodged after consent has been granted from the Department of Education. Council has also started preparing the required documentation to undertake community engagement and to lodge a DA for sportsfield lighting at Freshwater High. Community engagement is expected to commence in early 2023.



Implement the Northern Beaches Property Management Framework and associated actions - Executive Manager Property

Progress of action items continuing. EOI run for Bangaroo.

CAPITAL PROJECTS

Key:	Complete 😥 Progressing ! Behind schedule × Not proceeding
~	Reserves and Parks improvements North Curl Curl Youth Facility - Executive Manager Parks and Recreation
	All planned works at North Curl Curl Community Centre have been completed.
1	Freshwater Beach Masterplan implementation - Executive Manager Parks and Recreation
	Council is finalising the detailed design following community feedback. As it is unlikely a tender for the playground will be considered before March 2023 there will not be as much progress on construction as initially forecast this financial year.
1	Wyatt Avenue open space - Executive Manager Parks and Recreation
	The construction of the Bike Park is progressing but is behind schedule due to difficulties in securing materials earlier in the project. It is due for completion in January 2023.
>	McKillop Park boardwalk - Executive Manager Parks and Recreation
	Community engagement has closed with strong support for the project. The tender package will be finalised in early 2023 and released to the market in March. Construction is likely to commence in mid-2023.
	Manly Dam boardwalk - Executive Manager Parks and Recreation
	Delayed due to tender revision required for the trail link between Picnic Area 2 and 3. It is expected the recommended tenderer will be considered by Council at its February 2023 Council meeting. Construction will commence in mid-2023.
\mathbf{i}	Ivanhoe Park Masterplan implementation - Executive Manager Parks and Recreation
	The reconstruction of the heritage bridge has been completed. The responses to the request for quotation to replace the fence along Raglan Street and Sydney Road exceeded budget and the Request for Quotation will be revised and reissued in early 2023.
1	Lynne Czinner Park, Warriewood - Executive Manager Parks and Recreation
	The design is behind schedule, with the tender for construction expected to go to market in early 2023 for commencement in mid-2023. Construction activities this financial year will be limited.
	Lionel Watts fitness space - Executive Manager Parks and Recreation
	A contract has been awarded for the design and construction of the fitness equipment with work on site to commence in March 2023.

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Forestville War Memorial playing fields fitness station - Executive Manager Parks and Recreation

A contract has been awarded for the design and construction of the fitness equipment with work on site to commence in March 2023.

Oxford Falls bushland reserve - Executive Manager Parks and Recreation

A contract has been awarded and work is expected to commence on the stairs at Maybrook Reserve Cromer in early 2023.



Reserves renewal program - Executive Manager Parks and Recreation

Council has appointed a contractor for the renewal of the Tyagarah Reserve bridge in Cromer with work planned to commence in 2023. The renewal of the pathway through King Street Reserve Manly Vale has been completed. The renewal of the pathway through Toongari Reserve in Avalon has been completed. The Program is financially behind schedule as no payment claims for the Tyagarah bridge renewal have been made by the contractor yet.

Sportsgrounds improvements

Connecting all Through Play - Active Play - Executive Manager Parks and Recreation

Due to wet ground conditions in September and October 2022 the construction works at Passmore Reserve were delayed. Works have commenced to install floodlighting, which will be operational before the start of the 2023 winter sports season.



Sports Club Capital Assistance Program - Executive Manager Parks and Recreation

• 2021/22 Grants Program - the Collaroy Plateau Cricket Club's request to extend their project completion date to 31 January 2023 was approved.

• 2022/23 Grants Program - the Manly Croquet Club, Beacon Hill Youth Club and the Manly Warringah District Cricket Club signed their grant funding agreements.

Sportsfield renewal program - Executive Manager Parks and Recreation

Drainage works at Frank Grey Oval, Curl Curl, Kitchener Park, Mona Vale and Beverly Job Park, Narraweena have been scheduled for construction over the upcoming summer period. The contract for the renewal of lighting at Kitchener Park has been executed and work is scheduled to commence in early 2023. A contract for light pole replacements at various sportsfields has been awarded with work to be completed by June 2023. The program is financially behind schedule due to payment claims for drainage work not yet received.



Foreshore and Building improvements

Mona Vale Surf Life Saving Club - new building works - Executive Manager Property

Works completed and final payment made.

Long Reef Surf Life Saving Club - new building works - Executive Manager Property

This project is for construction of a new surf life saving club, public amenities, café and community storage. The design was finalised in late 2020 in collaboration with the Club and appointed architects, with works commencing in February 2021.

The works are nearing completion, with public amenities to open in late January 2023. Plans for February include an opening ceremony for the club building, and commencement of the café fit out, pending approvals. Temporary facilities and the temporary club house will be removed once the club has relocated.



\bigcirc	Manly Life Saving Club design works - Executive Manager Property
	In consultation with the community and relevant stakeholders, this project will create a design for the refurbishment/replacement of Manly Life Saving Club and associated community facilities.
	Following a two-stage process, Terroir has been appointed as the architect for the project.
$\mathbf{>}$	Little Manly Beach Masterplan implementation - Executive Manager Parks and Recreation
	Work on the seawall was completed in December 2022 but cannot be opened yet due to the unexpected finds of human remains, and asbestos requiring additional investigation and work before it can be removed. The demolition of 40 Stuart Street is scheduled to be undertaken in April 2023. Work on the pathway is complete.
\checkmark	Mona Vale Beach upgrade - Executive Manager Parks and Recreation
	Major works have been completed at Mona Vale Beach. Minor outstanding operational works will be completed in 2022/2023.
\bigcirc	Manly Dam mountain bike trail upgrade - Executive Manager Parks and Recreation
	Project is scheduled to start in January 2023.
1	Warriewood Beach foreshore upgrades - Executive Manager Parks and Recreation
	Due to significant delays by a design consultant for Stage 1, new retaining wall, shower area, bin enclosure and driveway, the project will be delivered in autumn 2023 and is likely to rollover into the next financial year.
\bigcirc	Foreshores renewal program - Executive Manager Parks and Recreation
	The contract for the renewal of the seawall at Snapperman's Beach has been awarded and work will commence in early 2023. The Taylors Point seawall and bank stabilisation project has been completed. Planning has commenced for the renewal of Shelly Beach front to be undertaken in 2023. Work has commenced on the design of the replacement bridge and boardwalk at Long Reef Beach to be delivered in the winter of 2024. The design for the reconstruction of the access road through Wellings Reserve, Balgowlah has been completed and will be issued to the market in early 2023.
\odot	Rockpool renewal program - Executive Manager Parks and Recreation
	The design services contract for the renewal of Mona Vale, Whale Beach and Bilgola rockpools was awarded in December 2022 with major renewal of Mona Vale Rockpool to commence in the winter of 2024.
\bigcirc	Dinghy Storage - Executive Manager Parks and Recreation
	Harold Reserve (Scotland Island) kayak racks have been installed. Installations at Sangrado Reserve Seaforth and Little Manly Reserve Manly are scheduled for construction in autumn 2023.
	Tidal pools refurbishment - Executive Manager Transport & Civil Infrastructure
	Clontarf Pool tender accepted.Paradise Beach Tidal Pool undergoing design refinement.
\odot	Surf Life Saving Club minor renewals - Executive Manager Property
	This program delivers a program of minor works at Surf Lifesaving Clubs (SLSC). The main focus this year are the training room works at South Narrabeen SLSC with smaller projects

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and design works at other locations including Dee Why SLSC, Warriewood SLSC, Mona Vale SLSC, Bilgola SLSC, Newport SLSC and Freshwater SLSC.

In this quarter the new stairs, slab remediation due to concrete cancer, slab reinforcement, wall framing and roof framing were completed at South Narrabeen SLSC. Concept drawings for the additions and alterations at North Narrabeen SLSC were completed and agreed by the Surf Club and boardriders club, and preparations are under way for the public exhibition stage. DA documentation for the new storeroom at South Curl Curl SLSC is nearing completion. The DA review application was lodged through the planning portal at the end of November 2022.



Clontarf tidal pool refurbishment - Executive Manager Transport & Civil Infrastructure

Construction to commence February 2023.

Bayview seawall and path - Executive Manager Parks and Recreation

Stakeholder and community consultation has been completed. The tender for construction has been released to the market with construction anticipated to commence in May 2023.

Town centre and village upgrades

Commercial centre upgrade program - Executive Manager Parks and Recreation

The detailed design development for Forestville shops has been completed. The project is behind schedule due to the need to amend the design to ensure the project meets budget. It is expected the design will go to Council's streetscape construction panel in early 2023.

West Esplanade activation plan - Executive Manager Parks and Recreation

All programmed works have been completed.

Commercial centre renewal program - Executive Manager Parks and Recreation

The design for the renewal of the commercial centre at Church Point has been finalised and will be issued to the market in early 2023. The design process has been delayed by the need for further stakeholder engagement.

Playground improvements

Frenchs Forest Precinct park upgrades - Executive Manager Parks and Recreation

The detailed design for Brick Pit Reserve is progressing slower than expected, and is likely to be completed in early 2023. As it is unlikely a tender will be considered before May 2023 there will not be as much progress on construction as initially forecast this financial year.

Little Manly Point Reserve Playground Upgrade - Executive Manager Parks and Recreation

All programmed works have been completed.

Jacka Park playground upgrade - Executive Manager Parks and Recreation

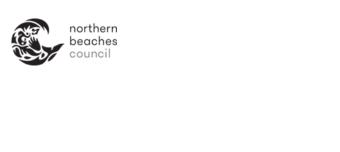
The playground upgrade at Jacka Park Freshwater has been completed and has been well received by the community.

 \checkmark

Griffith Park playground upgrade - Executive Manager Parks and Recreation

The concept plan for Griffith Park playground is currently being prepared for release to the market in early 2023.

Ashley Parade Reserve new playground - Executive Manager Parks and Recreation



Community engagement has concluded with a high level of support from the community however Sydney Water have advised that it is highly likely that they will require the site to be used for critical infrastructure repairs. The project will not proceed until Sydney Water have completed the repairs.



Dee Why Beach (Michaela Howie) playground upgrade - Executive Manager Parks and Recreation

The design brief for the design and construction contract is currently being prepared and will be issued to the market in February 2023.

Playground renewal program - Executive Manager Parks and Recreation

Work is progressing well on the playground renewal program with the playground renewal at Poppy Park, Forestville being awarded in December 2022 with work to commence in 2023.

Recreational trails

Recreational trails - renewal program - Executive Manager Parks and Recreation

The Recreational Trails Program is behind schedule due to the contractor who was to undertake the renewal works along the Manly Scenic Walkway withdrawing from the project, meaning procurement will need to recommence.



FINANCIALS - Parks and Recreation

Income and Expenditure Statement		Year to date		Annual		
01 July 2022 to 31 December 2022	YTD Actual \$'000	YTD Forecast \$'000	YTD Variance \$'000	Annual Budget \$'000	Approved Forecast \$'000	Current Forecast \$'000
Income from Operations						
User Charges and Fees	1,249	1,402	(153)	2,534	2,534	2,534
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	163	143	20	286	286	286
Grants and Contributions - Operating Purposes	143	1,340	(1,197)	1,097	1,624	1,340
Other Income	6	-	6	2	2	2
Gains on disposal of Assets		-	-	-	-	-
Total Income from Operations	1,561	2,884	(1,323)	3,920	4,446	4,163
Expenses from Operations						
Employee Benefits and Oncosts	(5,985)	(6,029)	44	(13,414)	(13,414)	(13,414)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(7,997)	(9,082)	1,085	(15,100)	(15,983)	(15,700)
Depreciation and Amortisation	(3,156)	(3,156)	-	(6,315)	(6,315)	(6,623)
Other Expenses	(177)	(38)	(139)	(256)	(256)	(256)
Internal Charges	(717)	(704)	(13)	(1,454)	(1,454)	(1,457)
Overhead Allocation	(1,912)	(1,912)	-	(3,826)	(3,826)	(3,826)
Total Expenses from Operations	(19,944)	(20,921)	977	(40,366)	(41,250)	(41,277)
Surplus / (Deficit) from Operations	(18,383)	(18,036)	(347)	(36,447)	(36,804)	(37,114)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	1,968	2,242	(274)	5,826	5,337	5,699
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(16,415)	(15,794)	(621)	(30,621)	(31,467)	(31,415)
Rates and Annual Charges						
Rates and Annual Charges	17,386	17,386	-	36,421	36,421	36,421

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Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$18.4m) is higher than forecast by (\$0.3m) at the end of the quarter.

Total Income from Operations of \$1.6m is lower than forecast by (\$1.3m).

User Charges and Fees are lower by (\$0.2m) due a result of the timing of Open Space booking fees on sports facilities.

Grants and Contributions for Operating Purposes are lower by (\$1.2m) a result of the timing of Bline Mona Vale to Seaforth Road corridor tree planting program.

Total Expenses from Operations of (\$19.9m) are lower than forecast by \$1.0m.

Materials and Services are lower by \$1.2m a result of the timing of B-line Offset Tree Planting project.

Other Expenses are higher by (\$0.1m) due to the timing of Surf life Saving Association subsidy payments.

Grants and Contributions for Capital Purposes are lower by \$0.3m principally due to the deferral of Warriewood Beach Foreshore Upgrades to 2023/24.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to increase by (\$0.3m) to (\$37.1m) to cover additional depreciation charges. Council secured funding for Clontarf Tidal Pool job, which is recognised as a capital grant.



ECONOMIC

Economic Development, Events and Engagement

HIGHLIGHTS

Business support service

We continue to run our Business Support Service to provide a one-stop-shop for businesses to help them navigate Council processes for starting or growing a business on the Northern Beaches.

Northern Beaches economic development strategy

At its December 2022 meeting Council approved the draft Northern Beaches Economic Development Strategy to go on public exhibition. The draft strategy "Business on the Beaches" sets the directions to help local businesses recover from COVID-19 and plan for a more sustainable and resilient economy into the future. Together with the businesses community and government agencies, the strategy aims to create the conditions for new businesses, nurture innovation, revitalise town centres and help businesses transition to a low carbon economy. The draft strategy will be on exhibition for eight weeks from the end of January 2023 and feedback from the community will be presented to Council, along with the final Economic Development Strategy, in mid-2023.

Small business month

On 16 November 2022, Council held its Small Business Month event at Dee Why RSL funded by the NSW Government. The event titled "Humanising Business" featured business coach, Brook McCarthy, talking about how to run a business for both passion and profit. A panel of NSW Government education and business support providers also discussed current skills shortages for small businesses and available support for traineeships and upskilling staff.

Activating local places

Council continued to support the activation of local spaces through a variety of initiatives across the Northern Beaches:

- Manly Family Fun Fest a fun-filled family event held on the Corso and Sydney Road Manly.
- businesses in Seaforth, Forestville, Narrabeen and Freshwater participated in the Halloween Trail over two weeks with over 70 businesses participating.
- Newport Spring Festival Council partnered with Newport Business Chamber to close Robertson Road for a day of fun-filled activities for the community which included a live mural artwork installation.
- Forestville Spring Festival was held at The Centre, Forestville with children's entertainment, music, specials from local restaurants and cafes and local community groups in attendance.
- Festive Freshie kicked off the annual festive programming in partnership with Freshwater Inc. with live music and children's entertainment.
- businesses across the LGA got involved in the Best Dressed Christmas Window display competition with 59 business registering to participate and over 1,700 residents voting for their favourite Christmas window.
- Council supported the Elanora Heights Village businesses to deliver a 2101 Christmas market day.



- the annual Christmas decorations program was rolled out across the LGA commencing with the installation of the Christmas tree on Manly Corso.
- facilitation of the WorldPride 2023 grants program was completed with seven groups being awarded funding to activate the LGA during WorldPride 2023. A working group of Councillors and Council staff will coordinate actions for WorldPride 2023. EOI released for WorldPride 2023 artwork in Manly.
- planning and preparation commenced for next quarter's activation program which will include activities/activations for Australia Day and WorldPride 2023.

Destination Management Plan

A combined marketing campaign with Manly Business Chamber - 'Manly Checklist' - saw some impressive results reaching more than 3,842,102 (across digital marketing including Google Search and Display, YouTube and social media).

Council launched its Tourism eDM to the existing database of holidaymakers and has continued to support planning of the Local Government NSW Tourism Conference to be held at Manly in 2023.

Council is also researching the potential to bid for the Australian Local Government Women's Association Conference to be held in 2025.

Events for Everyone:

Citizenship ceremonies

Council ran two ceremonies, in October and December 2022, with 273 people becoming Australian citizens.

Remembrance Day services

Two services were held to mark Remembrance Day at the eleventh hour of the eleventh day of the eleventh month. These services were conducted at Manly Dam and the Manly War Memorial. Locals were invited to attend the services along with special guests and dignitaries.

Open air cinema

Brookvale Open Air Cinema due to take place in October 2022 was cancelled due to weather conditions. Movies planned were Vivo and Spiderman No Way Home.

World food markets

The World Food Markets were impacted by weather prior to the events taking place. Three locations were planned to be delivered with two nights at each venue. Unfortunately, Collaroy Plateau could not proceed so four evenings were delivered at Freshwater Beach Park. Millers Reserve, Manly Vale went ahead as planned which was a new site. This was well received by attendees and local residents.

Christmas events

Our two annual Christmas carol events were held in early December 2022, Christmas Choral Concert at Manly and Christmas by the Beach at Dee Why. Both events no longer had restrictions in place, approximately 6000 attending Manly and 3000 at Dee Why. Manly is a traditional production with local talent procured to sing Carols along with the local orchestra and combined choir. The MC was Erika Heynatz. Dee Why targets a younger audience and had PAW Patrol



opening the show followed by a traditional carols show. Both events had face painting and food trucks, with Dee Why also having free photos with Santa.

Event grants and sponsorship program round two

Council ran the second round of the Event Grants and Sponsorship Program. The 12 events which received funding include The Bloody Long Walk, Northern Beaches Bands and Brews, Night at The Barracks, Pararoos v USA International and Skate Under the Stars.

New Year's Eve

Over 25,000 gathered on our shores and in our reserves to welcome in the New Year. Four fireworks events took place on New Year's Eve, two run by Council (Dee Why and Frenchs Forest) and two run by local business but supported by Council (Manly and Bayview). All firework displays took place at 9pm with Bayview having an additional show at midnight.

Melwood Oval anniversary

A small function was held to commemorate the Forestville War Memorial Playing Fields' 60th Anniversary and to unveil the renaming of the netball courts. Guests from the Committee and local sporting clubs that use the field were joined by the Mayor, Councillors and dignitaries.

Partnerships

The final weekend of the Night at The Barracks event was held, finishing a successful first year on a high with a sell-out crowd attending to see Neil Finn.

Performance measures – Economic Development, Events, Engagement	Target	September quarter	December quarter
High level projects have a completed Community Engagement Plan and Report (level 1-3 projects)	100%	100%	100%
Decisions on all Council project engagements are communicated to the community within 30 days	85%	100%	100%
Average no. website visits/month	330,000	309,077*	229,600*

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* Result reflects demand ie website traffic fluctuated lower than expected.



OPER	ATIONAL PROJECTS								
Key:	Complete Progressing ! Behind schedule								
	Implement the Northern Beaches Destination Management Plan - Executive Manager Community Engagement & Communications								
	Council has continued to support planning of the Local Government NSW Tourism Conference to be held at Manly in 2023. Additionally, we are looking at the potential to bid for the Australian Local Government Women's Association Conference to be held in 2025.								
	A combined marketing campaign with Manly Business Chamber - 'Manly Checklist' - saw some impressive results reaching more than 3,842,102 (across digital marketing including Google Search and Display, YouTube and social media).								
	We also launched our Tourism eDM to our existing database of holidaymakers.								
$\mathbf{>}$	Develop and implement an economic development strategy - Director Planning & Place								
	Council is preparing its first Northern Beaches-wide Economic Development Strategy, 'Business on the Beaches', to set the strategic directions for a vibrant local economy over the next 10 years.								
CAPIT	AL PROJECTS								
Key:	Complete 😥 Progressing ! Behind schedule × Not proceeding								
Town and Village Centre Activations Avalon Place Plan implementation – Executive Manager Parks and Recreation									
\mathbf{Y}									
	Project is scheduled to start in February 2023.								



FINANCIALS - Economic Development, Events and Engagement

Income and Expenditure Statement		Year to date		Annual		
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	38	112	(74)	357	338	130
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	180	65	115	552	571	741
Grants and Contributions - Operating Purposes	29	-	29	-	-	29
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	247	178	70	909	909	900
Expenses from Operations						
Employee Benefits and Oncosts	(2,766)	(2,719)	(47)	(5,918)	(5,918)	(5,918)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(1,292)	(1,413)	120	(3,500)	(3,400)	(3,389)
Depreciation and Amortisation	(36)	(36)	-	(72)	(72)	(72)
Other Expenses	(73)	(87)	14	(609)	(567)	(567)
Internal Charges	(79)	(76)	(3)	(191)	(191)	(191)
Overhead Allocation	(623)	(623)	-	(1,247)	(1,247)	(1,247)
Total Expenses from Operations	(4,870)	(4,954)	84	(11,537)	(11,396)	(11,384)
Surplus / (Deficit) from Operations	(4,622)	(4,776)	154	(10,628)	(10,487)	(10,484)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	-	-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(4,622)	(4,776)	154	(10,628)	(10,487)	(10,484)
Rates and Annual Charges						
Rates and Annual Charges	4,630	4,630	-	10,395	10,395	10,395

Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$4.6m) is lower than forecast by \$0.2m at the end of the quarter.

Total Income from Operations of \$0.2m is higher than forecast by \$0.1m.

User Charges and Fees are lower by (\$0.1m) as a result of the reclassification to Other Revenues of receipts associated with Council's markets.

2022/715016

Quarterly report on service performance - December 2022



Total Expenses from Operations of (\$4.9m) are lower than forecast by \$0.1m.

Materials and Services are lower by \$0.1m as a result of timing differences associated with studio operations, events, tourism and signage projects offsetting increased payments for community engagement projects.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to decrease slightly to (\$10.5m) principally due to cost savings in the events delivery program. Reclassification of income has also been undertaken along with recognising the receipt of Australia Day Community and NSW Small Business Grants.



Transport Traffic and Active Travel

HIGHLIGHTS

Restoring our tidal pools

Council manages six operational tidal swimming enclosures across the Northern Beaches, offering a diverse range of recreational opportunities. Our tidal pool program is aimed at ensuring these facilities are maintained in good condition for everyone to use.

Brady's Point Sea Horse Hotel - to prepare for the demolition and reconstruction of a new Clontarf tidal pool in February 2023 TCI staff, in conjunction with the delivery team, installed five sea horse hotels at Brady's Point. This site can house up to 50 sea horses, 10 per hotel. The Hotels were manufactured in-house by the TCI welding team (Construction and Maintenance) and installed by specialist aquatic ecologists (Cardno). By the time of the construction of the pool, the Hotels should be covered in marine growth, ready for the seahorses.

Making travel on our roads safer

This quarter, 21 sections of road were resurfaced spanning 5km of the road network. Other major works completed include traffic calming and safety improvement works in:

- Tramore Place, Killarney Heights a one-way traffic flow was introduced to improve safety and enhance traffic flow.
- Bower Lane, Manly a 20km/hr safe street treatment was implemented to enhance pedestrian safety and amenity.
- Manly Town Centre ongoing works to improve the 30km/hr high pedestrian activity zone including a new raised pedestrian crossing on West Esplanade at Rowe Street.
- Ernest Street and Condamine Street intersection, Balgowlah completion of a roundabout.
- Cliff Street and Darley Road intersection, Manly raised pedestrian crossing.
- Herbert Street and Birkley Road intersection, Manly construction of landscaped kerb blisters.
- Spicer Road, Oxford Falls Council crews implemented road level adjustments and sealing of the road resulting in reduced ongoing maintenance at this location.
- Grandview Drive Newport, Narabang Way Belrose, Raglan Street Manly and many more locations - road maintenance in response to the storms earlier in the year continues, with extensive asphalt road repairs undertaken.
- 15 sinkholes within the road network were investigated and made safe by Council crews.

Drainage improvements

In conjunction with the stormwater and delivery team, TCI delivered new kerb and gutter to protect three houses from stormwater entering the properties in Myola Road, Newport.

Council undertook extensive drainage improvements on Spicer Roa, Oxford Falls including construction of new pipelines and drainage headwalls prior to road level corrections. Subsoil drainage was also installed on the high side of the road to intercept subsurface water that had historically impacted this pavement over time, leading to increased maintenance.

Over 200m of new concrete dish drains have been installed on Catherine Park Road, Scotland Island that will assist with managing stormwater runoff from the road. Now that these drainage works have been completed, road upgrade and seal works can be scheduled.

Road safety matters

Council ran two campaigns during the December quarter focussing on the vulnerable road user group of children.



- Free vouchers were provided to families to educate them on the safety needs of child car restraints. In the last quarter 55 families received a personal demonstration and instruction from a professional restraint fitter and 86 children are now safer because of these checks.
- Reviewing the safety of children around schools. Following on from a school road safety audit
 at three schools, Council had discussions with a further 16 local schools. Improvements relate
 to updated infrastructure, such as pedestrian crossings and signage; promotional material to
 educate the school community on safely using the school environment; and conversations
 with principals on changes the school can make to address road safety.

Seniors are another vulnerable road user group. Council visited the community at Peninsular Gardens to present a personalised seniors road safety workshop. Several people updated their road safety knowledge, learning tips on road rules, maintaining or giving up their license, parking and using safe cars and public transport effectively.

Parking services and technology

A Parking Services and Technology Tender was endorsed at the Council Meeting held on 22 October 2022. Staff are working to deliver the first pilot project in the Manly ward along with all accessible parking bays across the LGA, with live data sent to the Park'n'Pay App to inform customers of parking availability.

3D pedestrian crossing trial in Manly

Council installed three new 3D pedestrian crossings in high traffic areas of Manly over summer and will be trialling their effectiveness to decide if they should be used in other high pedestrian and vehicle traffic areas across the LGA. Locations are at the intersection of South Steyne Road and Wentworth Street, and South Steyne Road near Victoria Parade. The new crossings create an optical illusion, so they appear to rise up from the pavement and slow motorists. This trial to improve pedestrian safety is the first in NSW.

Expanding our active travel network

Connecting our community to local destinations, public transport and schools offer walking as a viable means of active travel. In the December quarter, five new footpath projects have been completed, bringing the total number of footpaths constructed this financial year to five.

Work has commenced on the \$7.2 million Pipeline Active Transport Corridor which will connect walkers and cyclists from Beacon Hill to St Ives. The project will be completed in eight stages and add 9.2km of off-road shared paths.

Funding was allocated to Council through the State Government Get NSW Active program for footpaths in Barrenjoey Road Palm Beach, Turimetta Street Mona Vale and for a shared path in Addiscombe Street Manly Vale.

Initial works commenced on the separated cycleway project linking Freshwater Village to Curl Curl with major work commencing in early 2023.

Avalon Streets as Shared Spaces project

Work commenced to deliver the Avalon Streets as Shared Spaces project in Old Barrenjoey Road Avalon Beach.

Parking operations

Council operates five paid parking stations and 36 pay and display reserve car parks. During the December quarter there were 321,151 visits to the Manly pay stations and 17,296 visits to the PCYC pay station in Dee Why.



The Hop Skip Jump buses provided a daily service with nearly 53,000 commuters travelling between October and December 2022. This bus service links Seaforth, Balgowlah Heights, Clontarf, Manly Vale, Fairlight, Manly and Fairy Bower.

Performance measures – Transport and Active Travel	Target	September quarter	December quarter				
No. community road safety events/ sessions held	10	7*	4**				
Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target							

Notes on results:

* Three activities have been delayed by external contractors.

** Some events were postponed due to low registrations and will be held later when participant numbers increase.

OPERATIONAL PROJECTS

Key: Complete 🧭 Progressing ! Behind	schedule
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Implement transport plans which support the Transport Strategy – Parking, Bike, Road Safety, Public Transport and Freight - Executive Manager Transport & Civil Infrastructure

Work relating to implementing the various Transport Plans will be ongoing across the 2022/23 reporting year and will be subject to available funding.



Implement the Walking Plan and Pedestrian Access and Mobility Plans - Executive Manager Transport & Civil Infrastructure

Project on track.

Develop transport plans to support the Transport Strategy – Parking, Public Transport and Freight - Executive Manager Transport & Civil Infrastructure

Parking Plan and Public Transport Plan being progressed.

Plan parking technology and infrastructure across the Northern Beaches - Executive Manager Transport & Civil Infrastructure

Project on track to provide parking sensors in the Manly Ward and disability parking spaces across the LGA.



CAPIT	AL PROJECTS
Key:	Complete 😥 Progressing ! Behind schedule × Not proceeding
	Active Travel – cycleways and footpaths
$\mathbf{>}$	Footpath new - Executive Manager Transport & Civil Infrastructure
1	Program on track to complete this financial year. Bike Plan implementation - new works - Executive Manager Transport & Civil Infrastructure
	The focus is on delivery of the Narraweena connection between McIntosh and Warringah Roads. There have been some delays awaiting a Road Occupancy Licence from TfNSW for night works along Warringah Road, as well as seeking grant funding to complete the Addiscombe Road link (now secured).
1	Connecting Communities footpaths program - Executive Manager Capital Projects
	Planning and investigations for the Newport to Avalon and Whale Beach Road sections of the Coast Walk are ongoing. Progress is behind schedule due to delays in briefing Councilors on this project.
1	Connecting Communities cycleways program - Executive Manager Capital Projects
	Planning and investigations for the Newport to Avalon and Whale Beach Road sections of the Coast Walk are ongoing. Progress is behind schedule due to delays in briefing Councilors on this project.
~	Church Point Masterplan boardwalk extension - Executive Manager Transport & Civil Infrastructure
	Project on track.
~	Narrabeen Lagoon pedestrian and cycle bridge - Executive Manager Capital Projects
	The Narrabeen pedestrian and cycle bridge was completed and opened for use on 18 November 2022.
\odot	Triangle Park North - Dee Why Town Centre - Executive Manager Capital Projects
	Design options for Triangle Park North are currently being considered. Community engagement to be undertaken in 2023.
\odot	Fern Creek bridge and shared paths - Executive Manager Parks & Recreation
	The contractor has been engaged to construct the bridge across Fern Creek and the design is being finalised. Works are anticipated to commence on site in early 2023.
1	Queenscliff headland access ramp - Executive Manager Transport & Civil Infrastructure
	The project is somewhat behind schedule, due to extended negotiations on the works contract, which are in progress. An extension of the funding grant has been received.
9	Active Transport Corridor project - Executive Manager Transport & Civil Infrastructure





\checkmark	Kerb and gutter renewal works - Executive Manager Transport & Civil Infrastructure
	Program on track to complete this financial year.
	Retaining wall renewal works - Executive Manager Transport & Civil Infrastructure
	Program on track to complete this financial year.
\bigcirc	Road resheeting program - Executive Manager Transport & Civil Infrastructure
	Program on track to complete this financial year.
$\mathbf{>}$	Bridge renewal works - Executive Manager Transport & Civil Infrastructure
	Oxford Fall Bridge - RFT has been released for public tender. Closes in January 2023. Ocean Street Bridge - works set to recommence in January 2023.
	Wharf upgrades
1	Church Point commuter wharf expansion design - Executive Manager Transport & Civil Infrastructure
	Exhibition of a draft feasibility study was delayed to September 2022, and has caused the project to be behind schedule. Investigation phase is ongoing, and a report is expected to go to Council in February 2023.
\odot	Wharves works program - Executive Manager Transport & Civil Infrastructure
	Program on track for this financial year, with planning for works at Mackerel, Currawong and Taylor's Point wharves; as well as designing a condition report for all wharves.
~	Carol's Wharf renewal works - Executive Manager Transport & Civil Infrastructure
×	Bells Wharf renewal works - Executive Manager Transport & Civil Infrastructure
	Car parks and parking stations
>	Smart Parking infrastructure project - Executive Manager Transport & Civil Infrastructure
	Install expected to take place early 2023.
1	Car park renewal works - Executive Manager Transport & Civil Infrastructure
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	Program on track to complete this financial year.
$\mathbf{>}$	Multi-storey car parks renewal works - Executive Manager Property
	Works are to be completed on Council multi-storey car parks to ensure fire safety, lifts and other essential services are fit for purpose.
	Plant and Fleet
1	Major plant renewal - Executive Manager Transport & Civil Infrastructure
	Orders placed. Deliveries are delayed due to supply issues.
	Light fleet renewal - Executive Manager Transport & Civil Infrastructure
	Vehicle replacement program on track.



FINANCIALS - Transport Traffic and Active Travel

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	9,060	8,845	215	17,497	17,497	17,527
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues Grants and Contributions - Operating	334	561	(226)	952	952	952
Purposes	3,723	1,677	2,046	4,142	5,805	7,062
Other Income	3	5	(3)	10	10	10
Gains on disposal of Assets	654	229	426	457	457	457
Total Income from Operations	13,775	11,317	2,458	23,059	24,722	26,009
Expenses from Operations						
Employee Benefits and Oncosts	(5,553)	(5,953)	401	(13,270)	(13,070)	(12,984)
Borrowing Costs	-		-	(,, -		
Materials and Services	(8,773)	(8,552)	(222)	(14,040)	(16,750)	(17,839)
Depreciation and Amortisation	(7,740)	(7,740)	()	(15,485)	(15,485)	(16,015)
Other Expenses	(0)		(0)	(,) -		(···,···) -
Internal Charges	3,901	3,909	(8)	8,085	8,064	8,054
Overhead Allocation	(1,869)	(1,869)	-	(3,739)	(3,739)	(3,739)
Total Expenses from Operations	(20,034)	(20,204)	171	(38,449)	(40,981)	(42,523)
	(20,034)	(20,204)		(30,443)	(40,301)	(42,525)
Surplus / (Deficit) from Operations	(6,259)	(8,887)	2,629	(15,390)	(16,259)	(16,513)
har and from Orbital Occurs and Occursions						
Income from Capital Grants and Contributi Grants and Contributions - Capital	UIIS					
Purposes	5,295	9,604	(4,309)	13,663	15,758	19,122
Surplus / (Deficit) from Operations including Capital Grants and						
Contributions	(963)	717	(1,680)	(1,727)	(501)	2,609
Rates and Annual Charges						
Rates and Annual Charges	8,251	8,251	-	15,390	15,390	15,390



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$6.3m) is lower than forecast by \$2.6m at the end of the quarter.

Total Income from Operations of \$13.8m is higher than forecast by \$2.5m.

User Charges and Fees are higher by \$0.2m as a result of higher parking and road permits income partially offset by lower casual parking income.

Other Revenues are lower by (\$0.2m) due to the timing of receipts for advertising on council structures.

Grants and Contributions for Operating Purposes are higher by \$2.0m due to the timing of the Transport for NSW disaster recovery grant.

Gains on Disposal of Assets are higher by \$0.4m due to strong proceeds on the sale of vehicles.

Total Expenses from Operations of (\$20.0m) are lower than forecast by \$0.2m.

Employee Benefits and Oncosts are lower by \$0.4m as a result of vacant positions and staff leave in the Service.

Materials and Services are higher by (\$0.2m) as a result of storm-related expenditure and increased fuel costs offset by timing differences for street lighting and maintenance and construction charges.

Grants and Contributions for Capital Purposes are lower by (\$4.3m) due to delays in the delivery of the related capital expenditure projects including Queenscliff headland access ramp, footpath renewal works and active transport projects.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to increase by \$0.3m to (\$16.5m) principally due to increased contracts, funded by operational grants, to undertake storm-related repairs and increased depreciation.

Additionally, Council received a \$9.1m Transport for NSW grant to address pothole issues, of which \$3.4m is forecast to be spent in 2022/23.



Property and Facilities

HIGHLIGHTS

Currawong

Upgrades to a further four cabins and remedial works to two cabins have all been completed so all nine cabins have now been improved over the past two years. The work was done in time for the busy Christmas 2022 holiday period.

Cromer depot roof replacement

The works to remove asbestos materials at the workshops building have been completed with roof, gutters and downpipes replaced. External site decontamination has been completed and internal decontamination is underway with the URM section being the priority. All works are being certified as they progress. Whirly-birds will be added to the roof once all decontamination has been completed.

Mona Vale restaurant and cafe

Two new food and beverage establishments opened before Christmas in Council's newly built Mona Vale Surf Life Saving Club. Since opening its seafood restaurant with spectacular views late November, The Basin Dining Room has had some fantastic reviews from the community and in industry articles. The Brightside Cafe took advantage of the gorgeous summer weather over the Christmas/New Year period, even opening on Christmas day to serve great coffee and food to the community.

Swim centres

Both Warringah Aquatic Centre (WAC) and Manly Andrew Boy Charlton (MABC) facilities are on track to achieve a 7% increase on attendances this guarter compared to the 2nd guarter in 2021/22. The Learn to Swim programs at both facilities are slowly returning to pre-Covid levels as staff shortages are almost returning to normal.

Gym membership at MABC continues to achieve strong results, maintaining its highest membership since opening in 2016.

Performance measures - Property and Facilities	Target	September quarter	December quarter
Availability of Council buildings for use by the community (not currently programmed for maintenance)	100%	99.8%*	99.8%*
Total visitation to swim centres (Manly and Warringah Aquatic Centres)	184,300	200,240	226,021

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* Due to a fire in 2021 the sailing clubhouse in Jamieson Park is unavailable



OPERATIONAL PROJECTS

Key: Complete 🧭 Progressing ! Behind schedule



Focused improvement of Surf Life Saving Club (SLSC) facilities - Executive Manager Property

The main focus this year are the training room works at South Narrabeen SLSC with smaller projects and design works at other locations.

Planning will be undertaken for additional storage at South Curl Curl and for a proposed extension at North Narrabeen.



Implement priority accessibility improvements to property assets - Executive Manager Property

Council continues to improve accessibility to Council buildings. This year the focus is on planning and commencing preparation for installing a lift and providing accessible toilets at Avalon Bswling Club.

Several public amenity projects and sports amenity projects will also improve accessibility. These include the planned new toilets at Little Manly Point, the renewed beach amenities at Shelly Beach and the new sports amenities at Porters Reserve.

Plans are also underway for new accessible amenities at Rowland Reserve. The new Marine Rescue building will also be fully accessible



Continue to improve the provision and cleanliness of public amenities - Executive Manager Property

Council continues to monitor performance and service delivery as per the Amenities Cleaning contract. Additional cleaning day teams (as per contract schedule) have commenced to provide increased cleaning frequencies during the summer holiday period.



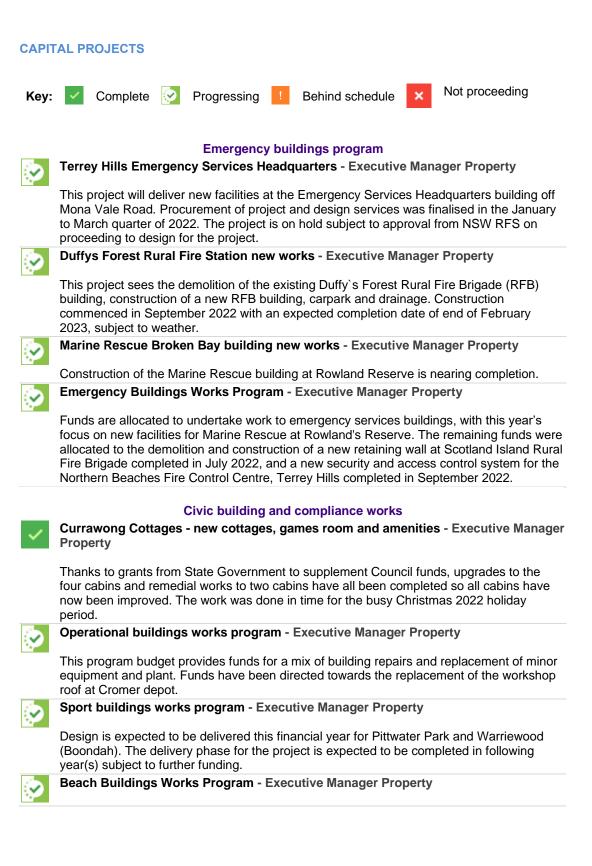
Currawong Cottages and surrounds - refurbishment, modernisation and environmental works - Executive Manager Property

Thanks to grants from State Government to supplement Council funds, upgrades to the four cabins and remedial works to two cabins have all been completed so all cabins have now been improved. The work was done in time for the busy Christmas 2022 holiday period.

Deliver the new Warriewood Valley Community Centre - Executive Manager Capital Projects

A tender has been released to shortlisted contractors for the construction of Warriewood Valley Community Centre which will remain open until late February/early March 2023







Civic building and compliance works

This program includes for minor renewal works and refurbishment to existing beach buildings. The proposed works at the South Curl Curl SLSC sees the construction of a new storeroom which will be subject to a development application that is proposed to be lodged in early January 2023.

The projects that were completed this quarter include the refurbishment works at the North Steyne SLSC (toilets, ceilings, roofing and associated works), and the refurbishment works at the Queenscliff Swim Club (flooring, ceiling, lighting, joinery).

Disability access compliance works (DDA) - Executive Manager Property

This program will provide accessibility improvements to council's buildings. A passenger lift and the construction of an accessible amenities are planned at the Avalon Bowling Club. In this quarter, the preparation of the architectural drawings are nearing completion. Due to the long lead time for the supply of the lift, the amenities portion is aimed to be completed this financial year with the lift to be installed in FY23/2024. The documentation is nearing completion and is scheduled for issue in early January 2023.

Building Code of Australia compliance works (BCA) - Executive Manager Property

Program of works to improve Council building compliance in accordance with the National Construction Code (BCA). The funds in this financial year are allocated to the upgrade of the handrails at the Dee Why Library, with the works planned to be carried out after hours. The design is complete and the handrails are currently being manufactured in the factory. Works to commence on-site in January 2023.

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Sydney Lakeside Holiday Park renewal works - Executive Manager Property

This project will deliver ongoing improvements to the holiday accommodation cabins and support facilities at Sydney Lakeside. The main focus is the cabin refurbishment which is nearing completion.

Pittwater Golf Driving Range renewal works - Executive Manager Property

This program will complete required works for the building, range and putt putt at Pittwater Golf Centre. The café flooring area has been replaced and options for reducing wayward golf balls on the driving range are being investigated.



This program will deliver key elements of the Cromer Depot Improvement Plan. The focus this financial year will be on the roof replacement on the main workshop. Additional funds will be allocated to enable the full scope of works. Internal portions of the building have commenced cleaning. the external hardstands around the property have been cleaned and awaiting certification.



Cemetery Works

Manly Cemetery Columbarium new works - Executive Manager Property

This project sees the construction of a new columbarium and associated pathway, a small memorial garden and signage at Manly Cemetery. A Crown Reserves Improvement Fund grant has been secured towards the costs of the project. A development application was lodged on 14 April 2022 and determined by the Northern Beaches Local Planning Panel on 6 July 2022. Procurement for the works is underway. The works are expected to commence in February 2023.



	Cemetery Works
\odot	Mona Vale Cemetery works program - Executive Manager Property
	Funds allocated for renewal and improvement works to cemetery grounds and facilities at Mona Vale Cemetery. This year's program sees the delivery of landscape works at the memorial gardens including tree protection, garden edging and memorial plinths along with minor improvements to the office and entry gate.
	Public Amenities improvements
1	Little Manly Point amenity - Executive Manager Property
	This project involves the construction of three unisex WCs including ambulant and accessible facilities, following a need identified in the Little Manly Reserve Landscape Masterplan. The project is running behind schedule due to further environmental investigations, architectural and structural design needed. Tender documents are in the final preparation stage.
$\mathbf{>}$	Porters Reserve clubhouse changespace - Executive Manager Property
	This project will deliver a new change facility and canteen building that will improve opportunities for girls and women to participate in rugby at Porters Reserve Newport. After inclement weather delayed concrete and block works, the dry weather has allowed work to progress well with completion scheduled for early 2023.
\odot	Forestville Town Centre new amenities - Executive Manager Property
	This project sees the design and construction of a new amenities facility to replace the existing Exeloo facility and to increase capacity. The works on-site are scheduled for commencement on 24 January 2023, for completion in early May 2023. The construction drawing set is complete and has been issued to the contractor. A project sign has been installed and the shop owners have been notified by a letter drop and direct communication.
\mathbf{i}	Public Amenities works program - Executive Manager Property
	This budget delivers a renewal program of Council's public amenities. Amenities at Shelly Beach and Rowland Reserve Bayview are planned for renovations in 2022/2023 (including accessible toilets being added), with designs commencing for other future years' projects.
	Some funds will be directed to minor "refresh" projects including the works underway at North Steyne SLSC.
	Aquatic Centre improvements
\odot	Warringah Aquatic Centre renewal works - Executive Manager Property
	This project will deliver upgrade works to the meeting room and other areas. There will also be pool equipment and plant upgrades.
\odot	Manly Aquatic Centre renewal works - Executive Manager Property
	This project will deliver upgrade works to the office area and other areas. There will also be pool equipment and plant upgrades. The outdoor 25m pool has had pebblecrete repairs and has been painted.



FINANCIALS - Property and Facilities

Income and Expenditure Statement		Year to date		Annual		
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	9,605	9,161	444	18,396	18,396	18,933
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	2,254	2,083	170	4,062	4,062	4,198
Grants and Contributions - Operating Purposes	(1)	-	(1)	-	-	-
Other Income	4,759	4,992	(233)	9,559	9,809	9,448
Gains on disposal of Assets		-	-	-	-	-
Total Income from Operations	16,617	16,236	380	32,017	32,267	32,579
Expenses from Operations						
Employee Benefits and Oncosts	(5,687)	(5,645)	(42)	(12,232)	(12,232)	(12,232)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(11,510)	(11,634)	124	(21,829)	(22,567)	(22,789)
Depreciation and Amortisation	(3,805)	(3,805)	-	(7,613)	(7,613)	(7,931)
Other Expenses	(276)	(287)	10	(401)	(401)	(401)
Internal Charges	(146)	(150)	4	(319)	(319)	(316)
Overhead Allocation	(2,386)	(2,386)	-	(4,774)	(4,774)	(4,774)
Total Expenses from Operations	(23,811)	(23,907)	96	(47,167)	(47,905)	(48,443)
	(7.404)	(7.670)	470	(45 450)	(4 5 6 2 0)	(4 5 0 5 4)
Surplus / (Deficit) from Operations	(7,194)	(7,670)	476	(15,150)	(15,638)	(15,864)
Income from Conitel Crents and Contributions						
Income from Capital Grants and Contributions	2,702	3,482	(779)	3,161	5,519	5,519
Grants and Contributions - Capital Purposes	2,702	3,402	(775)	5,101	5,515	3,319
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(4,491)	(4,188)	(303)	(11,989)	(10,119)	(10,345)
	(1,751)	(+,100)	(000)	(11,000)	(10,113)	(10,040)
Pates and Annual Charges						
Rates and Annual Charges	7,404	7,404	-	15,389	15,389	15,389
Rates and Annual Charges	7,404	7,404	-	10,009	10,009	13,309



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$7.2m) is lower than forecast by \$0.5m at the end of the quarter.

Total Income from Operations of \$16.6m is higher than forecast by \$0.4m.

User Charges and Fees are higher by \$0.4m as a result of higher revenue from the Lakeside Holiday Park and Aquatic Centres offsetting reduced income from Cemeteries, Golfing operations and Currawong State Park.

Other Revenues are also higher by \$0.2m as a result of higher revenue from the Aquatic Centres, Lakeside Holiday Park, Golfing operations and Property Agreements, Consents and Licence income.

Other Income is lower by (\$0.2m) as a result of lower lease income from the Holiday Park.

Total Expenses from Operations of (\$23.8m) are lower than forecast by \$0.1m.

Materials and Services are lower by \$0.1m as a result of timing differences associated with the maintenance and servicing of Council buildings.

Grants and Contributions for Capital Purposes are lower by (\$0.8m) due to the timing of the RFS contribution to the Duffy's Forest RFS Station project.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to increase by \$0.2m to (\$15.9m) principally due to lower Cemeteries income and increased depreciation and expenditure on the Jamieson Park Sports Amenities project partly offset by increased Holiday Caravan Park revenue and Insurance claim monies.



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Customer Service

HIGHLIGHTS

Innovation of the year award

Customer Service was awarded winner of the National Local Government Customer Service Network Award for Innovation of the Year for the Customer Activity Tracker (CAT). This was developed in-house by the Customer Service and IT teams. This 'real-time' dashboard helps optimise resourcing and enhance the customer experience by reducing wait times.

Calls answered within 30 seconds

The target service level of 80% of calls answered within 30 seconds was exceeded, achieving 83% for the quarter. Customers continued to embrace digital offerings, taking advantage of new online applications and payment options enabling resources to re-focus on other projects and process improvement initiatives.

Email channel project

Phase One of the initiative was rolled out in mid-October 2022 with all general enquiries now being responded to via a queuing system through Salesforce. A total of 282 cases have been resolved through this channel so far. This project has greater reporting mechanisms built into its design including automated live reporting functions and dashboard features and an improved customer outcome. The top three enquiry types were beach parking permits, waste and animal registration payments.

Call quality assurance evaluations

The Customer Service team results for the quarter averaged 94.88% and 93.96% year-to-date, demonstrating Council's commitment to improving the customer experience. Call quality assurance identifies common issues, improves the customer experience and helps to standardise communication processes with customers.

Performance measures - Customer Service	Target	September quarter	December quarter
Calls answered within 30 seconds	80%	86%	83%
Customer requests conducted online	30%	38%	38%
Workload measures			
No. calls to Customer Service 1300 434 434	-	35,662	34,819
No. enquiries received at the counter and by mail, email and online requests	-	19,986	21,117

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target



OPERATIONAL PROJECTS

Key:	Complete 😥 Progressing ! Behind schedule								
	Improve and review the customer portal to enhance accessibility - Executive Manager Customer Experience								
	Statement of work complete. From early 2023 the project will commence focusing on Top 10 service requests.								
>	Enhance the customer experience across the organisation - Executive Manager Customer Experience								
	This project has commenced as part of the new Customer Experience unit.								

This project has commenced as part of the new Customer Experience unit. Develop and implement a consistent feedback approach across all customer contact channels - Executive Manager Customer Experience

This work will commence in Quarter 3 to bring together all Customer Satisfaction surveys in one place and add surveys where there are gaps.

2022/715016



FINANCIALS - Customer Service

Income and Expenditure Statement		Year to date		Annual		
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	0	2	(2)	4	4	4
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets		-	-	-	-	-
Total Income from Operations	0	2	(2)	4	4	4
Expenses from Operations						
Employee Benefits and Oncosts	(1,863)	(1,884)	21	(4,063)	(4,063)	(4,063)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(74)	(99)	25	(192)	(192)	(192)
Depreciation and Amortisation	(34)	(34)	-	(67)	(67)	(67)
Other Expenses	-	-	-	-	-	-
Internal Charges	375	375	-	747	747	747
Overhead Allocation	(294)	(294)	-	(589)	(589)	(589)
Total Expenses from Operations	(1,890)	(1,936)	46	(4,164)	(4,164)	(4,164)
Surplus / (Deficit) from Operations	(1,890)	(1,934)	44	(4,161)	(4,161)	(4,161)
Income from Capital Grants and Contributions Grants and Contributions - Capital Purposes		-	-	-	-	
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(1,890)	(1,934)	44	(4,161)	(4,161)	(4,161)
Rates and Annual Charges						
Rates and Annual Charges	2,027	2,027	-	4,393	4,393	4,393

Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$1.9m) is lower than forecast by \$44k at the end of the quarter.

Total Expenses from Operations of (\$1.9m) are slightly lower than forecast due to vacant positions being covered by casual staff and timing differences associated with the utilisation of agency personnel and lower year-to-date postage and courier expenses.



Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain (\$4.2m).

2022/715016



Governance and assurance services

HIGHLIGHTS

Internal audit and complaints resolution

This quarter the Executive Manager Internal Audit & Complaints Resolution provided a number of completed audit reports to the Chief Executive Team (CET), and presented year-end audit and complaints reports to the Audit Risk and Improvement Committee (ARIC).

Governance

Council held three Ordinary meetings since October 2022. All agendas and minutes were placed online in accordance with the timeframes established in Council's Delivery Program. The Audit, Risk and Improvement Committee (ARIC) met in December 2022. The annual process for the Disclosures of Interest Returns by Designated Persons were tabled at the October Ordinary Council meeting.

Performance measures – Governance and Assurance	Target	September quarter	December quarter
Council meeting minutes finalised and published within three working days of meetings	100%	100%	100%
Enterprise risk registers reviewed and current	100%	100%	100%
Internal audits undertaken in line with strategic Internal Audit Plan	80%	100%	75%*

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target

Notes on results:

* One of four planned audits was postponed this quarter.

OPERATIONAL PROJECTS



2022/715016

Quarterly report on service performance - December 2022



FINANCIALS - Governance and Assurance Services

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	-	-	-	-	-	-
Investment Fees and Revenues	-	-	-	-	-	-
Other Revenues	57	-	57	-	-	-
Grants and Contributions - Operating Purposes	-	-	-	-	-	-
Other Income	-	-	-	-	-	-
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	57	-	57	-	-	-
Expenses from Operations						
Employee Benefits and Oncosts	(1,920)	(1,792)	(128)	(3,865)	(3,865)	(3,865)
Borrowing Costs	-	-	-	-	-	-
Materials and Services	(2,797)	(3,498)	701	(6,819)	(6,889)	(6,889)
Depreciation and Amortisation	(13)	(13)	-	(27)	(27)	(27)
Other Expenses	-	-	-	-	-	-
Internal Charges	18	13	4	22	22	31
Overhead Allocation	(576)	(576)	-	(1,153)	(1,153)	(1,153)
Total Expenses from Operations	(5,289)	(5,866)	577	(11,841)	(11,912)	(11,902)
Surplus / (Deficit) from Operations	(5,232)	(5,866)	634	(11,841)	(11,912)	(11,902)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes		-	-	-	-	-
Surplus / (Deficit) from Operations including Capital Grants and Contributions	(5,232)	(5,866)	634	(11,841)	(11,912)	(11,902)
Rates and Annual Charges						
Rates and Annual Charges	5,831	5,831	-	11,841	11,841	11,841



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total (Deficit) from Operations of (\$5.2m) is lower than forecast by \$0.6m at the end of the quarter.

Other Revenues are higher by \$0.1m as a result of the recovery from third parties of legal costs incurred.

Total Expenses from Operations of (\$5.3m) are lower than forecast by \$0.6m.

Employee Benefits and Oncosts are higher by (\$0.1m) as a result of restructure costs partially offset by vacant positions within the Service.

Materials and Services are lower by \$0.7m as a result of the timing of contract payments associated with legal costs and insurance claims.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to remain (\$11.9m), with only a minor change to reduce vehicle expenses.

2022/715016



Corporate Support Services

HIGHLIGHTS

IGNITE update

Council continued to implement its IGNITE (Inspiring Great New Ideas Towards Excellence) program which is aiming to build a culture of continuous improvement under the Australian Business Excellence Framework (ABEF). Over 910 people have now completed one or more of the IGNITE training programs to assist them in identifying and implementing continuous improvement opportunities to enhance services delivered to our community. During this quarter, Council exceeded its target of implementing 400 improvements by 2023 with an additional 77 improvements being complete during December 2022. The current total is now 443 completed improvements since the commencement of the program.

The Service Review Program to systematically review and enhance Council's 57 services continues to be implemented, with 80 Improvement Management Actions having been completed and the remaining actions scheduled to be completed over the next six months. Council has now commenced Phase Two of the service review program to undertake further review of its maintenance functions and identify further opportunities for continuous improvement.

Expanding online services

Council continues to expand its digital offerings by increasing the number of online transactional services for our customers including:

- online applications for Driveway Levels and Formwork Inspections.
- digitisation of 13 paper forms for Manly Aquatic Centre for customer completion.
- online pre-paid parking permits for Manly Parking Stations.

A range of other improvements were also introduced including:

- improved response to customer submissions on the website.
- improved online customer request forms for potholes, sinkholes and road maintenance including requests to identify and remove duplication.
- improved online customer request experience by introducing a case deflection alert, when a customer tries to raise a case against an asset not owned by Council, for example a pothole on a State Government Road.
- implementation of the environmental climate change external customer reports to track progress on the Environment and Climate Change Strategy 2040.

Our customers can now easily search for all of Council's Fees and Charges throughout the budget lifecycle by introducing an interactive easy-to-use search tool replacing the PDF form previously on the website.

Effective IDT tools for staff

To support better customer experience, Council continues to provide new and improved ways of working for its staff, including:

- migrating the on-premise Manly Aquatic Centre booking system to a supported version on the cloud and ensuring business continuity.
- implementing a new telephony system for the Pittwater Golf Centre.
- installing Telstra IP Telephony TPIT at the PCYC in Dee Why to ensure connectivity.
- ensuring all childcare centres have up-to-date technology by rolling out 65 new iPads with custom profiles.



- introducing Wi-Fi for the Newport Community Centre.
- continuous improvement and reviews with the Development Applications team on the use of technology to ensure compliance. This has contributed to the NSW Auditor General -Performance Audit of Development Applications (Assessment and Determination Stages) reporting 'no recommendations for process improvement'.
- improved internal business reporting by introducing several business intelligence reports for effective operational decision making for the following business functions:
- customer request management (8 reports)
 - development assessment (16 reports)
 - IT service management (7 reports).
- a cyber incident simulation held for the Executive Leadership Team to further enhance cyber security posture.
- delivering a workplace technology user adoption program to improve productivity using tools such as office 0365.

Securing grants

Council was successful in securing \$6,711,990.82 from the NSW Government to undertake a range of high priority projects and a further \$30,000.00 from the National Australia Day Council to run a series of community events. The funding is for:

- \$3,028,749 from the NSW Department of Enterprise, Investment and Trade for the upgrade of Warringah Recreation Centre.
- \$1,841,000 from Transport for NSW to promote active travel by delivering three walking and cycling projects.
- \$1,000,000 from the NSW Department of Enterprise, Investment and Trade for the upgrade of the Manly Foreshore Community and Sports Facilities.
- \$450,000 from the NSW Department of Planning and Environment to deliver an upgraded and more accessible Freshwater Beach Playground.
- \$343,702 from NSW Department of Planning and Environment to deliver eleven weeding and bushland restoration projects across the LGA.
- \$42,440 from Transport for NSW for three boating asset maintenance projects.
- \$30,000 from the National Australia Day Council for the hosting of several Australia Day community events across the LGA.
- \$6,100 from NSW Department of Communities and Justice to deliver community events for older adults that address social isolation.

Engagement survey continued response

Following the engagement survey, action planning commenced across the business with organisational focus areas established (Recruitment and Selection, Career Development, Processes, Workload and Leadership) and workshops held to establish Divisional and Business Unit level focus areas and action plans.

Thrive wellbeing program

This quarter, a new initiative was announced as part of our Thrive wellbeing program – volunteer leave. This leave provides employees with an additional leave day to volunteer and support the community. The Be Well, Lead Well program for level four people leaders concluded and a Be Safe, Be Well crew has been established with over thirty members, to continue to drive a focus on wellbeing across Council.



To coincide with the 16 Days of Activism, guest speaker Narelle Hand from the Domestic Violence Network and Manager of the Northern Beaches Women Shelter presented several startling statistics and some helpful information on how we can all support our family, friends and community members impacted by gender-based violence.

Capability framework implementation

Implementation of the LG NSW Capability Framework commenced across Council. The Framework describes the core knowledge, skills, abilities and other attributes expected from employees and will provide a foundational tool that will be used to deliver personalised learning and development opportunities whilst building workforce capability. Desktop capability mapping was completed for all job roles across Council and a Power BI report created to demonstrate the mapping of roles in each BU and relativities across job roles across Council. Business Unit workshops are scheduled in early 2023 to review and finalise the mapping along with commencement of updating position descriptions and the creation of development goals aligned to the Framework.

Safe work month

Work, Health & Safety (WHS) practices continue to be embedded within the organisation, particularly during the month of October as Safe Work Month. The theme was 'Be Safe & Be Well', a concept encompassing everything that it means to have a safe and healthy working environment for safe, healthy, and fulfilled employees. The WHS team created a hub of resources and held themed weeks, a get together and a safety competition encouraging everyone to be aware of physical safety, hazards, and mental health.

Work Health & Safety (WHS) metrics

The WHS team developed and implemented Power BI reporting for improved monthly and quarterly reporting. The WHS Power BI platform is also capable of live daily data updates ensuring that Council has increased organisational efficiency.

Investment policy

A revised Investment Policy was adopted by Council:

- added to the Policy Statement that, 'when exercising the power of investment, Council should consider, but not be limited by, the exposure of that investment to financial risks associated with climate change'.
- separated Ethics and Conflicts of Interest to provide a clearer delineation of the considerations of and social responsibility.
- reduced from 20% to 5% the maximum investment exposed to the Unrated category
- allowing unrated investments covered by the Australian Government Guarantee Scheme and limit the exposure to a maximum of \$250,000 per Institution.
- reduced from 10% to 5% the maximum investment for the Unrated TCorp Funds category
- provided clarity on grandfathered investments by including: "investments made before the date of 12 January 2011 and held under the Ministerial Investment Orders are deemed to have been made in compliance with this policy, so long as the investments have not been subject to any restructuring or switching as stated in those Orders".

Accounts receivable and debt management - sundry debtors

A new operational policy was implemented to establish a framework for the management of nonrates related accounts receivable that will:

clearly and concisely communicate matters related to the maintenance of credit control.



- ensure the completeness and accuracy of invoicing.
- maximise the collection of monies from the sale of goods and/or services and minimise the likelihood of bad debts through the prompt recovery of all outstanding accounts receivable.
- recover monies owing to Council in a timely and effective manner and ensure effective cash flow management by clarifying responsibilities and outlining clear and defined procedures, roles and responsibilities.
- ensure and support both ethical and best practice debt recovery undertaken by both Council's officers and its contracted agents by providing a process that is transparent and compliant with legal obligations and legislation, whilst being open and accountable.
- clarify the circumstances for the writing off of unrecoverable or bad debts owed to Council for services provided to or received by the debtor.
- treat all customers fairly and consistently, with respect and sensitivity, in considering their circumstances. All matters will be treated confidentially under this policy.

Procurement and contracts policy

A revised Procurement and Contracts Policy was adopted by Council:

- 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.
- including a principle for Modern Slavery and Ethical Sourcing.
- including a principle for Emergencies.
- adding separate principles for Accountability, Risk Analysis and Management, Record Keeping, Purchase Orders and Expenditure Thresholds.
- adding 'sustainable' in the opening sentence in the Policy Statement.
- 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 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'.
- under the heading Social Sustainability and Local Supplier Engagement including 'giving appropriate consideration to organisations and suppliers that are Local, First Nations suppliers, Disability Enterprises or Social Enterprises'.

Corporate Support - Performance measures	Target	September quarter	December quarter
Correspondence replied to within 10 working days	90%	92%	92%
Operational projects on schedule	80%	92%	94%
Capital projects on schedule	80%	84%	82%
Quarterly, annual and statutory reports submitted to Council on time	100%	100%	100%
Workload measures			
No. service review actions implemented	-	8	5

Results Key: Achieved Approaching - within 5% of target Behind - more than 5% off target



OPERATIONAL PROJECTS



Key: Complete 📀 Progressing

Behind schedule

 $\boldsymbol{\diamond}$

Present Council's quarterly Budget Review Statement, Annual Report and Financial Statements - Executive Manager Strategy & Performance

The Annual Report 2021/22 including the Annual Financial Statements was tabled at the Council meeting on 22 November 2022 and a copy supplied to the Minister for Local Government. The September 2022 Quarterly Budget Review Statement was also considered by Council at its November meeting.



Develop the Delivery Program and annual Operational Plan - Executive Manager Strategy & Performance

Preliminary planning underway including the development of draft Business Plans for 2023/24. Work on the documents will not be commence until early in the new year.



Review the Long-Term Financial Plan and explore financially sustainable options to support the Community Strategic Plan - Executive Manager Financial Planning & Systems

The annual revision of the Long-Term Financial Plan has commenced with reporting to the Budget Panel and updating of the 10-year assumptions and indexes. Monitoring of Council's long-term financial sustainability is ongoing, with recent forecasting updated in preparation for the December Quarterly Review.



Implement the Workforce Management Strategy to attract, identify and develop high performing leadership talent for the future - Executive Manager Human Resources

Workshops have been conducted with Senior Management on the Capability Framework. Promotion of the Framework is underway with all teams. Business Unit workshops to review the draft framework mapping and seek input will take place in the New Year.



Implement the Workforce Management Strategy to build future workforce capacity by developing a capable, agile and resilient workforce - Executive Manager Human Resources

Priorities on the People Central roadmap continue to make progress. A new 'Success Factors release' was deployed in December 2022. Progress is also being made in implementing payroll changes.



Implement the Workforce Management Strategy to integrate safety and wellbeing solutions for staff resilience - Executive Manager Human Resources

WHS practices continued to be embedded within the organisation, and new specialist staff have been recruited. 'Thrive' wellbeing programs continue to be promoted to staff through weekly Staff Updates and the Intranet pages/articles.

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Implement the Workforce Management Strategy to shape a desired organisational culture aligned to the customer experience - Executive Manager Human Resources

A recent recruitment audit and actions have been aligned to an initiative of Council's Disability Inclusion Action Plan: Review recruitment processes and practices to ensure they are inclusive.

The Youth Employment Action Plan is being developed and includes cross Business Unit collaboration with the Social Planning and Services Team.



An initial review of Council's 57 Services in 2021/22 has resulted in 166 Management Improvement Actions now being implemented. Council has now commenced Stage Two of its Service Review Program and is currently in the process of reviewing maintenance operations associated with Property. These reviews will ensure the service is financially sustainable, improve customer experience and ensure it is planning for future challenges. The Facilities Service review of maintenance of facilities has now commenced and is due for completion in early 2023. Embed the Australian Business Excellence Framework into Council's management practices and service delivery - Executive Manager Strategy & Performance Council has provided training and support across the organisation through a range of IGNITE (Inspiring Great New Ideas Towards Excellence) programs to develop understanding and management practices using the Australian Business Excellence Framework (ABEF). Council staff continue to participate in the IGNITE Programs and Council has recently completed its second ABEF Self-Assessment, resulting in a number of recommendations for priority actions to continue to support its excellence journey. Expand the practice of continuous improvement through the implementation of key improvement projects - Executive Manager Strategy & Performance Council has launched its new and improved IGNITE (Inspiring Great New Ideas Towards Excellence) Register to assist in capturing new ideas and completed improvements across the organisation. This quarter Council exceeded its target of 400 completed improvements by 2023 with an additional 77 improvements being completed in December 2022 bring the current total to 443 since the commencement of the program. **CAPITAL PROJECTS** Not proceeding Kev: Complete Behind schedule \checkmark Progressing **IT improvements** IT Infrastructure new works - Chief Information Officer Continue with the Switch and UPS installations post change freeze period. IT Software new works - Chief Information Officer Booking System (Optimo) upgrade to version 4 delayed until early March 2023. For the Printer Consolidation project, the process to engage a vendor has commenced. IT Infrastructure replacements - Chief Information Officer Continue with Infrastructure replacement for break fix for 2022/23 with associated planning. Complete the Wireless Access Points review. Computers, laptops and mobile devices - replacements - Chief Information Officer **Council Chambers** Working through the solution design and quotation of the asset replacement of the Council Chambers equipment. Service Delivery - end user replacement of desktop computers and laptops, monitors, telephony headsets and other office IT equipment in line with planned activities continues.

Implement the Service Review Program - Executive Manager Strategy & Performance

Quarterly report on service performance - December 2022

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FINANCIALS - Corporate Support Services

Income and Expenditure Statement		Year to date			Annual	
01 July 2022 to 31 December 2022	YTD	YTD	YTD	Annual	Approved	Current
	Actual	Forecast	Variance	Budget	Forecast	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income from Operations						
User Charges and Fees	210	239	(30)	468	468	418
Investment Fees and Revenues	3,961	3,475	486	1,928	6,227	6,926
Other Revenues	715	278	437	558	397	1,130
Grants and Contributions - Operating Purposes	896	896	-	6,059	4,848	4,848
Other Income	12	-	12	-	-	12
Gains on disposal of Assets	-	-	-	-	-	-
Total Income from Operations	5,793	4,888	905	9,014	11,940	13,334
Expenses from Operations						
Employee Benefits and Oncosts	(10,594)	(11,442)	848	(24,702)	(25,062)	(24,908)
Borrowing Costs	(391)	(440)	49	(643)	(872)	(797)
Materials and Services	(7,211)	(8,993)	1,782	(16,084)	(17,316)	(17,592)
Depreciation and Amortisation	1,238	2,096	(859)	(628)	(628)	(565)
Other Expenses	(0)	(1)	1	(9)	(9)	(9)
Internal Charges	269	269	-	538	538	538
Overhead Allocation	12,675	12,675	-	25,361	25,361	25,361
Total Expenses from Operations	(4,013)	(5,835)	1,821	(16,167)	(17,989)	(17,973)
	1,779	(946)	2,726	(7,153)	(6,049)	(4,639)
Surplus / (Deficit) from Operations	1,775	(940)	2,720	(7,133)	(0,043)	(4,039)
Income from Capital Grants and Contributions						
Grants and Contributions - Capital Purposes	6,988	4,104	2,884	6,952	7,878	9,257
		.,	_,	-,	.,	-,
Surplus / (Deficit) from Operations including Capital Grants and Contributions	8,768	3,158	5,610	(201)	1,829	4,618
		-,	- ,		, -	
Rates and Annual Charges						
Rates and Annual Charges	127,097	126,946	151	14,758	14,759	14,810
Rates and Annual Onlarges	,	,		,. 50	,. 50	,

2022/715016

Quarterly report on service performance - December 2022



Budget commentary- year to date actuals and annual forecast

Year to Date Actuals

The Total Surplus from Operations of \$1.8m is higher than forecast by \$2.7m at the end of the quarter.

Total Income from Operations of \$5.8m is higher than forecast by \$0.9m.

Investment Fees and Revenues are higher by \$0.5m as a result of a greater distribution received from Kimbriki Resource Recovery Centre and higher interest on investments.

Other Revenues are higher by \$0.4m as a result of other investments income and additional funds from Kimbriki towards the remediation provision (due to higher interest earned on the fund).

Total Expenses from Operations of (\$4.0m) are lower than forecast by \$1.8m.

Employee Benefits and Oncosts are lower by \$0.8m as a result of vacant positions and staff leave within Information and Digital Technology and Human Resources operations and capitalisation of Capital Projects staff costs.

Materials and Services are lower by \$1.8m as a result of the timing of payments for Training, Computer Software and Contract Services for Information Technology offset by increased Agency Personnel costs.

Grants and Contributions for Capital Purposes are higher by \$2.9m as higher than anticipated development contributions were received.

Annual Forecast

For the full financial year, the Total (Deficit) from Operations is forecast to decrease by \$1.4m to (\$4.7m) principally due to increased investment revenues offset by higher interest payable on customer bonds held and resourcing for the ERP project.

2022/715016



ATTACHMENT 2 Quarterly Budget Review Statement - December 2022 ITEM NO. 9.2 - 28 FEBRUARY 2023



QUARTERLY BUDGET REVIEW STATEMENT

DECEMBER 2022

2023/095198





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Northern Beaches Council

Income and operating expenses budget review statement

For the period 1 July 2022 to 31 December 2022

			Year to date			
	2021-22	ORIGINAL	REVISED	Recommended	YTD	
	Actual	Budget	Budget	changes for Council	Forecast	Actual
	\$'000	\$'000	\$'000	resolution \$'000	\$'000	\$'000
Income from continuing o	perations					
Rates and annual charges	225,942	234,543	234,543	51	234,594	234,526
User charges and fees	79,722	89,113	91,583	490	92,073	46,574
Investment fees and revenues	1,238	1,034	5,473	795	6,268	2,969
Other revenues	22,342	18,960	19,100	467	19,567	9,261
Grants and contributions - Operating purposes	27,165	19,648	21,581	805	22,385	9,200
Grants and contributions - Capital purposes	43,951	29,764	35,923	5,023	40,946	17,132
Other income	6,736	6,821	6,824	(388)	6,436	3,232
Gain/(Loss) on disposal of assets	960	457	457	-	457	654
Total income from continuing operations	408,057	400,340	415,485	7,242	422,727	323,549
Expenses from continuing	operation	าร				
Employee benefits and oncosts	(134,560)	(147,610)	(148,017)	666	(147,351)	(67,209)
Borrowing costs	(2,624)	(2,207)	(2,691)	75	(2,616)	(1,305)
Materials and services	(142,766)	(145,251)	(154,186)	(1,259)	(155,445)	(71,524)
Depreciation and amortisation	(45,507)	(46,766)	(46,774)	(632)	(47,405)	(21,843)
Other expenses	(20,969)	(19,946)	(21,248)	(306)	(21,554)	(10,935)
Total expenses from continuing operations	(346,427)	(361,781)	(372,915)	(1,456)	(374,371)	(172,815)
Surplus / (Deficit) from continuing operations	61,630	38,559	42,569	5,786	48,356	150,734
Surplus / (Deficit) before Capital Grants & Contributions	17,679	8,795	6,646	764	7,410	133,602
Less: Rates yet to be alloca	ted					(112,388)
Surplus / (Deficit) before (usted for rates unalloca	ited	21,214			



Northern Beaches Council

Income and expenses budget review statement excluding Kimbriki Environmental Enterprises

For the period 1 July 2022 to 31 December 2022

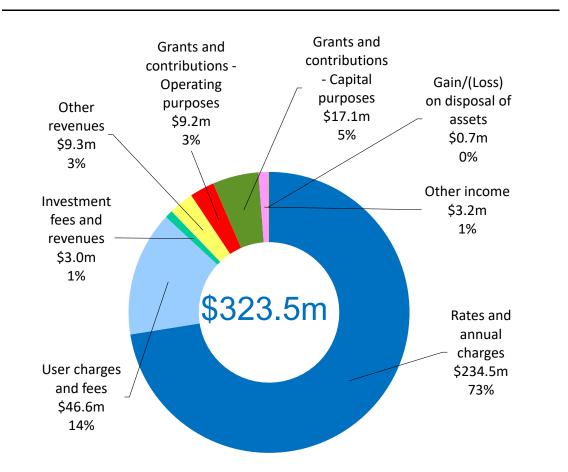
Council is the majority shareholder (96%) in Kimbriki Environmental Enterprises Pty Ltd. Kimbriki operates a waste and recycling business with a 25-year lease over a Council owned site. As a subsidiary of the Council, the consolidated financial reports of the Council incorporate the Kimbriki operation. For the information of the Council, an Income Statement has been prepared to represent the financial results of the Council's operations, excluding Kimbriki.

	Annual Year to					
	ORIGINAL Budget \$'000	REVISED Budget \$'000	Recommended Changes \$'000	CURRENT Forecast \$'000	YTD Actual \$'000	
Income from continuing operation	ons					
Rates and annual charges	234,611	234,611	51	234,661	234,594	
User charges and fees	67,074	66,924	127	67,051	33,778	
Investment fees and revenues	1,974	6,274	699	6,973	4,000	
Other revenues ^{1.}	16,199	15,671	754	16,425	7,362	
Grants and contributions - Operating purposes	19,648	21,581	805	22,385	9,200	
Grants and contributions - Capital purposes	29,764	35,923	5,023	40,946	17,132	
Other income ^{1.}	9,613	9,863	(350)	9,513	4,800	
Gain/(Loss) on disposal of assets	457	457	-	457	654	
Total income from continuing operations	379,339	391,305	7,108	398,413	311,520	
Expenses from continuing operation	ations					
Employee benefits and oncosts	(142,616)	(142,980)	648	(142,332)	(64,687)	
Borrowing costs	(890)	(1,119)	75	(1,044)	(519)	
Materials and services ^{2.}	(143,929)	(151,306)	(1,181)	(152,487)	(69,816)	
Depreciation and amortisation	(43,406)	(43,406)	(620)	(44,026)	(20,145)	
Other expenses	(11,561)	(12,336)	(39)	(12,375)	(6,129)	
Total expenses from continuing operations	(342,401)	(351,146)	(1,118)	(352,264)	(161,296)	
Surplus / (Deficit) from continuing operations	36,938	40,159	5,990	46,149	150,224	
Surplus / (Deficit) before Capital Grants & Contributions	7,174	4,236	968	5,203	133,092	
Less: Rates yet to be allocated					(112,388)	
Surplus / (Deficit) before Capital	Grants & C	ontributio	NS - adjusted for rat	tes unallocated	20,704	

¹ Other Revenues/Other income includes lease income and (when applicable) dividends received from Kimbriki

^{2.} Materials and Services includes disposal costs charged to Council by Kimbriki





Income from continuing operations

	For the period 1 July 2022 to 31 December 2022					
Income Items	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance		
Rates and annual charges	234,526	234,342	184	0.1%		
User charges and fees	46,574	45,570	1,004	2.2%		
Investment fees and revenues	2,969	2,667	302	11.3%		
Other revenues	9,261	9,644	(383)	(4.0)%		
Grants and contributions - Operating purposes	9,200	7,547	1,653	21.9%		
Grants and contributions - Capital purposes	17,132	19,499	(2,367)	(12.1)%		
Other income	3,232	3,492	(261)	(7.5)%		
Gain/(Loss) on disposal of assets	654	229	426	0.0%		
Total Income from Continuing Operations	323,549	322,992	557	0.2%		



User Charges and Fees

	For the perio	od 1 July 2	2022 to 31 D	ecember 2	022	_
Item	YTD Actu \$'00	al	YTD Budget \$'000	YTD Variance \$'000	Variance %	Proposed Budget Incr / (Decr)
Aquatic Centres	4,305		4,117	188	5%	0
Caravan Park	3,367		2,944	423	14%	835
Cemeteries	601		696	(95)	(14)%	(298)
Child Care	6,959		7,115	(156)	(2)%	0
Community Centres	1,130		1,219	(88)	(7)%	(69)
Currawong State Park	104		145	(41)	(28)%	0
Glen Street Theatre	505		458	47	10%	0
Golf Course and Driving Range	1,167		1,246	(79)	(6)%	0
Kimbriki Waste and Recycling Centre	12,796		12,235	561	5%	363
Libraries	60		68	(8)	(12)%	(18)
Parking Areas	6,865		6,959	(94)	(1)%	0
Sportsfields and Reserves	805		958	(153)	(16)%	0
Planning and Building Regulation	5,252		4,456	796	18%	(19)
Regulatory/Statutory Fees	401		462	(60)	(13)%	(75)
Restoration Charges	383		547	(164)	(30)%	0
Section 10.7 Certificates (EPA Act)	427		399	28	7%	0
Section 603 Certificates (LG Act)	198		222	(24)	(11)%	(50)
Other Fees	1,247		1,324	(77)	(6)%	(179)
Total User Charges and Fees	46,574		45,570	1,004	2%	490



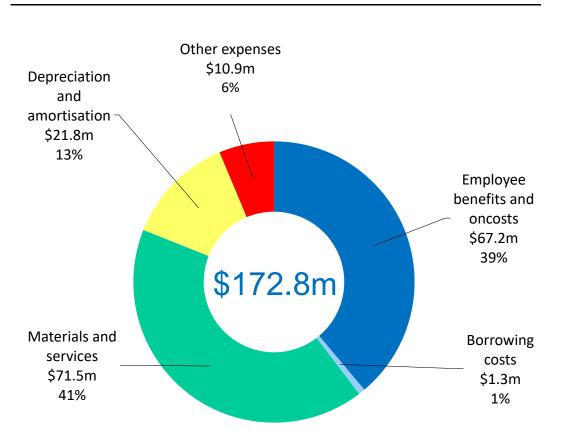
Other Revenues and Other Income

	For the peri	od 1 Jul	y 2022 to 3	1 Decembe	r 2022	
ltem	YTD Actua \$'000	al	YTD Budget \$'000	YTD Variance \$'000	Variance %	Proposed Budget Incr / (Decr)
Investments at fair value through profit and loss	12		0	12	0%	12
Advertising Income	295		505	(210)	(42)%	0
Legal Fees Recovery - Other	192		139	53	38%	0
Ex Gratia Rates	25		25	0	2%	0
Other Revenues - Kimbriki	2,114		2,002	112	6%	112
Other Fines	220		343	(123)	(36)%	(37)
Parking Fines	2,685		3,449	(764)	(22)%	(280)
Recycling Income (Domestic)	308		325	(17)	(5)%	47
Rental Income - Investment Properties	121		118	3	2%	0
Rental Income - Leased Council Properties	3,099		3,374	(275)	(8)%	(400)
Sale of Stock	547		487	60	12%	0
Other Revenues	1,100		716	384	54%	689
Licences, Consents & Deeds	1,775		1,654	121	7%	(64)
Total Other Revenues and Other Income	12,493		13,137	(644)	(5)%	79

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	For the period 1 July 2022 to 31 December 202							
Expense Items	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance				
Employee benefits and oncosts	67,209	68,188	980	1.4%				
Borrowing costs	1,305	1,349	44	3.2%				
Materials and services	71,524	76,849	5,325	6.9%				
Depreciation and amortisation	21,843	20,972	(871)	(4.2)%				
Other expenses	10,935	10,406	(529)	(5.1)%				
Total Expenses from Continuing Operations	172,815	177,764	4,949	2.8%				



Materials and Services

	For the period 1 July	2022 to 31 D	ecember 202	2	
	YTD	YTD	YTD		Proposed
	Actual	Budget	Variance	Variance	Budget
Item	\$'000	\$'000	\$'000	%	Incr / (Decr)
Agency Personnel	1,650	1,612	(38)	(2)%	333
Bush Regeneration	1,308	2,018	710	35%	(133)
Cleaning	3,420	3,269	(151)	(5)%	3
Consultancy	272	234	(38)	(16)%	0
Electricity, Heating and Water	2,475	2,812	337	12%	0
Environment and Floodplain Management	1,020	1,474	454	31%	(186)
External Roadwork	4,304	4,516	212	5%	1,381
Golf Course and Driving Range	697	566	(131)	(23)%	0
Insurance	1,772	1,958	186	10%	0
IT and Communications	4,591	6,038	1,448	24%	(173)
Kimbriki Waste and Recycling Centre	7,952	7,875	(78)	(1)%	78
Land Use Planning	255	665	410	62%	(107)
Legal Fees - Other	650	815	165	20%	0
Legal Fees - Planning and Development	415	689	274	40%	0
Lifeguard Services	748	730	(19)	(3)%	0
Maintenance and Servicing	2,905	2,606	(299)	(11)%	(2)
Management Fees	836	958	122	13%	96
NSW Revenue Fine Processing Fees	416	424	7	2%	0
Performance and Events	493	605	112	19%	20
Plant and Vehicle	1,610	1,437	(172)	(12)%	0
Printing, Postage & Stationery	509	758	248	33%	1
Raw Materials and Consumables	2,168	2,033	(135)	(7)%	(99)
Recreation and Sportsfields	4,210	4,629	419	9%	214
Stormwater	347	288	(59)	(21)%	(3)
Street Lighting	1,414	1,250	(164)	(13)%	0
Training Costs	281	593	312	53%	(100)
Tree Works	1,938	2,531	593	23%	(470)
	9,176	9,099	(76)	(1)%	(470)
Waste Collection	7,275	7,940	666	8%	(+)
Waste Disposal and Processing	3,210	2,335	(875)	(37)%	340
Other Contracts	3,208			22%	70
Other		4,093	885		
Total Materials and Services	71,524	76,849	5,325	7%	1,259



Other Expenses

	For the period 1 July	2022 to 31 l	December 2	2022	_
Item	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	Proposed Budget Incr / (Decr)
Bad and Doubtful Debts	13	36	24	65%	0
Planning Levy	527	528	1	0%	0
Waste Levy	4,644	4,342	(303)	(7)%	303
Emergency Services Levy	3,892	3,891	(1)	(0)%	2
Other Levies	79	75	(4)	(6)%	0
Donations, Contributions and Assistance	1,618	1,337	(281)	(21)%	37
Land Tax	163	198	36	18%	(36)
Total Other Expenses	10,935	10,406	(529)	(5)%	306



Recommended material changes to the Revised Budget Income and operating expenses 2022/23 - December 2022 Review

-	osed ation						
Fav / (Unfav)	Details					
\$'000	%						
51	0.0%	Rates and annual charges Mandatory rates rebate					
490	0.5%	User charges and fees Higher than anticipated income including: • Sydney Lakeside income \$0.8m • Kimbriki fees income \$0.4m Partially offset by income reductions including: • Cemetery income (\$0.3m) • Environmental health income (\$0.2m)					
795	14.5%	Investment fees and revenues Higher returns on investments than forecast.					
467	2.4%	Other revenues Increases in: • Investment losses recovered \$0.3m • Insurance cost recovered \$0.2m • Kimbriki recycling and other income \$0.1m Decreases in: • Parking fines income (\$0.3m)					
805	3.7%	 Grants and contributions - Operating purposes Additional operating grants and contributions including: Natural disaster assistance Transport for NSW - \$0.9m with matching expenditure Accelerated Streetlighting replacement program - \$0.3m Condover Reserve former landfill site works - \$0.1m 					
5,023	14.0%	Grants and contributions - Capital purposes • Additional regional and local roads repair program - \$3.4m • Additional development contributions - \$1.4m • New footpath program - \$1.3m • New Bike plan implementation - \$0.4m Offset by grant funding rolled over to the 2023/24 financial year (\$2.2m) including: • Active Transport corridor project - (\$1.0m) Refer to the 'Capital Expenditure - recommended changes to the budget' schedule for further information					
(388)	(5.7%)	Other income Sydney Lakeside permanent sites					
7,242		TOTAL INCOME VARIATIONS					

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Prop varia Fav / (l	ation	Details
\$'000	%	
666	0.4%	Employee benefits and oncosts Higher than expected vacancy levels in areas such as Environmental compliance, and Transport and Civil.
75	2.8%	Borrowing costsLower interest on loans than anticipated.
(1,259)	(0.8%)	Materials and servicesIncreases in:• Storm emergency and reconstruction works - (\$1.4m)• Enterprise Resource Planning (ERP) project - (\$0.3m)• Kimbriki additional processing costs due to higher tonnages - (\$0.2m)Decreases in:• Tree Management B Line works - \$0.5m
(632)	(1.4%)	Depreciation and amortisation Indexation and capitalisation
(306)	(1.4%)	Other expenses Increase in: • Kimbriki's EPA Waste Levy in line with higher incoming landfill - (\$0.3m)
-	0.0%	Gain/(Loss) on disposal of assets No changes
(1,456)		TOTAL OPERATING EXPENDITURE VARIATIONS
5,786		TOTAL RECOMMENDED CHANGES TO INCOME AND OPERATING EXPENSES



Northern Beaches Council Capital Budget Statement For the Period 1 July 2022 to 31 December 2022

	ORIGINAL Budget \$'000	REVISED Budget \$'000	Resolution	CURRENT Forecast \$'000	Actual 1 Jul 2022 to 31 Dec 2022 \$'000
Conital Eurodina					
Capital Funding	15,650	17,838	13	17,852	9,545
Working Capital Depreciation	37,132	39,673	(538)	39,135	10,399
Capital Grants & Contributions	57,152	39,073	(550)	39,135	10,399
- New Grants	13,299	18,525	13,720	32,245	9,448
- Grants from prior years	9,512	9,570	(9,975)	(406)	746
Externally restricted reserves	9,012	3,570	(3,373)	(400)	740
- Developer contributions	17,162	11,576	(1,058)	10,518	2,295
- Domestic waste	-	-	(1,000)		2,235
- Other	2,084	2,454	(116)	2,338	934
Internally restricted reserves	2,004	2,404	(110)	2,000	504
- Merger Savings Fund	949	952	-	951	43
- Other	2,840	4,060	55	4,115	665
Income from sale of assets	2,010	1,000		.,	
- Plant and equipment	1,427	1,427	-	1,427	679
Total Capital Funding	100,055	106,075	2,101	108,175	34,754
Capital Expenditure (by Service Children's Services	150	250	-	250	41
Community, Arts and Culture Service	7,069	1,884	-	1,884	222
Corporate Support Services	2,390	3,263	127	3,390	1,653
Economic Development, Events and Engagement Services	77	77	(16)	61	45
Environment and Sustainability Services	9,574	12,058	(549)	11,509	2,674
Kimbriki Resource Recovery Centre	14,607	14,607	-	14,607	6,539
Library Services	945	1,256	(133)	1,123	422
Parks and Recreation Services	18,489	18,199	195	18,394	6,478
Property and Facilities Services	8,795	12,951	512	13,463	6,162
Transport, Traffic and Active Travel	37,859	41,430	1,965	43,394	10,518
Waste and Cleansing Services	100	100	-	100	-
Total Capital Expenditure	100,055	106,075	2,101	108,175	34,754



Capital Expenditure - recommended changes to the budget

December 2022

					SOL	JRCE OF FU	NDS	
dol	Job Description	Budget Variation + INCR/(DECR)	Reason for Change	Developer Contri	Externally restricted	Internally restricted	Grants and Contri	Dep'n / Working Capital
Buc	lget funding reallocation betw	ween projects /	funding sources					
CN01 188	Avalon Place Plan Implementation	. , ,	Funding transferred for extra funds required for Avalon Streets as Shared	(48,925)				
CN01 226	Streets as Shared Spaces: Avalon		Spaces Project.	48,925				
CN01 217	Forestville War Memorial Playing Fields Fitness Station	(60,000)	Two projects consolidated under same tender contract.	(60,000)				
CN01 215	Lionel Watts Fitness space	60,000		60,000				
CR05 066	Emergency Buildings Works Program	(14,115)	Funding transferred for construction					(14,115)
CN01 139	Duffys Forest Rural Fire Station	14,115	works at Duffys Forest RFS building.					14,115
CR05 015	Public Amenities Works Program	(100,000)						(100,000)
CR05 045	Beach Buildings Works Program	(47,558)	Funding transferred for DA review of					(47,558)
CR05 063	Building Code of Australia Compliance Works (BCA)	(99,418)	Newport SLSC and DA preparation of Freshwater SLSC.					(99,418)
CR05 136	Surf Life Saving Club Minor Renewal Works	246,976						246,976
CR05 015	Public Amenities Works Program	(400,000)	Rowlands Reserve deferred to 23/24 program. Re-prioritise funds to repair Civic Centre and Dee Why Library roofs.					(400,000)
CR05 042	Operational Buildings Works Program	400,000						400,000



			SOURCE OF FUNDS					
Job	Job Description	Budget Variation + INCR/(DECR)	Reason for Change	Developer Contri	Externally restricted	Internally restricted	Grants and Contri	Dep'n / Working Capital
CR05 007	Planned Stormwater Renewal Works		Funding transferred for stormwater investigation and CCTV at various					(200,000)
CR05 008	Reactive Stormwater Renewal Works		locations.					200,000
	l budget funding reallocation veen projects/ funding sources	-		-	-	-	-	-
Bud	lget funding reallocation (to)	/ from operati	ng budget					
CR05 127	Computers, Laptops and Mobile Devices - Replacements	13,396	Funding transferred from operating projects for new laptops.					13,396
CR05 070	Major Plant Renewal	3,900	Funding transferred from operating projects for a new boat trailer.			3,900		
	al budget funding reallocation / from operating budget	17,296		-	-	3,900	-	13,396
Incr	ease in capital works budget							
CR05 127	Computers, Laptops and Mobile Devices - Replacements	113,492	Additional funds required for Council Chambers display source upgrade and Councillor meeting room AV refresh.					113,492
CR05 065	Energy Savings Initiatives Program	51,044	Additional income from energy savings certificates.				51,044	
CN01 010	New Footpaths	1,305,217	Additional grant funding received for Turimetta Street, Mona Vale and Barrenjoey Road, Avalon.				1,305,217	
CN01 028	Bike Plan Implementation - New Works	417,527	Additional grant funding received for Addiscombe Road cycling.				417,527	
CN01 222	Active Transport Corridor Project	1,410,000	Additional grant funding received for stage 7 and 8 of the Pipeline Active Transport Corridor project.				1,410,000	



					sou	JRCE OF FU	NDS	
doſ	Job Description	Budget Variation + INCR/(DECR)	Reason for Change	Developer Contri	Externally restricted	Internally restricted	Grants and Contri	Dep'n / Working Capital
CR05 151	Clontarf Reserve Tidal Pool	252,500	Additional grant funding received to cover higher than expected project costs due to inflation and supply chain issues.				252,500	
CR05 157	Regional and Local Roads Repair Program	3,431,247	Additional grant funding received to repair damaged local and regional roads due to persistent rainfall and unprecedented wet weather conditions.				3,431,247	
CN01 211	Fern Creek Bridge and Shared Paths	213,108	Additional funding required for the design and construction of Fern Creek Pedestrian Bridge.	213,108				
CR05 000	Sportsfield Renewal Program	150,000	Additional grant funding received for Kitchener Park light upgrade.				150,000	
CN01 125	Long Reef Surf Life Saving Club	123,626	Additional funding required to complete the new gas connection to the club. Design variations also incurred with the building contractor.				123,626	
CR05 043	Sport Buildings Works Program	51,053	Additional funding required for Careel Bay Tennis Club bathroom upgrade.			51,053		
CR05 154	Cromer Depot Improvement Plan Works	555,175	Additional funding required for decontamination following asbestos removal.					555,175
CN01 017	Dee Why Town Centre – Construction – Phase 1	32,409	Additional funding required for completion of art installation at St David's Park.	32,409				
Tota bud	al increase in capital works get	8,106,398		245,517	-	51,053	7,141,161	668,667



					SOL	IRCE OF FU	NDS	
Job	Job Description	Budget Variation + INCR/(DECR)	Reason for Change	Developer Contri	Externally restricted	Internally restricted	Grants and Contri	Dep'n / Working Capital
Decr	ease in capital works budge	t						
	Ashley Pde, Fairlight New Playground	(38,394)	Project deferred to future years following Sydney Water occupation of the site.	(38,394)				
CR05 134	Commercial Centre Renewal	(115,555)	Project deferred to future years.		(115,555)			
CITOS	Planned Stormwater Renewal Works	(300,000)	South Collaroy Beach project rephased due to construction constraints and delays with design.					(300,000
Total budg	l decrease in capital works et	(453,949)		(38,394)	(115,555)	-	-	(300,000)
	ight forward from future yea	ars						
	Frenchs Forest Precinct Park Upgrades	245,790	Bring forward funding from 23/24 to fund additional design costs.				245,790	
	Cromer Depot Improvement Plan Works	153,000	Bring forward funding from 23/24 for decontamination following asbestos removal.					153,000
Total years	brought forward from future	398,790		-	-	-	245,790	153,000



SOURCE OF FU					SOL	JRCE OF FU	NDS	
Job	Job Description	Budget Variation + INCR/(DECR)	Reason for Change	Developer Contri	Externally restricted	Internally restricted	Grants and Contri	Dep'n / Working Capital
Roll	over to future years							
CN01 158	Library Local Priority Grant Purchases	(133,000)	Rephase project to fund Manly Library 24/7 access in 23/24.				(133,000)	
0.100	Planned Stormwater Renewal Works	(300,000)	Project deferred due to delays in construction of the Dee Why GPT.					(300,000)
CN01 011	New Traffic Facilities	(400,000)	Project deferred due to adverse weather and contractor availability issues.	(400,000)				
	Warriewood Valley – Traffic and Transport Infrastructure	(500,000)	Project deferred due to delays in the property acquisition process and the Mona Vale Road upgrade.	(500,000)				
CN01 141	Church Point Commuter Wharf Expansion	(310,000)	Project deferred due to delays in exhibition of the draft feasibility study.	(310,000)				
	Traffic Facility Delivery - Accelerated	(200,000)	Project deferred pending the community consultation on remaining of the project.				(200,000)	
	Queenscliff Headland Access Ramp	(600,000)	Project rephased to align with the grant variation timeline.				(600,000)	
	Active Transport Corridor Project	(2,400,000)	Project span extended to include the first quarter of 23/24.				(2,400,000)	
	Dee Why Beach Secure Bike Storage	(55,000)	Project deferred due to delays in project design and consultation.	(55,000)				
CR05 074	Tidal Pools Refurbishment	(300,000)	Works on Paradise pool deferred to align with Boating Now Grant Round 4.					(300,000)
CR05 075	Bridge Renewal Works	(400,000)	Oxford Falls Bridge renewal works rescheduled to late May-September.					(400,000)



					SOL	JRCE OF FU	NDS	
Job	Job Description	Budget Variation + INCR/(DECR)	Reason for Change	Developer Contri	Externally restricted	Internally restricted	Grants and Contri	Dep'n / Working Capital
0.001	Varriewood Beach Foreshore Jpgrades	(310,000)	Project deferred due to delays in finalising the design for Stage 1 including new retaining wall, shower area, bin hide and driveway.				(310,000)	
CR05 134 C	Commercial Centre Renewal	(59,933)	Rollover to 23/24 to align proposed Church Point commercial centre works with proposed road realignment works scheduled for winter 2024					(59,933)
Total	rollover to future years	(5,967,933)		(1,265,000)	-	-	(3,643,000)	(1,059,933)
TOTA	AL VARIATIONS	2,100,602		(1,057,877)	(115,555)	54,953	3,743,951	(524,870)
_	Budget	106,074,773						
_	Current Forecast	108,175,375						



Cash and investments

For the period 1 July 2022 to 31 December 2022

					Annual Bu	udget 2022/23	
	ACTUAL Balance 30 Sept 2021 \$'000	ACTUAL Balance 30 June 2022 \$'000	ACTUAL Balance 31 Dec 2022 \$'000	ORIGINAL Budget Balance 30 June 2023 \$'000	REVISED Budget Balance 30 June 2023 \$'000	Recommended changes for Council resolution \$'000	CURRENT Forecast Balance 30 June 2023 \$'000
Total cash and investments	171,530	157,937	193,184	99,267	130,520	14,844	145,364
represented by:							
Externally restricted							
Development contributions	29,622	36,457	41,726	22,486	33,409	2,754	36,163
Unexpended grants - not tied to liability	262	566	519	-	-	-	-
Domestic waste management	2,901	3,401	5,597	4,328	5,336	-	5,336
Stormwater management	150	570	510	202	210	-	210
Other - e/r	402	153	162	263	275	116	390
Total externally restricted	33,337	41,146	48,514	27,279	39,230	2,869	42,099
Internally restricted							
Deposits, retentions and bonds	13,749	15,380	15,380	13,749	15,380	-	15,380
Employee leave entitlements	7,633	7,026	7,026	7,833	7,026	-	7,026
Kimbriki landfill remediation	12,153	13,597	13,597	15,299	15,543	221	15,764
Manly Environmental Levy	1,822	1,532	1,522	1,400	1,400	-	1,400
Merger Savings Fund	3,529	1,699	1,655	60	684	-	684
Mona Vale Cemetery	5,025	7,245	7,328	5,222	7,394	89	7,483
Pittwater SRV	2,129	236	228	-	-	-	
Plant and fleet replacement	1,884	3,327	4,419	3,181	3,043	420	3,463
Unexpended grants - tied to liability	21,586	22,159	21,191	4,823	11,362	10,628	21,990
Stronger Communities Fund (I/R)	9,057	6,441	5,750	4,366	4,971	(59)	4,912
Other i/r	1,219	1,543	1,532	1,181	1,531	(109)	1,422
Total internally restricted	79,787	80,184	79,628	57,114	68,334	11,190	79,524
Total restricted cash and investments	113,124	121,330	128,142	84,393	107,564	14,059	121,623

Total unrestricted cash and 58,406 36,606 65,042 14,874 22,957 784 23,741 investments



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Cash flow statement

For the period 1 July 2022 to 31 December 2022

Original Budget 2022/23 \$'000		Actual For the period 1 Jul 2022 to 31 Dec 2022 \$'000	Actual 2021/22 \$'000
	Cash flows from operating activities		
	Receipts:		
234,351	Rates and annual charges	141,700	226,388
92,716	User charges and fees	41,928	84,291
1,055	Investment revenue and interest	1,406	1,182
38,403	Grants and contributions	29,212	56,649
6,416	Bonds, deposits and retentions received	3,721	7,098
41,663		22,365	45,656
	Payments:	,	
(146.571)	Employee benefits and on-costs	(70,860)	(137,235)
	Materials and services	(82,521)	(156,463)
	Borrowing costs	(1,332)	(1,142)
. ,	Bonds, deposits and retentions refunded	(2,440)	(5,466)
(19,766)		(10,922)	(30,930)
, ,	Net Cash provided (or used in) Operating Activities	72,257	90,028
1,427 (300,000)	Sale of investment securities Sale of infrastructure, property, plant & equipment <u>Payments:</u> Purchase of investment securities	141,183 762 (175,894)	338,038 3,734 (352,829)
	Purchase of infrastructure, property, plant and equipment	(34,708)	(76,755)
(82,418)	Net cash provided from (or used in) investing activities	(68,657)	(87,812)
			(07,012)
	Cash Flows from financing activities		(01,012)
_	Receipts:	_	(01,012)
-	<u>Receipts:</u> Proceeds from borrowings	-	
	<u>Receipts:</u> Proceeds from borrowings <u>Payments:</u>	-	-
(4,873)	<u>Receipts:</u> Proceeds from borrowings <u>Payments:</u> Repayment of borrowings	- (2,382) (634)	- (5,018)
(4,873) (1,228)	Receipts: Proceeds from borrowings Payments: Repayment of borrowings Principal component of lease payments	(624)	- (5,018) (1,269)
(4,873) (1,228) (40)	Receipts: Proceeds from borrowings Payments: Repayment of borrowings Principal component of lease payments Dividends paid to minority interests	(624) (58)	(5,018) (1,269) (38)
(4,873) (1,228) (40) (6,141)	Receipts: Proceeds from borrowings Payments: Repayment of borrowings Principal component of lease payments Dividends paid to minority interests Net cash provided from (or used in) financing activities	(624) (58) (3,064)	(5,018) (1,269) (38) (6,325)
(4,873) (1,228) (40) (6,141) (4,638)	Receipts: Proceeds from borrowings Payments: Repayment of borrowings Principal component of lease payments Dividends paid to minority interests Net cash provided from (or used in) financing activities Net increase/(decrease) in cash and cash equivalents	(624) (58) (3,064) 536	(5,018) (1,269) (38) (6,325) (4,109)
(4,873) (1,228) (40) (6,141) (4,638) 17,627	Receipts: Proceeds from borrowings Payments: Repayment of borrowings Principal component of lease payments Dividends paid to minority interests Net cash provided from (or used in) financing activities Net increase/(decrease) in cash and cash equivalents Cash and cash equivalents at beginning of reporting period	(624) (58) (3,064) 536 6,552	(5,018) (1,269) (38) (6,325) (4,109) 10,661
(4,873) (1,228) (40) (6,141) (4,638) 17,627	Receipts: Proceeds from borrowings Payments: Repayment of borrowings Principal component of lease payments Dividends paid to minority interests Net cash provided from (or used in) financing activities Net increase/(decrease) in cash and cash equivalents	(624) (58) (3,064) 536	(5,018) (1,269) (38) (6,325) (4,109)
(4,873) (1,228) (40) (6,141) (4,638) 17,627 12,989	Receipts: Proceeds from borrowings Payments: Repayment of borrowings Principal component of lease payments Dividends paid to minority interests Net cash provided from (or used in) financing activities Net increase/(decrease) in cash and cash equivalents Cash and cash equivalents at beginning of reporting period Cash and cash equivalents at end of reporting period	(624) (58) (3,064) 536 6,552 7,088	(5,018) (1,269) (38) (6,325) (4,109) 10,661 6,552
(4,873) (1,228) (40) (6,141) (4,638) 17,627 12,989 (27,817)	Receipts: Proceeds from borrowings Payments: Repayment of borrowings Principal component of lease payments Dividends paid to minority interests Net cash provided from (or used in) financing activities Net increase/(decrease) in cash and cash equivalents Cash and cash equivalents at beginning of reporting period	(624) (58) (3,064) 536 6,552	(5,018) (1,269) (38) (6,325) (4,109) 10,661



Northern Beaches Council Statement of Financial Position as at 31 December 2022

Original Budget 2022/23		Actual as at 31 December 2022	Actual as at 30 June 2022	Actual as at 31 December 2021
\$'000		\$'000	\$'000	\$'000
	ASSETS			
	Current Assets			
12,989	Cash and cash equivalents	7,076	6,552	10,087
85,437	Investments	185,393	150,625	157,576
16,220	Receivables	118,079	24,936	105,835
	Inventories	396	397	386
2,067	Prepayments	4,276	2,975	4,279
117,098	Total Current Assets	315,220	185,485	278,163
	Non-Current Assets			
842	Investments	714	760	777
1,097	Receivables	1,022	1,007	1,087
5,198,836	Infrastructure, property, plant and equipment	5,235,162	5,218,499	5,071,858
5,835	Investment properties	6,155	6,155	5,835
7,732	Right of use assets	8,452	9,110	9,814
5,214,342	Total Non-Current Assets	<u>5,251,505</u>	5,235,531	5,089,371
5,331,440	Total Assets	5,566,725	5,421,016	5,367,534
	LIABILITIES			
	Current Liabilities	00.454	45 000	00 504
,	Payables	39,151	45,393	36,521
,	Contract Liabilities	11,855	24,206	21,580
,	Lease Liabilities	614	1,238	662
	Borrowings	2,387	4,770	2,544
	Employee benefit provisions	36,443	35,553	38,958
	Provisions	1,428	759	1,533
90,132	Total Current Liabilities	91,878	111,919	101,798
	Non-Current Liabilities			
	Payables	100	150	150
,	Contract Liabilities	18,568	7,466	9,815
	Lease Liabilities	8,237	8,237	9,474
	Borrowings	12,539	12,538	17,293
	Employee benefit provisions	761	761	2,432
	Provisions	44,180	43,404	44,792
	Total Non-Current Liabilities	84,385	72,556	83,956
	Total Liabilities	176,263	184,475	185,754
5,170,736	Net Assets	5,390,462	5,236,541	5,181,780
	FOURTY			
1 204	EQUITY	1 2 2 4	1 204	1 160
	Non-controlling equity interests	1,321	1,304	1,168
	Accumulated surplus	5,081,524	4,927,620	5,001,383
	IPPE revaluation reserve Council equity interest	307,617	307,617	179,229
		5,389,141	5,235,237	5,180,612
5,1/0,/33	Total Equity	5,390,462	5,236,541	5,181,780



Contracts Listing

For the period 1 October 2022 to 31 December 2022

Contracts entered into during the three months to 31 December 2022 that exceed \$50,000 are detailed below:

Contract Number	Contractor's Name	Description	Total Value Ex GST(\$)	Actual Start Date	Expected Finish Date	Budgeted (Y/N)
	Terroir Pty Ltd	Manly Life Saving Club and Precinct Redevelopment Project – Architect Appointment	\$2,366,149	29/11/2022	28/11/2027	Y
2022/029	STEELWORKS ENGINEERING PTY LTD	Design and Construct of Fern Creek Pedestrian Bridge	\$618,310	25/10/2022	24/05/2023	Y
2022/065	Enviro-LCS Pty Ltd	Hygiene Services to Council Buildings	\$434,270	1/10/2022	30/09/2025	Y
2022/091	Rogers Construction Group Pty Ltd	Shelly Beach Public Amenities Renewal	\$739,568	29/11/2022	31/05/2023	Y
2022/093	Whittaker Civil Pty Ltd	Garden Street – Headwall Replacement	\$236,443	2/11/2022	1/05/2023	Y
2022/111	Landmark Products Ltd	Tygarah Bridge Renewal	\$308,190	21/12/2022	16/03/2023	Y
2022/112	REES Electrical Pty Ltd	Kitchener Park Lighting Renewal	\$376,000	25/10/2022	31/03/2023	Y
2022/113	Bayteck Pty Limited	Forestville Public Amenities	\$197,260	12/10/2022	31/05/2023	Y
2022/143	Apunga	Burnt Bridge Creek Bushland Restoration Contract	\$208,000	5/10/2022	16/06/2024	Y
2022/149	Waratah Eco Works	Seaforth-Balgowlah Heights Bushland Restoration Project	\$244,228	13/12/2022	30/09/2023	Y
2022/176	Dragonfly Environmental	Forestville Killarney Area Contract	\$274,500	27/10/2022	30/06/2025	Y
2022/177	Australian Bushland Restoration Pty Ltd	Jamieson Park Bush Regeneration & Hazard Reduction Contract	\$269,600	9/12/2022	1/06/2024	Y
2022/181	RP Infrastructure Pty Ltd	Mona Vale Community Cultural Precinct Operational Modelling	\$152,200	13/12/2022	12/05/2023	Y
2022/198	Meridian Urban Pty Ltd	Conservation Zones Review Public Exhibition Assistance	\$130,567	17/10/2022	30/06/2023	Y
2022/199	Vocus Pty Ltd	Starlink (backup network link)	\$1,160,000	16/12/2022	15/12/2024	Y
2022/204	National Trust Of Australia (NSW)	Belrose and Small Reserves Bush Regeneration Project	\$90,000	25/10/2022	16/06/2023	Y
2022/208	5	BorrowBox Digital Content for Library Services	\$125,000	11/10/2022	16/10/2023	Y
2022/212	Toolijooa Pty Ltd	Avalon Hazard Reduction	\$56,250	29/11/2022	16/05/2023	Y
2022/214	Empire Contracting Trust	Cromer Depot Asbestos Cleaning	\$200,000	20/12/2022	11/03/2023	Y
2022/219	Toolijooa Pty Ltd	Grevillea Caleyi and DFEC Bush Regeneration and Hazard Reduction Services	\$149,500	11/11/2022	16/06/2023	Y
2022/223	Toolijooa Pty Ltd	Scotland Island and Western Foreshore HR APZ BR	\$149,000	8/12/2022	16/06/2023	Y
2022/234	Artefact Heritage Services Pty Ltd	Little Manly Beach Archaeological Remains Management	\$200,300	24/11/2022	1/03/2023	Y
2022/239	RARE Environmental Pty Ltd	Little Manly Reserve Asbestos Works	\$85,000	6/12/2022	1/03/2023	Y
2022/245	JC Decaux Australia Pty Limited	Licence to Adbooth Pty Ltd for Third Party Advertising on existing Telstra Payphone booths	\$71,803	21/12/2022	31/12/2023	Y



Budget review of consultancy and legal expenses For the period 1 July 2022 to 31 December 2022

The table below discloses expenditure to date on consultancies and legal expenses:

Expense	1 July 2022 to 31 December 2022 \$	Budgeted (Y/N)
Consultancies	271,938	Y
Legal services	1,065,286	Y



December 2022 Quarterly Report - Stronger Communities Fund

PURPOSE

To provide a quarterly progress report to Council on the outcomes delivered and expenditure of funds from the \$36.1 million Stronger Communities Fund, as required by the conditions of the funding agreement until funds are spent.

EXECUTIVE SUMMARY

The Stronger Communities Fund (SCF) was established by the NSW Government to provide new councils with funding to kick-start the delivery of improved infrastructure and services to the community. Northern Beaches Council received \$36.1 million from the SCF for the following programs:

- Community Grants Program \$1 million
- Connecting Communities Program \$14 million
- Tied Grant Program \$21.1 million

A summary of the program of work and expenditure of the SCF to 31 December 2022 is below:

Pro	gram	SCF Funds	Status
Cor	nmunity Grants Program (SCF)	\$ 1,025,599*	Acquittal
Cor	nnecting Communities		
•	Cycleways	\$3,249,433	Acquittal
•	Pathways	\$ 5,741,618	Ongoing
•	Inclusive play	\$3,170,138	Acquittal
•	Active Play	\$2,000,000	Acquittal
	Sub Total	\$ 14,161,189*	
Tie	d Grants		
•	Pasadena	\$76,374	Acquittal
•	Wakehurst Parkway	\$1,011,785	Ongoing
•	Mona Vale – Performing Arts Centre	\$2,024,497	Ongoing
•	Mona Vale SLSC	\$4,422,500	Acquittal
•	Long Reef SLSC	\$3,226,000	Ongoing
•	Currawong Beach Heritage refurbishment	\$3,081,327	Acquittal
•	Nth Pittwater Foreshore improvements	\$1,920,000	Acquittal
•	Scotland Island Wastewater Feasibility Study	\$303,263	Acquittal
•	Nth Pittwater permanent Netball Courts	\$550,000	Acquittal
•	Newport SLSC	\$100,275	Acquittal
•	Barrenjoey Performance Space	\$1,050,000	Acquittal
	Sub Total	\$ 17,766,021	
Tot	al expenditure	\$ 32,952,809	

* The additional expenditure is interest earned on the grant funds



Projects with a status of 'acquittal' are in the process of being acquitted with the Office of Local Government and will no longer be reported as part of the SCF program in accordance with the conditions of the funding agreement. The progress of projects with a status of 'ongoing' are detailed below.

Connecting Communities Program - \$14 Million from SCF

The Connecting Communities Program is a multi-year program of works partially funded by SCF. The project still ongoing under this program is:

Sub-programs	Status
Connecting Northern Beaches – Coast Walk	Ongoing 7.3 kms delivered since the program commenced.
	Councillors to be briefed on the outcome of community consultation for the pedestrian link from Newport to Avalon.

Tied Grant Program \$21.1 Million

The Tied Grants Program commenced in October 2017 with the NSW Government allocating \$21.1 million for 11 specified projects. The remaining projects to be delivered under this program are:

Project	Status
Wakehurst Parkway flood	Ongoing
mitigation	The Wakehurst Parkway investigations are continuing; identifying and, if feasible, implementing options to reduce frequent flooding of the Wakehurst Parkway roadway. Works are progressing to detailed design.
	Works at The Bends site are in progress; peer and technical reviews of the options in conjunction with expert technical advisors and key stakeholders have been undertaken and options provided to reduce the environmental impact at that location. Potential planning approvals pathway for the proposed works has been identified.
	The options from all feasibility studies have now been collated to a draft Final Business Case.
Mona Vale Public School:	Ongoing
Regional Performing Arts Centre	A performance space is being built by the Department of Education at the Mona Vale Public School. Works on site are progressing however, the site has been significantly impacted by inclement weather. The building is likely to be completed in March 2023.
Long Reef Surf Life Saving	Ongoing
Club refurbishment	A final Occupation Certificate was issued 19 January 2023 with Practical Completion to follow pending completion of defects required for occupation. There will be some ongoing training as we hand over the building to the club.





MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held via Teleconference on

WEDNESDAY 21 DECEMBER 2022





21 DECEMBER 2022

Minutes of the Northern Beaches Local Planning Panel

held on Wednesday 21 December 2022

The public meeting commenced at 2.00pm and concluded at 3:09pm.

The deliberations and determinations commenced at 3:23pm following the public meeting and concluded at 4.45pm.

ATTENDANCE:

Panel Members

Annelise Tuor Kara Krason Robert Hussey Peter Cotton Chair Town Planner Town Planner Community Representative

The meeting considered Item 4.1 deferred from Northern Beaches Local Planning Panel meeting that was held on 16 November 2022. The Panel has visited the site personally, or electronically, been briefed by Council officers and has had regard to the assessment report, all accompanying documentation, submissions from the public and the Proponent and any supplementary reports.





21 DECEMBER 2022

1.0 APOLOGIES AND DECLARATIONS OF INTEREST

No apologies.

In accordance with Section 4.9 of the NSW Government Code of Conduct for Local Government Planning Panels, all members prior to the meeting on 16 November 2022 have signed a declaration of interest in relation to the item on the agenda. No conflicts of interest were disclosed.

2.0 MINUTES OF PREVIOUS MEETING

Nil.

3.0 Category 3 Applications

Nil.

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21 DECEMBER 2022

4.0 PUBLIC MEETING ITEMS

4.1 PEX2022/0001 - 10-12 BOONDAH ROAD, WARRIEWOOD - PLANNING PROPOSAL

PROCEEDINGS IN BRIEF

The proposal seeks to amend Pittwater Local Environmental Plan 2014 by rezoning the subject site from RU2 Rural Landscape to R3 Medium Density Residential and C2 Environmental Conservation, along with other amendments, to enable residential development comprising 40 dwellings in a 3-storey townhouse typology and 4 affordable housing dwellings for a period of 10 years in a manor home or 2-storey residential flat building typology.

The proposal was deferred from the meeting of 16 November 2022 'for the applicant to submit a response ... to the Supplementary Memo dated 14 November 2022, specifically items 2-6'.

At the public meeting which followed the deferral, the Panel was addressed by two (2) representatives of the applicant.

All additional information submitted to Council was considered, and the Panel's advice to Council is set out below:

RECOMMENDATION OF PLANNING PANEL

That the Northern Beaches Local Planning Panel recommend that Council **reject** the Proponent's Planning Proposal (Planning Proposal) for 10-12 Boondah Road, Warriewood and not forward it to the NSW Department of Planning and Environment for a Gateway determination, for the following reasons:

- A. The Planning Proposal has not demonstrated sufficient strategic merit or site-specific merit, and is inconsistent with the following elements of the strategic planning framework:
 - i. Greater Sydney Region Plan:

Objective 27: Biodiversity is protected, urban bushland remnant vegetation is enhanced Objective 36: People and places adapt to climate change and future shocks and stresses Objective 37: Exposure to natural and urban hazards is reduced.

ii. North District Plan:

Planning Priority N16: Protecting and enhancing bushland and biodiversity Planning Priority N22: Adapting to the impacts of urban and natural hazards and climate change

iii. Towards 2040 Local Strategic Planning Statement for the Northern Beaches:

Priority 1: Healthy and valued coast and waterways Priority 2: Protected and enhanced bushland and biodiversity Priority 8: Adapted to the impacts of natural and urban hazards and climate change Priority 15: Housing supply, choice and affordability in the right locations

iv. Warriewood Valley Strategic Review Addendum Report adopted 17 November 2014 and amended 19 December 2017 by Northern Beaches Council and incorporated in Clause 6.1 Warriewood Valley Release Area of the Pittwater Local Environmental Plan 2014.

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21 DECEMBER 2022

v. Local Planning Directions issued by the Minister for Planning:

Local Planning Direction 4.1: Flood Prone Land Local Planning Direction 4.2 Coastal Management Local Planning Direction 4.4: Planning for Bushfire Protection

- B. The NSW State Emergency Service (SES) has raised significant concerns in relation to flood risk, and has indicated it does not support rezonings to enable development on the floodplain with risk management strategies that rely on early evacuation, private alarm systems, shelter in place, and transfer of residual risk in terms of emergency response to the SES, thereby increasing demands on SES resourcing and capabilities and potentially increasing risk to life, health and property for both existing and future communities.
- C. The Planning Proposal seeks to rezone land within the flood planning area and insufficient information has been provided to demonstrate that the proposed development will not:
 - i. result in a net loss of flood storage in the floodplain;
 - ii. result in significant adverse impacts to other properties;
 - iii. result in an increased requirement for government spending on emergency management services, flood mitigation and emergency response measures;
 - iv. adversely affect the safe occupation and efficient evacuation of people; and
 - v. place people and property at unacceptable risk at the event of a major flood.

The Panel notes that further information has been provided by the applicant following the completion of the Supplementary Memo No 2, and this should be incorporated into the report to Council on the Planning Proposal.

- D. The Planning Proposal is inconsistent with the objectives of Clause 5.21 Flood Planning of *Pittwater Local Environmental Plan 2014*.
- E. The Planning Proposal is likely to result in unacceptable impacts on biodiversity, particularly in respect of:
 - i. failure to site and design development to avoid and minimise impacts to biodiversity;
 - ii. removal of the full extent of remnant Bangalay Sand Forest, an Endangered Ecological Community of significant biodiversity value, as well as impacts to threatened species habitats, reduction in local wildlife connectivity, and potential for altered flow regimes to impact groundwater dependent ecosystems;
 - iii. uncertainty with regards to Biodiversity Certification and, given that offset obligations are not available in the Northern Beaches, the likelihood of a net loss of local biodiversity;
 - iv. failure to exclude from development all of the mapped Coastal Wetland;
 - v. failure to provide an adequate 15 metre wide landscaped buffer, exclusive of the bushfire asset protection zone, to protect the adjacent wetlands; and
 - vi. inadequate groundwater investigation and water quality monitoring to demonstrate adequate management of impacts on the downstream environment and the wetland.
- F. The Planning Proposal does not comply with Council's Affordable Housing Policy as it only offers dwellings as affordable housing for a period of 10 years, and it fails to include a suitable mechanism to include the site in the *Affordable Housing Contributions Scheme*.

Page 5 of 8





21 DECEMBER 2022

G. The proposed 15m maximum building height is not commensurate with the proposed 3 storey townhouses and could enable a scale of built form that is out of character with the area.

The Panel notes that this may be able to be clarified but is not formally part of the Planning Proposal.

H. The proposed C2 zoning of land could trigger acquisition obligations for Council.

The Panel notes that this may be able to be clarified if the Planning Proposal was to progress.

Vote: 4/0

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northern beaches council MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

21 DECEMBER 2022

5.0 NON PUBLIC MEETING ITEMS

Page 7 of 8

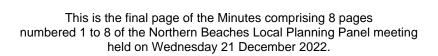
21 DECEMBER 2022



northern

beaches council

> northern beaches council



Page 8 of 8





Our Ref: ID 1708 Your Ref: PEX2022/0001

6 February 2023

Northern Beaches Council PO Box 82 Manly NSW1655

Dear Paula,

Planning Proposal for 10-12 Boondah Road Warriewood

Thank you for the opportunity to provide further advice on the Planning Proposal for 10-12 Boondah Road Warriewood. It is understood that the planning proposal seeks to:

- rezone the site from RU2 Rural Landscape to R3 Medium Density Residential and C2 Environmental Conservation
- increase the maximum building height from 8.5m to 15m over the R3 zoned land
- remove the minimum subdivision lot size
- amend the Urban Release Area Map and clause 6.1(3) to apply a dwelling yield range of 40-45 dwellings.

NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunami in NSW. This role includes, planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

The consent authority will need to ensure that the planning proposal is considered against the relevant Ministerial Section 9.1 Directions, including 4.3 – Flood Prone Land and is consistent with the NSW Flood Prone Land Policy as set out in the NSW Floodplain Development Manual, 2005 (the Manual). Complementary to our previous correspondence dated 31, we would like to provide the following advice in relation to our role and the principles outlined in the Manual:

 Zoning should not enable development that will result in an increase in risk to life, health or property of people living on the floodplain.



STATE HEADQUARTERS

93 - 99 Burelli Street, Wollongong 2500 PO Box 6126, Wollongong NSW 2500 P (02) 4251 6111 F (02) 4251 6190 www.ses.nsw.gov.au ABN: 88 712 649 015





- Risk assessment should consider the full range of flooding, including events up to the Probable Maximum Flood (PMF) and not focus only on the 1% AEP flood.
- Risk assessment should have regard to flood warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes.

We understand that the applicant believes that they have correctly applied Flood Risk Management Guide EM01 (Figure 20, p.59). Firstly, this guideline is still draft, unfortunately the exhibition page of the website did not have the draft stamp. Nevertheless, NSW SES does not agree that the applicant has satisfied the conditions outlined in the Guide EM01, as detailed below:

The proposed development is a Low Flood Island

Noting that Boondah Road will be raised to the level of 1% AEP plus climate change, this area will still be a Low Flood Island. Low Flood Islands represent the highest risk to life.

The proposed development does not have sufficient time to evacuate

There is not sufficient time to evacuate, given there is no formal warning system in the catchment. The Flood Planning Assessment identifies 4.5 hour travel time as "significant". Based on research, including <u>Opper et al 2010</u> and a number of <u>publications</u> on the NSW SES website and recent post flood surveys, 4.5 hours is generally an insufficient amount of time to enact evacuation successfully.

This site is also not an area that is warned to by the Bureau of Meteorology. It is noted that a sensor is proposed to warn the community (Water Management Report).

The NSW SES issues warnings that describe the expected consequences for communities and what impacted people should do. Forecasts and flood warnings from the Bureau of Meteorology, flood plans, historical impact data and community sourced input are all used to determine the types of warnings issued. The NSW SES adopted the Australian Warning System (AWS) in September 2022; a hazard-agnostic, three-tiered warning system to encourage a nationally consistent approach to warnings for natural hazards. The warning system comprises warning levels, calls to action, hazard icons, colours and shapes, and was endorsed by the Australia New Zealand Emergency Management Committee (ANZEMC) in March 2021. All warnings issued by the NSW SES are considered official warnings and will be viewed on the SES website and HazardWatch. If the early warning system is pursued, the Australian Warning System terminology will not be able to be adopted unless it is an established warning system within the NSW SES framework.

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It is stressed that although warning technology applications could be developed, they cannot be relied upon to guarantee a faster response from the community. In the planning context the NSW SES argues for the warning time frame for a development to be determined on the assumption that every dwelling must also be warned by an NSW SES team knocking on the door. No matter how many warning technologies are used, door knocking is the only way of ensuring everyone has been warned. Any time advantage is gained by the application of warning technology should be considered as a safety factor, not a potential for increasing the scale of the development and simply wiping out the safety factor with more risk exposure.

Early warning systems will still need to rely on a trigger to evacuate prior to inundation occurring. There is considerable historical evidence that some people, occasionally in large numbers, will not heed the call to evacuate early and will instead wait until they see floodwater in their immediate vicinity. In doing so it is possible that people will not have sufficient time to get off the site before floodwater encroaches around their dwelling or workplace. In addition, if the forecast height does not result, then there is an effect on subsequent evacuation compliance rates due to the "cry wolf" effect.

The proposed modifications do not address the evacuation constraints

The proposed development would need to evacuate prior to the roads being closed. The broader area also needs to be considered, as all other routes out of the area will be closed prior to Boondah Road (after the proposed upgrade) is flooded, for example, Macpherson Street to the north and to the east, Brands Lane and Garden Street. Therefore, the future occupants will still not be able to self-evacuate.

- In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES's principles for evacuation. Future development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community.
- Evacuation must not require people to drive or walk through flood water.
- Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation.

Section 7.4 of the Flood Planning Assessment identifies the option for shelter in place and a complex and high risk strategy detailed on page 54 of the Water Management Report.

'Shelter in place' strategy is not an endorsed flood management strategy by the NSW SES for future development. Such an approach is only considered suitable to allow existing dwellings that are currently at risk to reduce their risk, without increasing the number of people subject to such risk.





The flood evacuation constraints in an area should not be used as a reason to justify new development by requiring the new development to have a suitable refuge above the PMF. Allowing such development will increase the number of people exposed to the effects of flooding.

Other secondary emergencies such as fires (exacerbated by lack of electricity and difficult to extinguish due to isolation) and medical emergencies may occur in buildings isolated by floodwater. During flooding it is likely that there will be a reduced capacity for the relevant emergency service agency to respond in these times. Even relatively brief periods of isolation, in the order of a few hours, can lead to personal medical emergencies that have to be responded to. The occupants are also likely to be without water, sewerage, electricity, communications and other services. These factors can impose additional loads on emergency services during floods. For these reasons, shelter in place is a last resort alternative. In addition, this particular site is adjacent to the sewer treatment works, which is likely to result in contaminated floodwater surrounding the development.

- Development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES.
- The NSW SES is opposed to the imposition of development consent conditions requiring private flood evacuation plans rather than the application of sound land use planning and flood risk management.

Although we encourage businesses and homes to be prepared for flooding, NSW SES is the legislated authority responsible for ordering flood evacuation. This responsibility cannot be transferred to a reliance on a private evacuation plan.

It should also be noted that the Manual (see sections 3.6, A-5, L-5, L-6.9.6 and N-7) specifically precludes the practice of consent conditions requiring a site plan if that plan is trying to overcome an underlying flood risk that would otherwise be considered too high to permit approval. In other words, if the existence of a flood plan is ignored, is the underlying flood risk unacceptable in the context of the proposed development.

This work is labour intensive and like community flood education must be regularly reviewed and updated for the life of the development. This should include what will be established to ensure ongoing compliance. It is common for consent conditions to be met in the development/construction phase, but not as common for ongoing management to be continued.

 NSW SES is opposed to development strategies that transfer residual risk, in terms of emergency response activities, to NSW SES and/or increase capability requirements of the NSW SES.

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 Consent authorities should consider the cumulative impacts any development will have on risk to life and the existing and future community and emergency service resources in the future.

You may also find the following Guidelines, originally developed for the Hawkesbury Nepean Valley and available on the NSW SES website useful:

- Reducing Vulnerability of Buildings to Flood Damage
- Designing Safer Subdivisions
- Managing Flood Risk Through Planning Opportunities

Please feel free to contact Elspeth O'Shannessy via email at rra@ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours Sincerely

Peter Cinque Senior Manager, Emergency Risk Management NSW State Emergency Service

www.ses.nsw.gov.au



	Summary of Issues Raised in Submissions - Planning Proposal PEX 2022/0001
1.	Green space, population density, traffic, impact on wildlife and environment, disruption from construction
2.	Impact on wildlife and environment including wetland, traffic and road safety, need for accessible footpaths
3.	Green space, traffic, rural areas poor presentation
4.	Building height, out of character, lack of cohesion with surrounding development and landscape
5.	Potential increase in run-off and flooding of nearby properties, negative impact on property values, need for master-planning for development of other properties along Boondah Rd to fulfil housing and ageing in place strategies, noise impacts from playground.
	Note: submitter is supportive of proposal.
6.	Potential increase in run-off and flooding of nearby properties, negative impact on property values and amenity, need for master-planning for development of other properties along Boondah Rd.
	Note: submitter is supportive of proposal.
7.	Opposed to affordable housing
8.	Flooding impacts, roads cut off by floodwater, dangerous bend in road, green space as extension of sporting fields needed





northern beaches council

PLANNING PROPOSAL

Amendments to Pittwater Local Environmental Plan 2014 (PLEP 2014)

6 Mitchell Road, Palm Beach

November 2022



4

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Executive Summary

Overview

This Planning Proposal seeks a site-specific amendment to the Pittwater Local Environmental Plan (LEP) 2014 for 6 Mitchell Road Palm Beach, to include:

- the additional permitted use of "dwelling house" on a portion of the site at 6 Mitchell Road, Palm Beach currently zoned RE1 Public Recreation, and
- a maximum building height of 74.5AHD for any future residential development on 6 Mitchell Road.

The additional clause in Schedule 1 of the LEP should read to the following effect: Use of certain land at 6 Mitchell Road, Palm Beach

- 1) This clause applies to land at 6 Mitchell Road, Palm Beach, being Lot 1. DP1086858 and identified as "Area 25" on the Additional Permitted Uses Map.
- Development on the part of 6 Mitchell Road, Palm Beach zoned RE1 for the purposes of a dwelling house, not exceeding RL 74.5AHD in height, is permitted with development consent.
- 3) The height limit restriction of RL 74.5AHD also applies to the remainder of 6 Mitchell Road, Palm Beach, currently zoned C4.
- 4) Subject to the restriction imposed by clause 3, the remainder of 6 Mitchell Road, Palm Beach continues to be subject to the development height controls in clause 4.3 of the Pittwater Local Environmental Plan.

The site directly adjoins and partially forms a part of the locally listed heritage item "The Bible Garden" at 6a Mitchell Road, Palm Beach as identified within the Pittwater Local Environmental Plan (LEP) 2014. A small portion of the subject site forms part of the heritage listing however it is predominantly located on 6a Mitchell Road to the south of the site. The site has a split zoning of C4 Environmental Living and RE1 Public Recreation pursuant to the Pittwater LEP 2014.

On 9 February 2004, a contract was entered into between Pittwater Council and the Trustees of the Bible Garden Memorial Trust in their capacity as owners of 6 Mitchell Road, Palm Beach (the Heads of Agreement Contract). The Heads of Agreement Contract enabled investigation of subdivision of the Original Lot to enable residential development on the Property and to allow the Bible Garden to continue in perpetuity.

On 30 March 2007 the Pittwater Local Environmental Plan (LEP) 1993 was amended to:

Rezone 6a Mitchell Road, Palm Beach (Lot 2 DP 1086858) (The Bible Garden) from Zone No 2 (a) (Residential "A") to Zone No 6 (a) (Existing Recreation "A") under Pittwater Local Environmental Plan 1993, and to allow land uses permissible under the relevant plan of management for the remaining land to which this plan applies.

The rezoning ensured the Bible Garden located at 6a Mitchell Road, Palm Beach was zoned for recreation purposes and the remainder of the site (6 Mitchell Road, Palm Beach) could be used for residential purposes in line with the subdivision and Heads of Agreement Contract.



On 26 June 2014, Pittwater LEP 1993 was repealed and the Pittwater LEP 2014 came into force. The subject site was rezoned under the Pittwater LEP 2014 as follows:

- 6a Mitchell Road, Palm Beach RE1 Public Recreation; and
- 6 Mitchell Road, Palm Beach part C4 Environmental Living and part RE1 Public Recreation.

The adoption of Pittwater LEP 2014 resulted in a split zoning for the subject site. The split zoning is inconsistent with the intent of the subdivision and rezoning of the site as agreed to under the Heads of Agreement Contract as it prohibited residential development on the portion of the site zoned RE1.

The Heads of Agreement Contract clearly detailed that the future lot (Lot 1 DP1086858) would be for residential purposes and detailed it as an indicative location for a garage with a viewing platform above for use by the Bible Garden as identified in the Concept Plans provided in Annexure H of the Heads of Agreement Contract.

Dwelling houses are prohibited in the RE1 zone and therefore the southern portion of site cannot accommodate any residential development or associated structures. The subject planning proposal therefore seeks to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract.

This Planning Proposal outlines the intended effects of the proposed LEP amendments to Pittwater LEP 2014 and provides justification for the proposed changes.

This Planning Proposal has been prepared in accordance with:

- Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act); and
- The Department of Planning 'Local Environmental Plan Making Guideline.'.

It is the first stage of the Planning Proposal which seeks the initial Department of Planning and Environment gateway determination to:

- Support the justification for the proposal;
- Confirm the technical investigations and consultation required; and
- Outline the process for continuing the assessment of the proposal.

As outlined in a 'Local Environmental Plan Making Guideline', the Planning Proposal will evolve throughout the course of preparing the amending LEP as relevant sections will be updated and amended in response to the outcomes of technical investigations and consultation.

The proposal is considered to have a high level of strategic merit based on the following key areas:

6



- It will facilitate the future intended residential development of the site as envisaged by Council and the Trustees of the Bible Garden;
- It will enable appropriate residential development that recognises the heritage significance of the site and surrounding area; and
- It will not adversely impact on the ecological, cultural or scenic significance of the site and surrounding area.

This Planning Proposal is accompanied by a suite of documents prepared by the applicant and considered by Council in its assessment of the planning proposal.

7



Land to Which this Planning Proposal Applies

The subject site is located on the northern side of Mitchell Road to the south of Florida Road. The site is commonly known as 6 Mitchell Road, Palm Beach and legally described as Lot 1, DP 1086858. The site comprises a battle-axe lot with an area of approximately 695.1m². The site is accessed via a shared driveway from Mitchell Road to the south of the site.

The site significantly slopes to the north with a slope of approximately 34 degrees and has views to Palm Beach to the north east of the site. The site currently contains an existing dwelling located beneath the shared driveway.

The site directly adjoins and partially forms a part of the locally listed heritage item "The Bible Garden" at 6a Mitchell Road, Palm Beach as identified within the Pittwater Local Environmental Plan (LEP) 2014.

The site sits within an established low density residential and environmental living area characterized by low density residential dwellings designed to respond to the topography and existing vegetation in the area.

The site's locational context is shown at **Figures 1 & 2** below.

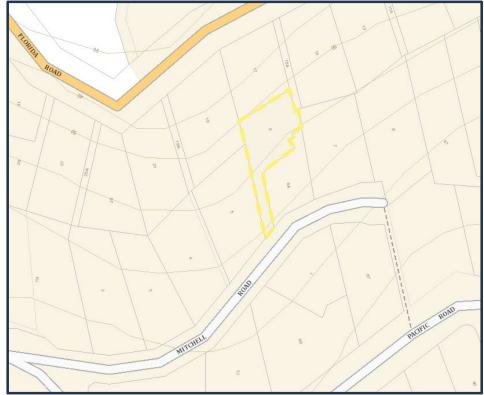


Figure 1: Locality Plan demonstrating the site outlined in yellow (Source – NSW Planning Portal)





Figure 2: Site Aerial with the subject site outlined in yellow (Source: NSW Planning Portal)

Existing Zoning

The site is situated within the Northern Beaches Local Government Area (LGA) and part of the former Pittwater Council. The proposal is subject to the provisions of the Pittwater Local Environmental Plan (LEP) 2014. The site is zoned C4 Environmental Living and RE1 Public Recreation pursuant to the Pittwater LEP, as shown in **Figure 3**.

The site directly adjoins and partially forms a part of the locally listed heritage item "The Bible Garden" at 6a Mitchell Road, Palm Beach as identified within the Pittwater Local Environmental Plan (LEP) 2014. A small portion of the subject site forms part of the heritage listing however it is predominantly located on 6a Mitchell Road to the south of the site as detailed in **Figure 4**.



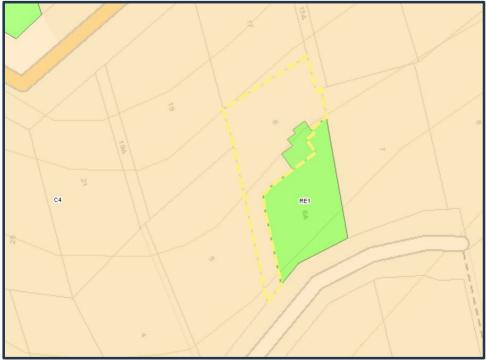


Figure 3: Map showing the land zoning of the subject site (Source: NSW Planning Portal)

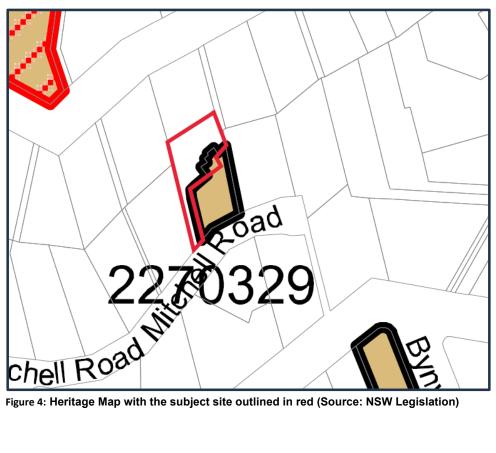


Figure 4: Heritage Map with the subject site outlined in red (Source: NSW Legislation)

10



Proposed Amendments

The intent of the subject Planning Proposal is to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract.

In summary the project objectives and intended outcomes will achieved by:

- Amend the Pittwater LEP 2014 Additional Permitted Uses Map for the subject site 6 Mitchell Road, Palm Beach (Sheet APU_015) to identify the site for additional permitted uses referenced in Schedule 1 of Pittwater LEP 2014.
- Amend Schedule 1 of the Pittwater LEP 2014 to include a provision for 6 Mitchell Road Palm Beach to limit any future residential development on the site so it does not exceed a height of 74.5 AHD, and permit development for the purposes of a dwelling house on that portion of the site zoned RE1 Public Recreation.

The additional clause in Schedule 1 of the LEP should read to the following effect:

Use of certain land at 6 Mitchell Road, Palm Beach

- 1) This clause applies to land at 6 Mitchell Road, Palm Beach, being Lot 1. DP1086858 and identified as "Area 25" on the Additional Permitted Uses Map.
- Development on the part of 6 Mitchell Road, Palm Beach zoned RE1 for the purposes of a dwelling house, not exceeding RL 74.5AHD in height, is permitted with development consent.
- 3) The height limit restriction of RL 74.5AHD also applies to the remainder of 6 Mitchell Road, Palm Beach, currently zoned C4.
- 4) Subject to the restriction imposed by clause 3, the remainder of 6 Mitchell Road, Palm Beach continues to be subject to the development height controls in clause 4.3 of the Pittwater Local Environmental Plan.

The proposal is considered to have a high level of strategic merit based on the following key areas:

- It will facilitate the future intended residential development of the site as envisaged by Council and the Trustees of the Bible Garden;
- It will enable appropriate residential development that recognises the heritage significance of the site and surrounding area; and
- It will not adversely impact on the ecological, cultural or scenic significance of the site and surrounding area.

The applicant and landowner, Roger Bain, had submitted Concept Plans with the application to demonstrate how the full site could be developed for residential purposes within the height limit of 74.5AHD once the planning proposal is approved. Council reviewed the concept plans and found that a future residential development can be reasonably accommodated below the 74.5AHD height level. These concept plans however, are not being referenced in the proposed amendments to Pittwater LEP 2014.



PART 1 – Objectives and Intended Outcomes

The intent of the subject Planning Proposal is to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract.

The site has a split zoning of C4 Environmental Living and RE1 Public Recreation pursuant to the Pittwater LEP 2014. Dwelling houses are prohibited in the RE1 zone and therefore the southern portion of site cannot accommodate any residential development or associated structures. The subject planning proposal therefore seeks to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site to facilitate future residential development.

Site History, Project Context and Intended Outcomes

The site directly adjoins and partially forms a part of the locally listed heritage item "The Bible Garden" at 6a Mitchell Road, Palm Beach as identified within the Pittwater Local Environmental Plan (LEP) 2014.

The Bible Garden at Palm Beach was founded by Gerald H. Robinson in 1962. From the 1970s, Mr Robinson established the garden by using plants in the Bible's Old and New Testaments. Mr Robinson terraced the steep site and created garden beds himself. By trust deed dated 5 April 1972 GH Robinson settled the Bible Garden in a charitable trust for the construction, use and maintenance of the Bible Garden for all Christians.

A dwelling was constructed on the northern portion of the site beneath the shared driveway in 1972. In 1972 the founder's daughter and a trustee of the Bible Garden Memorial Trust, Deaconess Beatrice Violet Robinson, became the curator of the Bible Garden, living in the dwelling under the driveway and maintaining the Bible Garden for public enjoyment. This house was occupied by Deaconess Beatrice Violet Robinson until her death in 1994.

Following the death of Deaconess Beatrice Violet Robinson, the Trustees of the Bible Garden sought to subdivide the site to form two allotments, with the sale of the residential portion of the land to fund other trust projects and the ongoing conservation of the Bible Garden.

The proposed subdivision submitted to the then Pittwater Council (now Northern Beaches Council) included the provision for a new garage for the residence at 6 Mitchell Road and the provision for a viewing deck, accessible from the Bible Garden on the roof of the new garage.

On 9 February 2004, a contract was entered into between Pittwater Council and the Trustees of the Bible Garden Memorial Trust in their capacity as owners of 6 Mitchell Road, Palm Beach (the Heads of Agreement Contract). The Heads of Agreement Contract enabled investigation of subdivision of the Original Lot to enable residential development on the Property and to allow the Bible Garden to continue in perpetuity. The Heads of Agreement Contract acknowledged that the boundary between the Property and the Bible Garden was chosen to provide space for the "eventual two car garage" on the Property, and that any approved



subdivision would have to enable the construction of the two-car garage as shown on the concept plans (Annexure H of The Heads of Agreement Contract).

The subdivision of the site utilised the existing cliff face and steep topography of the site to form the two lots which ensured the subdivision did not impact the existing bible garden use of the site. As outlined in the Heads of Agreement Contract The trustees of the Bible Garden propose to subdivide 6 Mitchell Road so as to create separate lots for the existing Bible Garden and residential uses of the land:

- The Bible Garden area (lot 2) would be vested in Pittwater Council as community land, being zoned 'Public Reserve (Bible Garden)', included as a heritage item in Pittwater Local Environmental Plan and managed by the incorporated association 'Friends of the Bible Garden Memorial'. Council would recognise the committee of the Friends as a committee of Council.
- The remainder of 6 Mitchell Road (lot 1) would continue to be used for residential purposes, and subject to development parameters consistent with protection of the view from the Bible Garden.

The Planning Process identified in Annexure K of the Heads of Agreement Contract identified the planning proposal to achieve the above subdivision as follows:

- 1. Public Exhibition of Draft Heads of Agreement;
- 2. Signing of Heads of Agreement;
- 3. Lodgement of Applications Concurrent lodgment of Development Application (DA) for subdivision, SEPP 1 submission, and application for amendment of Development Control Plan / Locality Plan (DCP), including:
 - public reservation of Bible Garden area (based on cultural, heritage and environmental attributes)
 - development parameters for the residential lot (for incorporation in DCP) as per concept sketches (Annexure H) and discussion of compliance with council requirements (Annexure I)
- 4. Public Exhibition Public exhibition of DA, draft DCP, draft plan of management of the Bible Garden as community land.
- 5. Approvals
 - granting of development consent for subdivision
 - public reservation of Bible Garden area
 - draft DCP adopted
 - resolution that the Bible Garden area will be classified as "community land" upon dedication to Council
 - o obtain Sydney Water certificate
 - lodgment with Land and Property Information of subdivision plans endorsed with Council's subdivision certificate.

On 30 March 2007 the Pittwater Local Environmental Plan (LEP) 1993 was amended to:

rezone 6a Mitchell Road, Palm Beach (Lot 2 DP 1086858) (The Bible Garden) from Zone No 2 (a) (Residential "A") to Zone No 6 (a) (Existing Recreation "A") under Pittwater Local Environmental Plan 1993, and to allow land uses permissible under



the relevant plan of management for the remaining land to which this plan applies.

The rezoning ensured the bible garden located at 6a Mitchell Road, Palm Beach was zoned for recreation purposes and the remainder of the site (6 Mitchell Road, Palm Beach) could be used for residential purposes in line with the subdivision and Heads of Agreement Contract.

On 26 June 2014 Pittwater LEP 1993 was repealed and the Pittwater LEP 2014 came into force. The subject site was rezoned under the Pittwater LEP 2014 as follows:

- 6a Mitchell Road, Palm Beach RE1 Public Recreation; and
- 6 Mitchell Road, Palm Beach part C4 Environmental Living and part RE1 Public Recreation.

The adoption of Pittwater LEP 2014 resulted in a split zoning for the subject site as identified in **Figure 5** below.

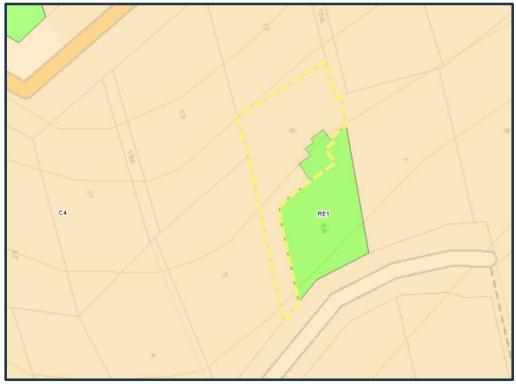
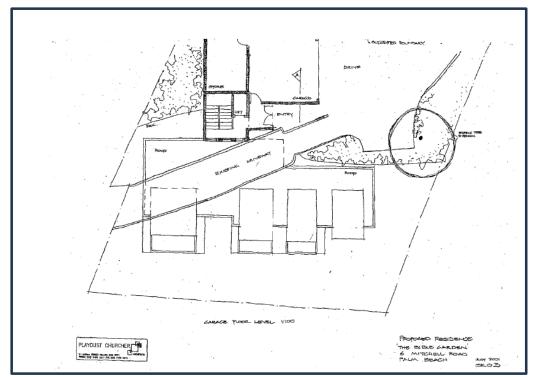


Figure 5: Map showing the land zoning of the subject site (Source: NSW Planning Portal)

The split zoning is inconsistent with the intent of the subdivision and rezoning of the site as agreed to under the Heads of Agreement Contract as it prohibited residential development on the portion of the site zoned RE1.

The Heads of Agreement Contract clearly detailed that the future lot (Lot 1 DP1086858) would be for residential purposes and detailed it as an indicative location for a garage with a viewing





platform above for use by the Bible Garden as identified in the Concept Plans provided in Annexure H of the Heads of Agreement Contract and detailed in **Figure 6-8** below.

Figure 6: Concept Architectural Plans Detailing location of Garage on southern portion of 6 Mitchell Road (Source: Heads of Agreement Contract 2004)



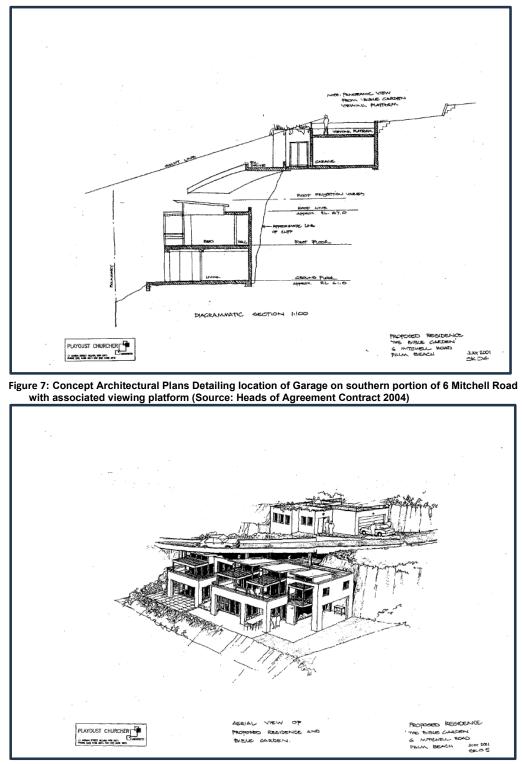


Figure 8:Concept Architectural Plans Detailing location of Garage on southern portion of 6 Mitchell Road with associated viewing platform (Source: Heads of Agreement Contract 2004)



Dwelling houses are prohibited in the RE1 zone and therefore the southern portion of site cannot accommodate any residential development or associated structures. The subject planning proposal therefore seeks to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract.

Strategic Merit

A key consideration for any Planning Proposal is its strategic merit. The proposal is considered to have a high level of strategic merit based on the following key areas:

- It will facilitate the future intended residential development of the site as envisaged by Council and the Trustees of the Bible Garden;
- It will enable appropriate residential development that recognises the heritage significance of the site and surrounding area; and
- It will not adversely impact on the ecological, cultural or scenic significance of the site and surrounding area.

Future intended residential development of the site as envisaged by Council and the Trustees of the Bible Garden

The proposal is deemed to have strategic merit in that it will ensure the site can be developed in line with the intended use and development outlined in the Heads of Agreement Contract. The subdivision and future development outlined in the Heads of Agreement Contract allowed the development of the subject site for residential purposes without impacting on the adjoining heritage item and ensuring they could coexist through appropriate design that responded to the natural characteristics of the site.

The planning proposal will allow the subject site to facilitate the development envisaged in the Heads of Agreement Contract and resolve the key issues associated with the split zoning of the site. As discussed earlier, Council reviewed the concept plans submitted to demonstrate how a future residential development can be accommodated below the 74.5AHD height level and deemed this reasonable. These concept plans however, are not being referenced in the proposed amendments to Pittwater LEP 2014.

Enable appropriate residential development that recognises the heritage significance of the site and surrounding area

A key consideration in the preparation of the proposal was heritage impacts and the proposal has been designed to ensure it will not result in any adverse impacts on the adjoining heritage item as outlined in the Heritage Impact Statement (submitted with the application) and the redevelopment of the site envisaged in the Heads of Agreement Contract. This will be achieved based on the topography of the site and the low scale garage development envisaged for the southern portion of the site in the Heads of Agreement Contract.



No adverse impact on the ecological, cultural or scenic significance of the site and surrounding area

The proposal has been designed to ensure that any future development on the site will be designed to ensure there are no adverse impacts on the adjoining public open space or the ecological, cultural or scenic significance of the surrounding landscape. The following specialist studies have been prepared in support of the proposal and submitted with the application to ensure all potential impacts are minimised and appropriately managed:

- Flora and Fauna Assessment
- Arborist Report
- Geotech Report.

The proposal will facilitate future sustainable residential development designed to protect and enhance the natural environment and surrounding landscape.

PART 2 – Explanation of Provisions

In summary the project objectives and intended outcomes will achieved by:

- A. Amend the Pittwater LEP 2014 Additional Permitted Uses Map for the subject site 6 Mitchell Road, Palm Beach (Sheet APU_015) to identify the site for additional permitted uses referenced in Schedule 1 of Pittwater LEP 2014.
- B. Amend Schedule 1 of the Pittwater LEP 2014 to include a provision for 6 Mitchell Road, Palm Beach.

The additional clause in Schedule 1 of the LEP should read to the following effect:

Use of certain land at 6 Mitchell Road, Palm Beach

- 1) This clause applies to land at 6 Mitchell Road, Palm Beach, being Lot 1. DP1086858 and identified as "Area 25" on the Additional Permitted Uses Map.
- Development on the part of 6 Mitchell Road, Palm Beach zoned RE1 for the purposes of a dwelling house, not exceeding RL 74.5AHD in height, is permitted with development consent.
- 3) The height limit restriction of RL 74.5AHD also applies to the remainder of 6 Mitchell Road, Palm Beach, currently zoned C4.
- 4) Subject to the restriction imposed by clause 3, the remainder of 6 Mitchell Road, Palm Beach continues to be subject to the development height controls in clause 4.3 of the Pittwater Local Environmental Plan.

PART 3 – Justification of Strategic and Site-Specific Merit

This section establishes the reasons for the proposed outcomes of the planning proposal and proposed amendments of the LEP. It addresses the key questions to be considered when demonstrating the justification as outlined in the Local Environmental Plan Making Guideline.



The key questions outlined relate to the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

A. NEED FOR PLANNING PROPOSAL

The intent of the subject Planning Proposal is to facilitate residential development across the whole site at 6 Mitchell Road, Palm. On 9 February 2004, a contract was entered into between Pittwater Council and the trustees of the Bible Garden Memorial Trust in their capacity as owners of 6 Mitchell Road, Palm Beach (the Heads of Agreement Contract).

The Heads of Agreement Contract enabled investigation of subdivision of the Original Lot to enable residential development on the Property and to allow the Bible Garden to continue in perpetuity. The Heads of Agreement Contract acknowledged that the boundary between the Property and the Bible Garden was chosen to provide space for the "eventual two car garage" on the Property, and that any approved subdivision would have to enable the construction of the two-car garage as shown on the concept plans (Annexure H of The Heads of Agreement Contract).

The subdivision of the site utilised the existing cliff face and steep topography of the site to form the two lots which ensured the subdivision did not impact the existing bible garden use of the site. As outlined in the Heads of Agreement Contract, The Trustees of the Bible Garden propose to subdivide 6 Mitchell Road so as to create separate lots for the existing Bible Garden and residential uses of the land:

• The Bible Garden area (lot 2) would be vested in Pittwater Council as community land, being zoned 'Public Reserve (Bible Garden)', included as a heritage item in Pittwater Local Environmental Plan and managed by the incorporated association 'Friends of the Bible Garden Memorial'.

On 7 February 2006, this lot was transferred into Council ownership and is classified as community land under Council's Land Register in accordance with the Local Government Act. Although Council owns this land, it is managed by the 'Friends of the Bible Garden Memorial' via a Management Deed signed by Council, The Trustees of the Bible Garden and then owner of 6 Mitchell Road (lot 1 and is the subject site) on 23 March 2006.

• The remainder of 6 Mitchell Road (lot 1, the subject site) would continue to be used for residential purposes, and subject to development parameters consistent with protection of the view from the Bible Garden.

On 30 March 2007 the Pittwater Local Environmental Plan (LEP) 1993 was amended to:

rezone 6a Mitchell Road, Palm Beach (Lot 2 DP 1086858) (The Bible Garden) from Zone No 2 (a) (Residential "A") to Zone No 6 (a) (Existing Recreation "A") under Pittwater Local Environmental Plan 1993, and to allow land uses permissible under the relevant plan of management for the remaining land to which this plan applies.



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The rezoning ensured the bible garden located at 6a Mitchell Road, Palm Beach was zoned for recreation purposes and the remainder of the site (6 Mitchell Road, Palm Beach) could be used for residential purposes in line with the subdivision and Heads of Agreement Contract.

On 26 June 2014, Pittwater LEP 1993 was repealed and the Pittwater LEP 2014 came into force. The subject site was rezoned under the Pittwater LEP 2014 as follows:

- 6a Mitchell Road, Palm Beach RE1 Public Recreation; and
- 6 Mitchell Road, Palm Beach part C4 Environmental Living and part RE1 Public Recreation.

The adoption of Pittwater LEP 2014 resulted in a split zoning for the subject site. The split zoning is inconsistent with the intent of the subdivision and rezoning of the site as agreed to under the Heads of Agreement Contract as it prohibited residential development on the portion of the site zoned RE1.

The Heads of Agreement Contract clearly detailed that the future lot (Lot 1 DP1086858) would be for residential purposes and detailed it as an indicative location for a garage with a viewing platform above for use by the Bible Garden as identified in the Concept Plans provided in Annexure H of the Heads of Agreement Contract.

Dwelling houses are prohibited in the RE1 zone and therefore the southern portion of site cannot accommodate any residential development or associated structures. The subject planning proposal therefore seeks to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract.

The proposal is deemed to have strategic merit in that it will ensure the site can be developed in line with the intended use and development outlined in the Heads of Agreement Contract. The subdivision and future development outlined in the Heads of Agreement Contract allowed the development of the subject site for residential purposes without impacting on the adjoining heritage item and ensuring they could coexist through appropriate design that responded to the natural characteristics of the site.

The planning proposal will allow the subject site to facilitate the development envisaged in the Heads of Agreement Contract and resolve the key issues associated with the split zoning of the site.



QUESTION 1 – Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Planning Proposal is not a result of any specific strategic study or report however is a result of the development envisaged on the site under the Heads of Agreement Contract entered into between Pittwater Council and the trustees of the Bible Garden Memorial Trust in their capacity as owners of 6 Mitchell Road, Palm Beach in 2004.

The Heads of Agreement Contract involved investigations and consultation that identified the key framework to facilitate the future development of the subject site for residential purposes. The planning proposal will allow the subject site to facilitate the residential development envisaged in the Heads of Agreement Contract and resolve the key issues associated with the split zoning of the site.

In addition, a comprehensive assessment of the proposal has been undertaken against the strategic planning strategies and policies relevant to the site which is provided in the following sections of this report. The assessment has found that the Planning Proposal is generally consistent with the relevant objectives and actions of the key planning strategies and policies relevant to the site which are as follows:

- Greater Sydney Region Plan;
- Northern District Plan;
- Northern Beaches Local Strategic Planning Statement; and
- Northern Beaches Community Strategic Plan.

QUESTION 2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

There are three options that could apply to the site regarding its potential development. These are as follows:

Option 1: Do Nothing

This option does not promote the social and economic potential of the site or facilitate the development envisaged in the Heads of Agreement Contract and resolve the key issues associated with the split zoning of the site.

Option 2 – Lodge a Development Application

A Development Application is not viable as the current zoning does not allow for the development envisaged and no other alternate pathway under current legislation would facilitate the intended outcomes. Therefore, the planning proposal is the most efficient and time effective approach to delivering the outcomes envisaged for the site.

Option 3 – Planning Proposal

The project objectives and intended outcomes can only be achieved through the amendment of the Pittwater Local Environmental Plan 2014. Council is supportive of this Planning



Proposal as this is the only way of achieving the objectives and intended outcomes for this site consistent with the Heads of Agreement signed by Council and the Trustees of the Bible Garden in 2004.

B. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Question 3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Planning Proposal is consistent with the Greater Sydney Region Plan and the North District Plan.

North District Plan

The North District Plan is a guide for the implementation of *A Metropolis of Three Cities* – the Greater Sydney Region Plan at a district level.

A Metropolis of Three Cities – the Greater Sydney Region Plan was implemented by the Greater Sydney Commission and is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

Greater Sydney's three cities reach across five districts: Western City District, Central City District, Eastern City District, North District and South District.

The North District consists of the City of Ryde, Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Northern Beaches and Willoughby Local Government Areas and contains the subject site.

The North District Plan is structured to implement the aim of the Greater Sydney Region Plan to provide cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. This is to be achieved through a number of planning priorities detailed in the plan. The proposed development is considered to be consistent with the plan and a number of planning priorities.

The table below details the relevant planning priorities of the North District Plan and the proposal's consistency with those priorities.



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Table 1: Consistency with the North District Plan	
Objective	Comment
 Planning Priority N1 – Planning for a city supported by infrastructure Planning Priority N2 – Working through Collaboration Planning Priority N3 – Providing services and social infrastructure to meet people's changing needs 	The planning proposal is not inconsistent with the planning priorities as it will utilize existing infrastructure onsite to accommodate future residential development envisaged for the site. The proposal will not result in development that will adversely impact on the delivery of local, district or metropolitan infrastructure. The proposal will not impede on the provision of services or social infrastructure in the area to meet the community's changing needs. The proposal will need to be designed to ensure there are no adverse impacts on the adjoining public open space.
Planning Priority N4 – Fostering healthy, creative, culturally rich and socially connected communities	The proposal is consistent with this planning priority as it will ensure that any future development on the site will be designed to ensure there are no adverse impacts on the adjoining public open space or heritage item. This will be achieved based on the topography of the site and the low scale garage development envisaged for the southern portion of the site.
Planning Priority N5 – Providing housing supply, choice and affordability with access to jobs, services and public transport.	The planning proposal seeks to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling house on the RE1 zoned portion of the site to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract. The proposal will positively contribute to the housing supply and choice in the area.
Planning Priority N6 – Creating and renewing great places and local centres, and respecting the District's heritage	The proposal is consistent with this planning priority as it will ensure that any future development on the site will be designed to ensure there are no adverse impacts on the adjoining public open space or heritage item. This will be achieved based on the topography of the site and the low scale garage development envisaged for the southern portion of the site. A key consideration in the preparation of the proposal was heritage impacts and the proposal has been designed to ensure it will not result in any adverse impacts on



Table 1: Consistency with the North District Plan		
Objective	Comment	
	the adjoining heritage item as outlined in the Heritage Impact Statement (submitted with the application) and the redevelopment of the site envisaged in the Heads of Agreement Contract.	
Planning Priority N7 - Growing a stronger and more competitive Harbour CBD	The proposal is not inconsistent with the planning priorities as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an established residential area that positively contributes to the nearby local centres, health and education precincts.	
Planning Priority N8 - Eastern Economic Corridor is better connected and more competitive		
Planning Priority N9 - Growing and investing in health and education precinct.		
Planning Priority N10 - Growing investment, business opportunities and jobs in strategic centres		
Planning Priority N11 - Retaining and managing industrial and urban services land		
Planning Priority N12 - Delivering integrated land use and transport planning and a 30-minute city	The proposal is not inconsistent with the planning priorities as it will facilitate future residential development that is connected to the existing transport network within the region.	
Planning Priority N13 - Supporting growth of targeted industry sectors		
Planning Priority N14 - Leveraging inter-regional transport connections		



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Table 1: Consistency with the North District Plan	
Objective	Comment
Planning Priority N15 - Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways Planning Priority N16 - Protecting and enhancing bushland and biodiversity	The proposal is consistent with this planning priority as it will ensure that any future development on the site will need to be designed to ensure there are no adverse impacts on the adjoining public open space, heritage item or surrounding landscape. The following specialist studies have been prepared in support of the proposal to ensure all potential impacts are minimised and appropriately managed: • Flora and Fauna Assessment • Arborist Report • Geotech Report.
Planning Priority N17 - Protecting and enhancing scenic and cultural landscapes	The proposal is consistent with this planning priority as the proposed amendment include a height limitation for any future residential development on the site to not exceed 74.5 AHD. This will be well below the level of the existing Bible Garden Terrace therefore not affect existing views of Palm Beach from neighboring property 6a Mitchell Road, Palm Beach also known as the Bible Gardens. A Heritage Impacts Statement was submitted with the application.
Planning Priority W18 - Better managing rural areas	The proposal is not inconsistent with this planning principle. Regardless of zoning (the predominant zoning of the site and its surrounds is C4 Environmental Living under Pittwater LEP 2014), the site is in an established residential area and will not impact on the management of existing rural areas.



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Table 1: Consistency with the North District Plan	
Objective	Comment
 Planning Priority N19 - Increasing urban tree canopy cover and delivering Green Grid connections Planning Priority N20 - Delivering high quality open space 	The proposal is consistent with this planning priority as it will ensure that any future development on the site will be designed to ensure there are no adverse impacts on the adjoining public open space, heritage item or surrounding landscape. The following specialist studies have been prepared in support of the proposal to ensure all potential impacts are minimised and appropriately managed: • Heritage Impacts Statement • Flora and Fauna Assessment • Arborist Report • Geotech Report.
 Planning Priority N21 - Reducing carbon emissions and managing energy, water and waste efficiently Planning Priority N22 - Adapting to the impacts of urban and natural hazards and climate change 	The proposal is not inconsistent with the planning priorities as it only relates to a small portion of the site zoned RE1 to facilitate the residential development of the site in line with the remaining C4 zoned land. All future residential development will need to ensure it appropriately responds to the natural characteristics of the site and manages energy, water and waste efficiently.

QUESTION 4 – Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Northern Beaches Local Strategic Planning Statement (LSPS)

The Planning Proposal is consistent with the Northern Beaches Local Strategic Planning Statement (LSPS). The LSPS implements the strategic direction of The Greater Sydney Region Plan and North District Plan at the local level by setting clear local priorities for the jobs, homes, services and parks that the Northern Beaches community will require over the next 20 years. The LSPS sets short, medium and long-term actions linked to the local priorities, to deliver on the community's future vision.

The LSPS is structured around the following four key themes:

- Sustainability;
- Infrastructure and Collaboration;
- Liveability; and
- Productivity.



Table 2: Consistency with the Northern Beaches Local Strategic Planning Statement		
Planning Priority	Comment	
Priority 1 Healthy and valued coast and waterways	The proposal is consistent with the planning priorities as it will ensure that any future development on the site will need to be designed to ensure there are no	
Priority 2 Protected and enhanced bushland and biodiversity	adverse impacts on the adjoining public open space, heritage item or surrounding landscape. The following specialist studies have been prepared in support of the	
Priority 3 Protected scenic and cultural landscapes	proposal to ensure all potential impacts are minimised and appropriately managed:	
Priority 4 Protected Metropolitan Rural Area	 Heritage Impacts Statement Flora and Fauna Assessment Arborist Report 	
Priority 5 Greener urban environments	Geotech Report.	
Priority 6 High quality open space for recreation	The proposal will facilitate future sustainable residential development designed to protect and enhance the natural environment and surrounding landscape.	
Priority 7 A low-carbon community, with high energy, water and waste efficiency	The proposal it only relates to a small portion of the site zoned RE1 to facilitate the residential development of the site in line with the remaining C4 zoned land. All future residential development will need to ensure it appropriately responds to the natural characteristics of the site and manages energy, water and waste efficiently.	
Priority 8 Adapted to the impacts of natural and urban hazards and climate change		
Priority 9 Infrastructure delivered with employment and housing growth	The planning proposal is not inconsistent with the planning priorities as it will utilize existing infrastructure onsite to accommodate future residential development envisaged for the site. The proposal will not result in future development that will adversely impact on the delivery of local, district or metropolitan infrastructure.	
	The proposal will not impede on the provision of services or social infrastructure in the area to meet the community's changing needs. The proposal will ensure that any future development on the site will need to be	

An assessment of the proposal against the key planning priorities of the LSPS is provided in the table below.



Table 2: Consistency with the Northern Beaches Local Strategic Planning Statement		
Planning Priority	Comment	
	designed to ensure there are no adverse impacts on the adjoining public open space.	
Priority 10 World-class education facilities, including a university	The planning proposal seeks to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site	
Priority 11 Community facilities and services that meet changing community needs Priority 12 An inclusive, healthy, safe and socially connected	to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract. The proposal will positively contribute to the housing supply and choice in the area.	
community Priority 13 Strong engagement and cooperation with Aboriginal communities	The proposal is not inconsistent with the planning priorities as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an established residential area that positively contributes	
Priority 14 A community enriched through the arts and connected	to the nearby local centres, health and education precincts.	
through Creativity	The proposal is consistent with this planning priority as it will ensure that any future development on the site will need to be designed to ensure there are no	
Priority 15 Housing supply, choice and affordability in the right locations	adverse impacts on the adjoining public open space or heritage item. This will be achieved based on the topography of the site and the low scale garage	
Priority 16 Access to quality social and affordable housing	development envisaged for the southern portion of the site as outlined in the Heritage Impact Statement and the Heads of Agreement Contract.	
Priority 17 Centres and neighbourhoods designed to reflect local character, lifestyle and demographic changes	The proposal will promote sustainable residential development on the site with a clear connection and relationship with the surrounding natural environment, public open space and cultural heritage.	
Priority 18 Protected, conserved and celebrated heritage		
 Priority 19 Frequent and efficient regional public transport connections Priority 20 Sustainable local transport networks 	The proposal is not inconsistent with the planning priorities as it will facilitate future residential development that is connected to the existing transport network within the region. The establishment of future residential development on	
F	the site will generate contribution to the existing and future transport network.	



Table 2: Consistency with the Northern Beaches Local Strategic Planning Statement		
Planning Priority	Comment	
Priority 21 Redesigned road space and facilities to match changing community needs	The proposal will facilitate future residential development that will provide employment during its construction and will increase housing supply in an	
Priority 22 Jobs that match the skills and needs of the community	established residential area that positively contributes to the nearby local centres, health and education precincts.	
Priority 23 French's Forest as a sustainable health and education precinct		
Priority 24 Brookvale as an employment and innovation centre		
Priority 25 Dee Why as a thriving cosmopolitan centre by the sea		
Priority 26 Manly as Sydney's premier seaside destination		
Priority 27 Mona Vale as the contemporary, urban heart of the north		
Priority 28 Safeguarded employment lands		
Priority 29 A thriving, sustainable tourism economy		
Priority 30 A diverse night-time economy		

Northern Beaches Community Strategic Plan

The Northern Beaches Community Strategic Plan outlines the community's vision to protect and enhance the natural and built environments, to create more connected and caring communities, to embrace our diverse sports and recreation culture, and to live more sustainably and in balance with the environment.

The key vision principles of the Strategy are:

- Community
- Safety
- Inclusion



- Extraordinary
- Connected
- Costal and Bushland Environment
- Balance.

The strategy identifies the following key community outcomes to achieve the vision:

- Protection of the Environment
- Environmental Sustainability
- Places for People
- Community and Belonging
- Vibrant Local Economy
- Transport, Infrastructure and Connectivity
- Good Governance
- Partnership and Participation

An assessment of the proposal against the key community outcomes of the Northern Beaches Community Strategic Plan is provided in the table below.

Table 3: Consistency with the Key Community Outcomes of the Northern Beaches Community Strategic Plan		
Community Outcome	Comment	
Protection of the Environment Environmental Sustainability	The proposal is consistent with this community outcome as it will ensure that any future development on the site will need to be designed to ensure there are no adverse impacts on the adjoining public open space, heritage item or surrounding landscape. The following specialist studies have been prepared in support of the proposal to ensure all potential impacts are minimised and appropriately managed: • Heritage Impacts Statement • Flora and Fauna Assessment • Arborist Report	
	Geotech Report. The proposal will facilitate future sustainable residential development designed to protect and enhance the natural environment and surrounding landscape.	
Places for People	The planning proposal is not inconsistent with this community outcome as it will utilize existing infrastructure onsite to accommodate future residential	

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Table 3: Consistency with the Key Community Outcomes of the Northern BeachesCommunity Strategic Plan		
Community Outcome	Comment	
	development envisaged for the site. The proposal will not result in future development that will adversely impact on the delivery of local, district or metropolitan infrastructure.	
	The proposal will not impede on the provision of services or social infrastructure in the area to meet the communities changing needs. The proposal will ensure that any future development on the site will need to be designed to ensure there are no adverse impacts on the adjoining public open space.	
	The planning proposal seeks to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract. The proposal will positively contribute to the housing supply and choice in the area.	
Community and Belonging	The proposal is not inconsistent with this community outcome as it will positively contribute to housing supply in the community.	
Vibrant Local Economy	The proposal is not inconsistent with the community outcome as it will facilitate future residential development that will provide employment during its construction and will increase housing supply in an established residential area that positively contributes to the nearby local centres, health and education precincts.	
Transport, Infrastructure and Connectivity	The proposal is not inconsistent with the community outcome as it will facilitate future residential development that is connected to the existing transport network within the region.	



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Table 3: Consistency with the Key Community Outcomes of the Northern BeachesCommunity Strategic Plan		
Community Outcome Comment		
Good Governance	The proposal is not inconsistent with the community outcome as it is reflective of the Heads of Agreement Contract entered into by Pittwater Council in 2004.	
Partnership and Participation	The proposal is not inconsistent with the community outcome as it is reflective of the Heads of Agreement Contract entered into by Pittwater Council in 2004 and the proposal will be publicly exhibited as part of the gateway determination process.	

QUESTION 5 – Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Greater Sydney Region Plan

Greater Sydney Region Plan was finalised in March 2018 and replaces the former *A Plan for Growing Sydney (2014)*. This Plan sets the vision and the overarching planning framework to guide future transport, infrastructure, and development in Greater Sydney in concurrence with Future Transport 2056 and State Infrastructure Strategy.

The Plan provides planning priorities that will direct Sydney's growth over the next 20 years. The Region Plan identifies the overarching directions and objectives to guide growth in the Sydney region. These directions have then been used to provide more specific detail to guide growth and land use decisions in each of the districts through the relevant District Plans. As outlined further in this report, the Planning Proposal is consistent with the relevant Directions and Actions in the District Plan and therefore is consistent with the Region Plan.

Future Transport 2026

The NSW Governments *"Future Transport 2056"* was released in 2018 and is an overarching strategy, supported by a suite of plans to achieve a 40-year vision for the NSW transport system. The strategy considers:

- the future road network throughout Sydney
- future light and heavy rail networks
- a future rapid bus and ferry network
- bicycle network, and
- freight network

The Planning Proposal is not inconsistent with the plan as it will facilitate future residential development that is connected to the existing transport network within the region.



QUESTION 6 – Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs) that apply to the site. A detailed list of the SEPPs and commentary is provided in the table below:

Table 4: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
SEPP (Resilience and Hazards) 2021	Chapter 4 of this Policy provides a state-wide planning approach to remediation and aims to promote the remediation of any contaminated land for the purpose of reducing the risk of harm to human health and/or the environment. A planning authority is to consider whether the land is contaminated and if so whether it is, or can be made, suitable for the proposed land uses.	The subject site is not located within an investigation area and has contained only residential land uses for an extended period of time. The site is therefore considered suitable for the intended future use. No further investigation is deemed to be necessary. The proposal is therefore consistent with Chapter 4 of SEPP (Resilience and Hazards) 2021.
SEPP (Biodiversity and Conservation) 2021	Chapter 2 – Vegetation in Non-rural Areas Chapter 2 of SEPP (Biodiversity and Conservation) 2021 aims to protect the biodiversity values of trees and other vegetation in non-rural areas and to preserve the amenity of non- rural areas of the State through the preservation of trees and other vegetation. Chapter 6 – Bushland in Urban Areas Chapter 6 of SEPP (Biodiversity and Conservation) 2021 aims to protect and preserve bushland within the urban areas.	The proposal has been designed to minimise impacts on the surrounding landscape as outlined in the following specialist studies: • Flora and Fauna Assessment • Arborist Report • Geotech Report. All future development will need to demonstrate consistency with the SEPP and therefore the proposal is not considered to be inconsistent with the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	The aim of this policy is to mandate minimum sustainability targets for thermal comfort, energy and water use for residential development.	DAs for all future residential development will need to comply with the targets established under BASIX.



Table 4: Consistency with Relevant State Environmental Planning Policies (SEPPs)		
SEPP	Aim	Comment
SEPP (Exempt and Complying Codes) 2008	The aims of this policy are to provide exempt and complying development codes that have State-wide application.	The Planning Proposal is not inconsistent with this SEPP which would apply to future development.
SEPP (Housing) 2021	The aim of this policy is to enable the development of diverse housing types, including purpose-built rental housing and encouraging the development of housing that will meet the needs of more vulnerable members of the community	The Planning Proposal is not inconsistent with this SEPP which may apply to future development.

QUESTION 7 – Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The Planning Proposal is generally consistent with the applicable Section 9.1 directions issued by the Minister for Planning. A statement of the consistency of this Planning Proposal with the relevant directions to this planning proposal is provided in the table below:

Table 5: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
Focus Area 1 – F	Planning Systems	
1.1 Implementation of Regional Plans	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	The proposal is generally consistent with this direction as it is consistent with the Greater Sydney Region Plan as detailed above.
1.4 Site Specific Provisions	 (1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any 	The planning proposal seeks to amend the Pittwater Local Environmental Plan (LEP) 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site. The planning proposal will provide a site-specific provision for the site allowing the additional permitted use of dwelling houses whilst maintaining the RE1 zoning of the site and is therefore inconsistent with this direction.



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Table 5: Consistency with Relevant Section 9.1 Ministerial Directions		
Direction	Requirement	Comment
	 development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (2) A planning proposal must not contain or refer to drawings that show details of the proposed development. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance. 	The adoption of Pittwater LEP 2014 resulted in a split zoning for the subject site. The split zoning is inconsistent with the intent of the subdivision and rezoning of the site as agreed to under the Heads of Agreement Contract as it prohibited residential development on the portion of the site zoned RE1. Dwelling houses are prohibited in the RE1 zone and therefore the southern portion of site cannot accommodate any residential development or associated structures. The subject planning proposal therefore seeks to amend the Pittwater LEP 2014 to include the additional permitted use of dwelling houses on the RE1 zoned portion of the site to facilitate future residential development in line with the intended use of the site as outlined in the Heads of Agreement Contract. The proposal is therefore considered to be of minor significance.

Focus Area 3 – Biodiversity and Conservation		
3.1 Conservation Zones	 (1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection 	permit residential development on a small portion of land zoned RE1 Public Recreation in line with the C4 Environmental Living zoning of the remainder of the site.



	purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land).	 Beaches and affects the subject land. In this regard, for this land: No change in zoning is proposed. The large portion of the parcel will remain within the C4 zone with the other portion proposed to be zoned RE1. No proposed changes in the RE1 zone permitted uses as part of this process. There are some minor proposed changes in uses for the C4 zone but they are unlikely to impact the use of that land. The planning proposal is considered to be of minor significance and will not amend or reduce the environmental protection standards that apply to the land. The proposal is therefore consistent with the direction.
3.2 Heritage Conservation	 (1) A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and 	The site directly adjoins and partially forms a part of the locally listed heritage item "The Bible Garden" at 6a Mitchell Road, Palm Beach as identified within the Pittwater Local Environmental Plan (LEP) 2014. A small portion of the subject site forms part of the heritage listing however it is predominantly located on 6a Mitchell Road to the south of the site. A Heritage Impact Statement has been prepared in support of the proposal by Weir Phillips Heritage and

	(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	Planning. The Heritage Impact Statement concludes that the proposal will have no impact on the significance of the adjoining Bible Gardens and that the proposal complies with the provisions contained in Section 9.1 Ministerial Direction for Planning Proposals – 3.1 Heritage Conservation. The proposal is therefore consistent with the direction.
Focus Area 4 – Resilience a	nd Hazards	
4.4 Remediation of Contaminated Land	 (1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless: (a) the planning proposal authority has considered whether the land is contaminated, and (b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land is used for that purpose. 	The subject site is not located within an investigation area and has contained only residential land uses for an extended period of time. The site is therefore considered suitable for the intended future use. No further investigation is deemed to be necessary. The proposal is therefore consistent with the direction.



	In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.	
	(2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.	
4.5 Acid Sulfate Soils	(1) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.	The proposal only relates to a small portion of an existing site currently used for residential purposes. The site is mapped as containing Class 5 Acid Sulfate Soils as identified in the Pittwater LEP 2014. The proposal intends to permit residential development on a small portion of land zoned RE1 Public Recreation and is
	 (2) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with: (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or 	Public Recreation and is considered to be of minor significance. Any future development will have to take into consideration the Acid Sulfate Soil mapping of the site.
	(b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.	



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4.6 Mine Subsidence and Unstable Land	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:	The proposal only relates to a small portion of an existing site currently used for residential purposes. The site is identified as Geotechnical Hazard H1 as detailed on the Geotechnical Hazard Map in the Pittwater LEP 2014. The proposal intends to permit residential
	(4) Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).	
	(3) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act.	



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	 (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or (d) of minor significance. 	development on a small portion of land zoned RE1 Public Recreation and is considered to be of minor significance. A Geotechnical Report has been prepared by Davies Geotechnical Consulting Engineers in support of the proposal. The Geotech Report identifies management and mitigation measures to be incorporated under future development that ensures it can appropriately respond to the Geotech hazard of the site demonstrating that the proposal will not adversely impact on the site or surrounding area. The Geotech Report concludes that the proposal can be supported from a geotechnical risk standpoint. Therefore, the proposal is considered to be of minor significance.
Focus Area 5 – Transport a	nd Infrastructure	
5.1 Integrating Land Use and Transport	 (1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). 	- .



5.2 Reserving Land for Public Purposes	(1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).	The planning proposal seeks to resolve split zoning issues on the site and facilitate the residential development of the site in line with the intended use and development outlined in the Heads of Agreement Contract.
	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that: (a) with respect to a request referred to in paragraph (4), further information is required before appropriate planning controls for the land can be determined, or (b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.	The proposal seeks to include the additional permitted use of a dwelling house on the small portion of the site that is zoned RE1 Public Recreation. The portion of the site is not currently used for public recreation and the proposal will ensure the entire site can be developed for residential purposes. The proposal is therefore of minor significance.
Focus Area 6 – Housing		
6.1 Residential Zones	 (1) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and 	with this ministerial direction

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(d) be of good design.(2) A planning proposal must, in relation to land to which this direction applies:	reduce residentia	permissible ity of land.
 (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land. 		

C. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

QUESTION 8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Ecological Impacts

The subject site is identified as having biodiversity value as detailed in the Biodiversity Map provided in the Pittwater Local Environmental Plan (LEP) 2014.

A Flora and Fauna Assessment was prepared by Ecological Consultants Australia Pty Ltd in support of the proposal. The Flora and Fauna Assessment included:

- On ground surveys on 18 August, 3 September 2019 and 14 May 2022;
- Bionet searches for flora, fauna and endangered populations to identify if there were previous records of threatened species occurring within the local area using a 10km radius around the site; and
- A review of the Planning Proposal and the proposed development it seeks to enable was evaluated for potential environmental impacts.

The Flora and Fauna Assessment concluded that:

- No threatened flora or fauna species were recorded on- site during survey or previously recorded via Bionet.
- No significant habitat features, values or landscape corridors will be impacted by the proposed development.
- The proposal does not trigger entry into the Biodiversity Offset Scheme.



- Tree protection will be consistent with the Arborist report (Beecher 2020) or any updates from Alex Austin (ArborSaw June 2022). Main trees to be managed are trees within close proximity to building works.
- The neighboring bible garden/public recreation area will remain open to the public and unaffected by the proposal; and
- All 5 part tests have concluded that the proposal is not likely to significantly affect Large Forest Owls, Grey-headed Flying-foxes or microbats and will not be likely to put the local populations at risk of extinction.

The assessment also includes a number of recommended mitigation measures to be incorporated during the construction of the development which will be implemented to ensure potential ecological impacts are minimised and appropriately mitigated.

All future development on the site will be sited and designed to best respond to the ecological value of the surrounding area and will include the provision of native landscaping to assist in the integration of the future development into the surrounding environment. It is therefore considered that the Planning Proposal will not adversely impact on critical habitat, threatened species, populations or ecological communities and their habitats.

Tree Impacts

An Arborist Report was prepared by Arborsaw in support of the proposal.

The Arborist Report undertook an assessment of the existing vegetation on the site and within the surrounding area to ascertain the suitability of the proposal.

The Arborist Report concludes that the planning proposal is considered to be suitable from a tree impact perspective provided the recommendations of the report are implemented with any future development onsite.

QUESTION 9 – Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Heritage

The site directly adjoins and partially forms a part of the locally listed heritage item "The Bible Garden" at 6a Mitchell Road, Palm Beach as identified within the Pittwater Local Environmental Plan (LEP) 2014. A small portion of the subject site forms part of the heritage listing however it is predominantly located on 6a Mitchell Road to the south of the site.

A Heritage Impact Statement has been prepared in support of the proposal by Weir Phillips Heritage and Planning. The Heritage Impact Statement concludes that the proposal will have no impact on the significance of the adjoining heritage item based on the following:

• The proposal is compatible with the concept schemes envisaged when the site was subdivided and sold as part of the Heads of Agreement Contract with The Trustees of the Bible Garden.



- The steeply topography of the existing lot, particularly the northern portion which adjoins the subject site, is not usable by patrons of the Bible Garden. The proposal will allow for the construction of a dwelling with a flat top structure (potential garage). This structure when constructed will provide additional area as part of the garden which will enhance the user experience of the Garden and offer an opportunity to expand the significant plantings on site.
- The previous residential scheme was by Stephen Lesiuk Architect has been presented and endorsed by the Trustees of the "Bible Garden" Memorial Trust in a letter dated 17th August 2020. This demonstrates that the proposed residential zoning is considered to be acceptable by the Trustees of the Bible Garden.
- The proposal will not result in a built form that when viewed from the most significant points at Mitchell Road and from within the Bible Gardens the dwelling will be concealed by the existing topography. There will no visual impact from this perspective.
- The character of the Bible Garden, as a site enjoyed for quiet contemplation and appreciation of the magnificent outlook towards Palm Beach will be unaffected by the proposed rezoning.
- The proposal is unlikely to reduce the user's ability to interpret the cultural landscape of the Bible Garden within its context.
- From Palm Beach and surrounds, the proposal would be visible as one of a number of residential developments within the escarpment behind Palm Beach as a result of the rezoning. Any new dwelling constructed as a result of the proposal would be visible in the landscape from these viewpoints but will have a lessened visual impact due to the scale and constrained nature of the site in comparison to other nearby residential developments. The visual impact from this perspective is considered to be minor.
- The proposal will likely facilitate the demolition of the dwelling on site. The existing dwelling on site is not considered to be of heritage significance, either through the assessment of Northern Beaches Council or by the authors of this statement.
- No other heritage items in the vicinity will be affected by future built form constructed as part of the proposal owing to the separation of these items from the subject site.

View Loss

The notion of view loss is invoked when a property enjoys existing views, and a proposed development would impact on that view. View loss impacts is addressed in the planning principle established by the NSW Land & Environment Court to deal with the assessment of view loss impacts, referred to as the *Tenacity Principle (Tenacity Consulting v Warringah [2004] NSWLEC 140*).

To determine the impact of view loss, the following four-step assessment should be used.



- **Step 1** The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.
- **Step 2** The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.
- **Step 3** The third step is to assess the extent of the impact. This needs to be done for the whole of the property, and not just to that part where the views are affected. The views from living areas (including kitchen areas) are more significant than from bedrooms or service areas. Whilst the impact could be assessed quantitatively, it is more useful to look at the issue in a qualitative sense and ask whether the view loss is negligible, minor, moderate, severe or devastating.
- **Step 4** The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skillful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours.

The following provides an assessment of the properties deemed to be impacted by the development using the steps established in *Tenacity Principle (Tenacity Consulting v Warringah [2004] NSW LEC 140)*.

Step 1

The existing significant views in proximity to the subject site comprise of ocean and beach views of Palm Beach located to the north east of the site.

The subject site slopes down towards the north and any future development will be designed to respond to the natural topography and step down the site. This will ensure any future development will not impact on any existing views from residential properties and the Bible Garden to the south of the site.



Step 2

Views from the Bible Garden extend from Mitchell Road in an arch from the northwest to northeast towards Palm Beach. The land is also visible also from nearby privately owned residential properties to the north east. The views are achieved from the elevated position of the site and due to the topography, the subject site and existing dwelling are not visible from the Bible Garden as detailed in **Figure 9** and **10** below.

The existing views are achieved from a standing or seated position across the site with the only obstructions consisting of existing vegetation.



Figure 9: Existing view from the Bible Garden (Source: Weir Phillips Heritage and Planning)



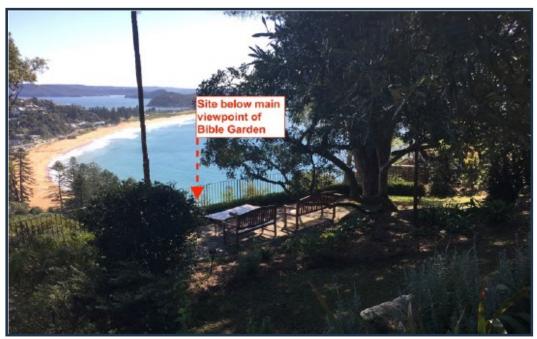


Figure 10: Existing view from the Bible Garden indicating the location of the subject site (Source: Weir Phillips Heritage and Planning)

During the preparation of the proposal consultation was undertaken with the Committee of the Friends of the Palm Beach Bible Garden and height poles were installed to determine the potential impact of any future development on the RE1 zoned land. **Figure 11** and **12** below details the height poles with the yellow string identifying the existing level of the bible garden and the red string identifying the maximum height allowable on the subject site as per an existing covenant.



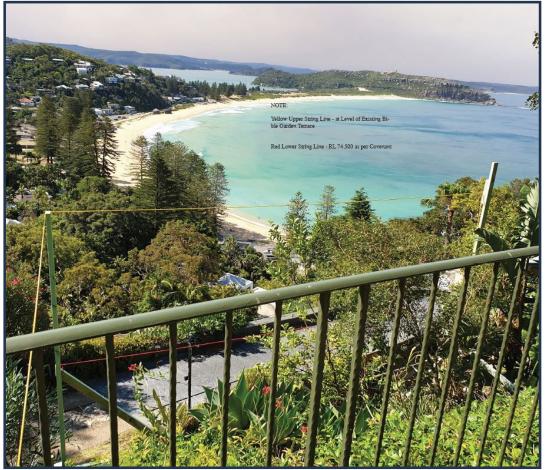


Figure 11: Site photo detailing the installation of the height poles in relation to the existing view (Source: Stephen Lesiuk Architect)



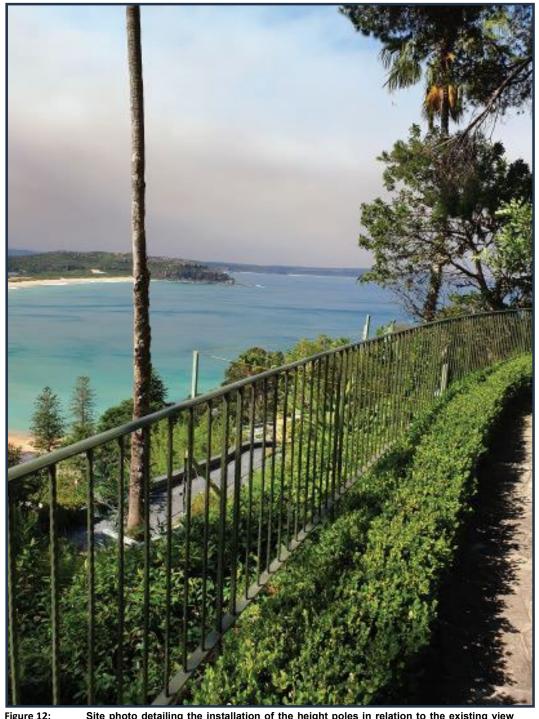


Figure 12: Site photo detailing the installation of the height poles in relation to the existing view (Source: Stephen Lesiuk Architect)



Step 3

As detailed in **Figures 11 & 12** no portion of future residential development will impede on the existing views from the Bible Garden based on the topography of the site, existing covenants and the indicative location of the garage as outlined in the Heads of Agreement Contract.

Step 4

The proposal is therefore considered to be reasonable from a view loss perspective in that any future development would be sited and designed to ensure there are no impacts on existing views obtained from the Bible Garden and surrounding area.

Built Form

Concept Architectural Plans have been prepared in support of the proposal by Housed Architects which demonstrate how the full site could be developed for residential purposes in line with the intended outcomes of the Heads of Agreement Contract.

As demonstrated in the Concept Architectural Plans and detailed in **Figures 13-17** below, the planning proposal will facilitate the development of the whole site for the purposes of a dwelling house and associated works. The portion of the site will be utilised to provide vehicular access, parking and entry to the future dwelling house without adversely impacting on the adjoining Bible Garden or access provided to adjoining sites.

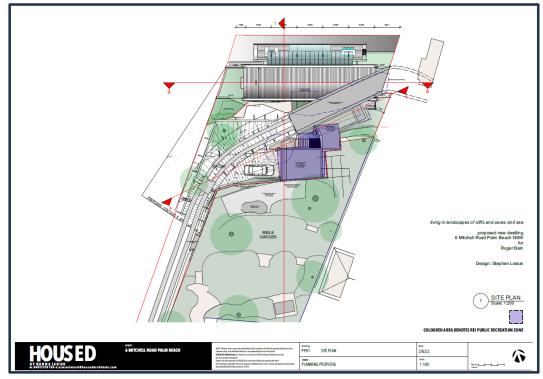


Figure 13: Concept Site Plan with the RE1 zoned portion of the site highlighted in purple (Souce: Housed Architects)



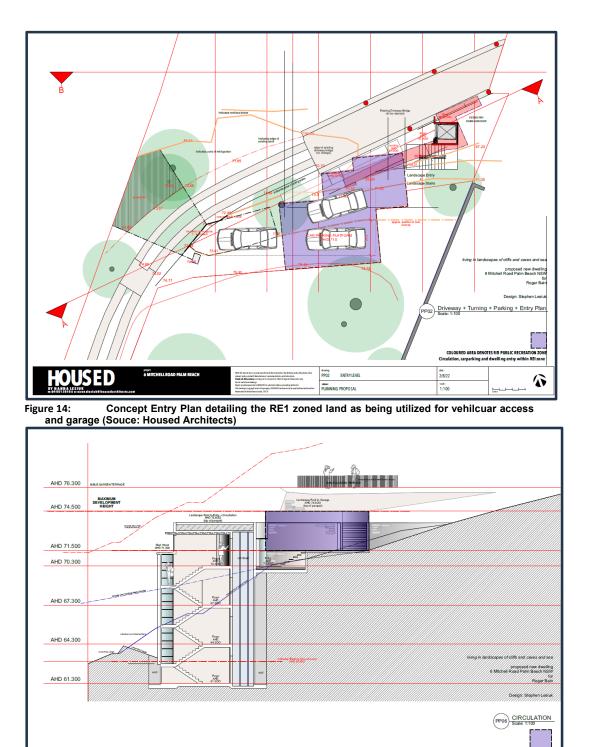


Figure 15: Concept Circulation Plan detailing the garage as below the Bible Garden and height limit (Souce: Housed Architects)

COLOUR ED AREA DENOTES REI PUBLIC RE Carparking and entry only within REI Public



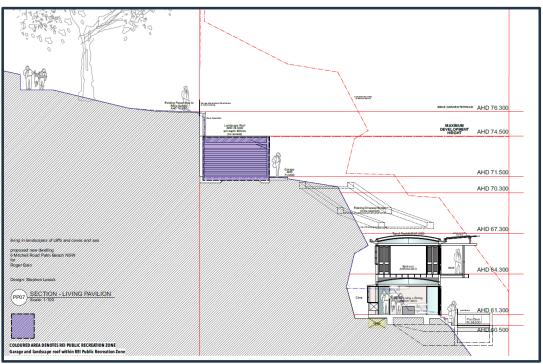


Figure 16: Concept Section detailing the garage as below the Bible Garden and height limit (Souce: Housed Architects)

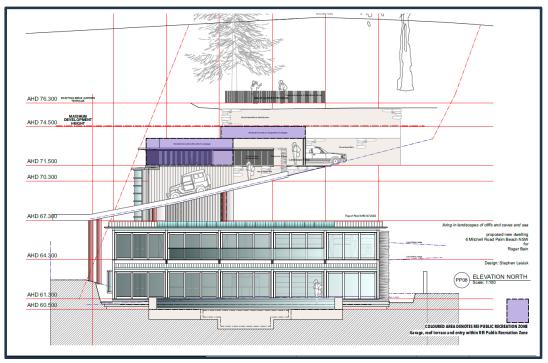


Figure 17: Concept Circulation Plan detailing the garage as below the Bible Garden and height limit (Souce: Housed Architects)



As demonstrated in **Figures 13-17** above, the portion of the site zoned RE1 can be developed for the purposes of a dwelling house without adversely impacting on the setting or functionality of the adjoining Bible Garden and recreation zoned land.

The provision of the height limit for the site as part of the amendment to Schedule 1 of the Pittwater Local Environmental Plan (LEP) 2014 ensures future development will not adversely impact on the adjoining bible garden or surrounding area and an appropriate built form can be achieved onsite. Therefore, the planning proposal will not result in any adverse built form impacts.

Traffic and Access

The proposal will not result in any adverse traffic or access impacts. The portion of land identified to include the additional permitted uses is located adjacent to an existing shared driveway that was envisaged to provide access to the subject site as outlined in the Heads of Agreement Contract. The driveway is of a sufficient size to accommodate any future residential development on the site.

Geotechnical Impacts

The site is identified as Geotechnical Hazard H1 as detailed on the Geotechnical Hazard Map in the Pittwater LEP 2014. A Geotechnical Report has been prepared by Davies Geotechnical Consulting Engineers in support of the proposal.

The Geotech Report identifies management and mitigation measures to be incorporated under future development that ensures it can appropriately respond to the Geotech hazard of the site demonstrating that the proposal will not adversely impact on the site or surrounding area. The Geotech Report concludes that the proposal can be supported from a geotechnical risk standpoint.

QUESTION 10 – Has the Planning Proposal adequately addressed any social and economic effects?

The planning proposal will facilitate the development of the whole site for residential purposes as intended under the Heads of Agreement. The social and economic benefits include increased residential accommodation in the area and resolution of the issues arising from the split zoning of the site.

D. INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

QUESTION 11 - Is there adequate public infrastructure for the Planning Proposal?

The site contains an existing dwelling that has connection to all services and utilities required to facilitate residential development. The provision of additional permitted uses on the portion of land zoned RE1 Public Recreation will not adversely impact on the provisions of services and utilities in the area and existing services can be utilised in any future development of the site.



QUESTION 12 - What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with relevant State and Commonwealth public authorities will be undertaken as part of the exhibition of the Planning Proposal, as directed by the Gateway Determination. In this regard, consultation with the following public authorities is anticipated:

- Sydney Water
- Ausgrid
- NSW Office of Environment and Heritage.

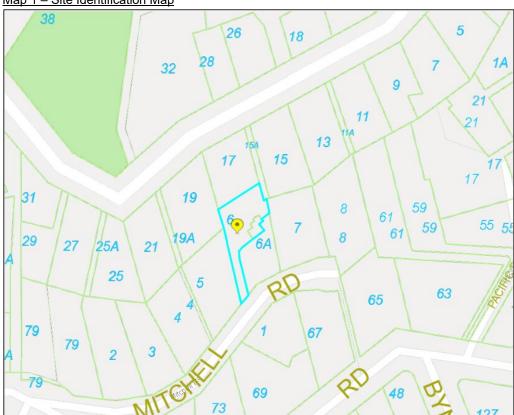
PART 4 – Mapping

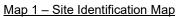
As discussed, the Planning Proposal seeks to amend the Pittwater LEP 2014 as follows:

• Amend the Pittwater LEP 2014 Additional Permitted Uses Map for the subject site (Sheet APU_015) to identify the portion of the site zoned RE1 Public Recreation for additional permitted uses referenced in Schedule 1 of the LEP.

The required mapping will be undertaken by Council once Gateway Determination has been issued for the proposal.

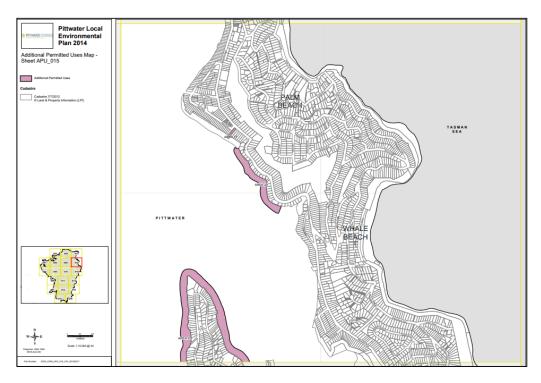




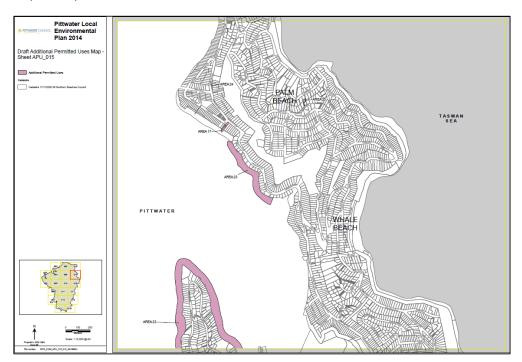








Map 3- Proposed Additional Permitted Use





PART 5 – Community and Key Stakeholder Consultation

Community Engagement (Non-Statutory)

The Planning Proposal was originally placed on non-statutory public exhibition for 14 days in accordance with the Northern Beaches Community Participation Plan from 28 September to 13 October 2022. Notification included:

- Notification letters to adjoining landowners and occupiers;
- · Email to community members who have registered their interest;
- An updated Council Public Exhibition website 'Your Say' with relevant information; and
- Council's Community News.

On 12 October 2022, the notification period was extended to 21 October 2022.

Submissions

Six (6) valid submissions were received during the non-statutory exhibition period. The issues raised in the six (6) submissions included:

- Wanting garage on the concept plan to be lowered;
- Vegetation that will feature on garage roof as shown on garage height should be at max development height;
- New structure will obscure view;
- Unlawful public exhibition;
- Unclear amendment proposal;
- Garage roof vegetation upkeep issues;
- Extension of exhibition time; and
- Planning Proposal is unlawful.

One (1) submission was received after 21 October 2022 (closing date of notification period) and has still been considered.

A summary of the 6 valid submissions (including the late submission) and Council's responses to the issues raised is appended to the report presented to the Northern Beaches Local Planning Panel and Council.

Exhibition – Gateway Determination

On issue of the Gateway Determination, Council will formally exhibit the Planning Proposal in accordance with the conditions of the Gateway Determination, Section 3.34 and Schedule 1, Clause 4 of the *Environmental Planning and Assessment Act* 1979.

It is expected that direction as to the nature and extent of the public exhibition will be provided by Department of Planning, Industry and Environment as part of the Gateway Determination. It is anticipated that the Planning Proposal will be publicly exhibited for a period of 28 days.



PART 6 – Project Timeline

Council, as the Relevant Planning Authority (RPA), has discretion to determine the relevant project timeframe for the determination of this Planning Proposal. The information detailed within this Planning Proposal has been provided to outline any potential impacts and provide justification to support and assist the RPA's determination.

Table 6: Anticipated Project Timeline	
Stage	Timeframe
Report to Council – obtain Council resolution to progress Planning Proposal	February 2023
Forwarding the Planning Proposal to Department – Request for Gateway Determination	March 2023
Gateway Determination issued (assumes 3 month turnaround)	June 2023
Anticipated timeframe for the completion of required technical information (If required)	July 2023
Public Exhibition	August 2023
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	August 2023
Dates for public hearing (if required)	September 2023
Timeframe for consideration of submissions	September 2023
Report to Council on outcomes of public exhibition	October 2023
If Council agrees, submit to Department to finalise the LEP	November 2023
Anticipated date the local plan-making authority will make the plan (if authorised)	December 2023
Anticipated date the local plan-making authority will forward to the PCO for publication	December 2023

Conclusion

This Planning Proposal seeks to amend the Pittwater Local Environmental Plan (LEP) 2014 to include an additional permitted use of dwelling house on that portion of 6 Mitchell Road, Palm Beach currently zoned R1 Public Recreation; and to ensure that any future residential development on the land does not exceed building height 74.5AHD.



The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and The Department of Planning's 'Local Environmental Plan Making Guideline.'

The Planning Proposal provides a comprehensive justification of the proposed amendment to the Pittwater LEP 2014, and significant planning merit in the following respects:

- It will facilitate the future intended residential development of the site as envisaged by Council and the Trustees of the Bible Garden;
- It will enable appropriate residential development that recognises the heritage significance of the site and surrounding area; and
- It will not adversely impact on the ecological, cultural or scenic significance of the site and surrounding area.

Given the above significant planning merits and the absence of any adverse social, economic or environmental impacts, it is requested that the Planning Proposal be favorably considered by Council and that Council resolve to forward it to the Department of Planning, Industry & Environment to allow the Department to consider the Planning Proposal for Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act, 1979.



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SIGNED ORIGINAL

PITTWATER COUNCIL

AND

THE TRUSTEES OF THE "BIBLE GARDEN" MEMORIAL TRUST 6 MITCHELL ROAD, PALM BEACH

HEADS OF AGREEMENT



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Annexures

- A. Aerial photograph 1997 and photographs 2001
- Palm Beach from the Bible Garden' photograph from 'Sydney's Northern Beaches 2001' Calendar (David Messent Photography – reproduced with permission)
- C. Heritage Assessment and Heritage Impact Statement
- D. Landscape Concept Plan
- E. Draft Plan of Subdivision
- F. Draft Plan of Management of the Bible Garden as Community Land (Local Government Act 1993, section 36)
- G. Objects and Activities of Incorporated Association 'Friends of the Bible Garden Memorial'
- H. Proposed Residence Concept Sketches
- I. Proposed Residence Compliance with Council Requirements
- J. Draft Statement of Environmental Effect
- K. Proposed Planning Process for Subdivision of 6 Mitchell Road and Conservation of the Bible Garden Portion
- L. Responsibilities for Ongoing Management and Improvement of the Bible Garden



THESE HEADS OF AGREEMENTS are made on

9th February 2004

2004

- BETWEEN PITTWATER COUNCIL of Unit 11, 5 Vuko Place, Warriewood, New South Wales ("Council")
- AND THE TRUSTEES OF THE BIBLE GARDEN MEMORIAL TRUST C/- 48 Nelson Street Gordon NSW 2072 ("Trustees")

1. Summary

These Heads of Agreement relate to the future land use of 6 Mitchell Road, Palm Beach. The improvements on the land comprise a 'Bible Garden' (on the southern half) and a cottage and access corridor (on the northern half).

The 'Bible Garden' is a garden containing a Bible and plants mentioned in the Bible. It offers a superb view of Palm Beach, Barrenjoey and Pittwater. The Bible Garden has been open to the public for weddings, baptisms and informal visits since GH Robinson established it in the1960s. Robinson settled the land in a charitable trust. Two of the founder's sons, GL and DL Robinson, are the current trustees.

The trustees of the Bible Garden propose to subdivide 6 Mitchell Road so as to create separate lots for the existing Bible Garden and residential uses of the land:

- The Bible Garden area (lot 2) would be vested in Pittwater Council as community land, being zoned 'Public Reserve (Bible Garden)', included as a heritage item in Pittwater Local Environmental Plan and managed by the incorporated association 'Friends of the Bible Garden Memorial'. Council would recognise the committee of the Friends as a committee of Council.
- The remainder of 6 Mitchell Road (lot 1) would continue to be used for residential purposes, and subject to development parameters consistent with protection of the view from the Bible Garden.
- Subject to the proper exercise of its functions as a planning authority, Pittwater Council supports the proposals. The Bible Garden is a significant item of social and aesthetic heritage. The proposals would secure the long-term retention of the Bible Garden for public enjoyment.

Details of the proposed conservation and subdivision are contained in the Heads of Agreement and annexures.



2. Background

- a. The 'Bible Garden' is situated on the southern half of Lot 2 DP 213975, being land at 6 Mitchell Road Palm Beach ('6 Mitchell Road') (see Annexure A: Aerial Photograph).
- b. Gerald Lacey Robinson and Derek Lacey Robinson own 6 Mitchell Road as trustees of the Bible Garden Memorial Trust.
- c. The land at 6 Mitchell Road is naturally subdivided by a cliff. The northern half is traversed diagonally by a right of way. Over the cliff section, the right of way is provided by an elevated concrete driveway. The driveway provides residences to the east with access to Mitchell Road. A cottage exists under the elevated section of driveway.
- d. The Bible Garden was established by Gerald Hercules Robinson and officially opened on 23 June 1966.
- e. In an interview with Australian Women's Weekly (10 May 1967), GH Robinson declared 'The Garden and the view behind it provide a perfect example of the glory of God's creation' (see Annexure B: 'Palm Beach from the Bible Garden').
- f. By trust deed dated 5 April 1972 GH Robinson settled the Bible Garden in a charitable trust 'for the construction use and maintenance of Bible Gardens for all Christians particularly young Christians and for the teaching of and the creation of an expanding interest in the Holy Bible through the cultivation and study of all the plants mentioned in the Holy Bible and in any other way thereby practicable to support the teaching of the Holy Testament'.
- g. In 1972 the founder's daughter and a trustee of the Bible Garden Memorial Trust, Deaconess Beatrice Violet Robinson, became the curator of the Bible Garden, living in the cottage under the driveway and maintaining the Bible Garden for public enjoyment.
- h. In 1974 6 Mitchell Road was granted exemption from local council rates.
- i. Since the death of Beatrice in 1994, the Trustees, other members of the family of GH Robinson and like-minded members of the community have continued to maintain the Bible Garden for public enjoyment.
- j. In July 2000 6 Mitchell Road was assessed for land tax for \$214,481.40. Upon appeal the assessment was withdrawn, however the Trustees consider that the possibility of future land tax liability, and the burden of maintaining the elevated driveway and cottage pose intolerable problems for the continuation of the dual Bible Garden and residential uses of 6 Mitchell Road.
- k. The Trustees wish to subdivide the land and to fund other Trust projects from the proceeds of sale of the residential portion of 6 Mitchell Road.
- In March 2001 Pittwater Council received a draft proposal for subdivision of 6 Mitchell Road to enable conservation of the Bible Garden. The proposal included a Heritage Assessment and Heritage Impact Statement (Annexure C).
- m. On 30 April 2001 Pittwater Council resolved 'That Council authorise the General Manager to enter into negotiations with the owner/owner's representatives of 6 Mitchell Road, Palm Beach 'Bible Garden' to develop a draft 'Heads of Agreement' document for the proposed subdivision and dedication of land to the Council and report back to Council with a draft Agreement once a document has been prepared.'
- n. Since 30 April 2001 Pittwater Council has received and commented upon the following documents:
 - (i) Landscape Concept Plan (Annexure D)
 - (ii) Draft Plan of Subdivision (Annexure E)
 - Draft Plan of Management for the Bible Garden as Community Land (Local Government Act 1993, section 36) (Annexure F)



- (iv) Proposed Residence Concept Sketches (Annexure H)
- (v) Proposed Residence Compliance with Council Requirements (Annexure I)
- (vi) Draft Statement of Effect (Annexure J)
- (vii) Proposed Procedure for Subdivision of 6 Mitchell Road and Conservation of the Bible Garden (Annexure K)
- (viii) Responsibilities for Ongoing Maintenance and Improvement of the Bible Garden (Annexure L)
- o. The Proposed Residence -- Concept Sketches (Annexure H) illustrate a possible future residential development of proposed lot 1. They have been prepared for the purpose of identifying suitable development control parameters for incorporation in the Development Control Plan/Locality Plan at the time of subdivision. A development application to build any particular residence, in accordance with the Development Control Plan/Locality Plan (as amended), would be lodged subsequently.
 - (i) The boundary between the two lots has been chosen so as to provide space for an eventual two-car garage on lot 1.
 - (ii) A restrictive covenant would restrict the height of such garage and require the roof to be of load-bearing capacity suitable for use as a viewing platform from the Bible Garden area, to be finished in sandstone flagging, and to include a balustrade.
 - (iii) A stratum easement would enable use of the garage roof by visitors to the Bible Garden as a viewing platform and for the placement of landscaping improvements such as interpretation signage, planter boxes and seating.
- p. In September 2003 supporters of the Bible Garden lodged application for the incorporation of 'Friends of the Bible Garden Memorial'. The association was duly incorporated under the Associations Incorporation Act 1984 on 26 September 2003. The objects and activities of the Friends of the Bible Garden Memorial are set out in Annexure G.

3. Statement of Intent

Subject to Feasible Subdivision, as defined in the following paragraph, the Trustees propose to vest the Bible Garden in Pittwater Council, and Pittwater Council proposes to classify the Bible Garden as 'community land (area of cultural significance)' under the Local Government Act 1993 and to maintain the Bible Garden with assistance from the incorporated association 'Friends of the Bible Garden Memorial', as described in the proposed plan of management (Annexure F), the statement of objects and activities of the Friends (Annexure G), and the responsibilities for ongoing management and improvement of the Bible Garden (Annexure L).

'Feasible Subdivision' means the granting of development consent to subdivision of 6 Mitchell Road within a reasonable period as follows:

- a) lot 1 to be approximately 706.5m², subject to final survey, as indicated in the draft plan of subdivision (Annexure E);
- b) lot 1 to be subject to the development parameters which would enable the construction of a residence of the scale indicated in the concept sketches (Annexure H) and discussion of Council requirements (Annexure I);
- c) lot 2, being an area of approximately 490.7 m², to be dedicated as a public reserve (Bible Garden) as community land and rezoned accordingly (including status as a heritage item) in Pittwater Local Environmental Plan (or given corresponding status under any subsequent plan); and



d) The Trustees will not have to fund any physical work upon 6 Mitchell Road apart from what may be required by Sydney Water in relation to a compliance certificate (Sydney Water Act 1994, section 73). (The undertaking of landscaping, car parking, retention wall or any other improvements will not be prerequisites for subdivision.)

4. Nothing to fetter Council's statutory functions

Nothing in these Heads of Agreement will be deemed to or construed so as to fetter the exercise of Councils statutory discretion as a consent authority under the Environmental Planning and Assessment Act 1979, prohibit Council from carrying out any of its statutory obligations or bind Council to perform an obligation in these Heads of Agreement. All rights and obligations of the Council in these Heads of Agreement are deemed to be expressed to be subject to this clause, and the Trust agrees that the Council is not liable to the Trust in respect of any loss of damage suffered by the Trust as a result.

5. Negotiations

The Parties acknowledge that these Heads of Agreement have been entered into after negotiations. The general principles upon which these Heads of Agreement have been negotiated include:

- a) the transactions referred to in these Heads of Agreement will benefit residents of the Pittwater Council area, as well as Australian and overseas visitors, through the protection, conservation and securing into Pittwater Council ownership of the part of the land at 6 Mitchell Road Palm Beach known as the "Bible Garden";
- b) the Parties will cooperate with each other in connection with the matters set out in these Heads of Agreement; and
- c) the Council shall keep the Trust informed on the progress of all processes resulting from these Heads of Agreement.

6. Planning Process

In order to achieve Feasible Subdivision and conservation of the Bible Garden, the parties anticipate a planning process described in Annexure K. Council will use its reasonable endeavours to achieve the indicated time frames.

7. Applications

- a) Assessment of Applications. Council must diligently progress the assessment of the applications and the preparation of the plans described in the Statement of Intent (clause 3).
- b) Trustees' Acknowledgment. The Trustees acknowledge that nothing in clause 7(a) constitutes an approval or obliges the Council to approve the applications described in the Statement of Intent (clause 3).
- c) Cost of Applications:
 - i. The Trust will bear the cost of preparing the applications; and
 - ii. Council will waive any lodgment and advertising fees and developer contribution in recognition of the intended gift of the Bible Garden to Council.



8. Abandoning Factors

- a) 'Abandoning Factors' means any one or more circumstances arising after the date of this Agreement which in the reasonably held opinion of a Party would make the subdivision of 6 Mitchell Road and the conservation of the Bible Garden impractical, financially burdensome, onerous, unviable, imprudent or contrary to the public interest, and includes unreasonable delay in meeting the timeframes in the planning process (Annexure K).
- b) At any time after the date of this Agreement until the granting of development consent for subdivision and the public reservation of the Bible Garden, either party may give written notice to the other party of Abandoning Factors.
- c) On giving notice of Abandoning Factors, the party giving the notice must consult with the party receiving the notice, and both parties must use all reasonable endeavours to jointly identify any opportunities which exist for resolving the Abandoning Factors and to cause to be implemented any such resolution in a way which is reasonably acceptable to the party giving the notice.



If, after one month from the date of giving the notice of Abandoning Factors, the party giving the notice has acted in accordance with clause 7(c), and the Abandoning Factors have not been resolved, either Party may give a notice of rescission to the other party and these Heads of Agreement are deemed to be rescinded.

d) On rescission of these Heads of Agreement, neither of the parties has any claim against the other party in connection with the rescission of these Heads of Agreement or the existence of Abandoning Factors.

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EXECUTED as an Agreement.

SIGNED BY PITTWATER COUNCIL

Under delegated authority in accordance with a resolution of the Council on 9 February 2004:



Angus Gordon, General Manager

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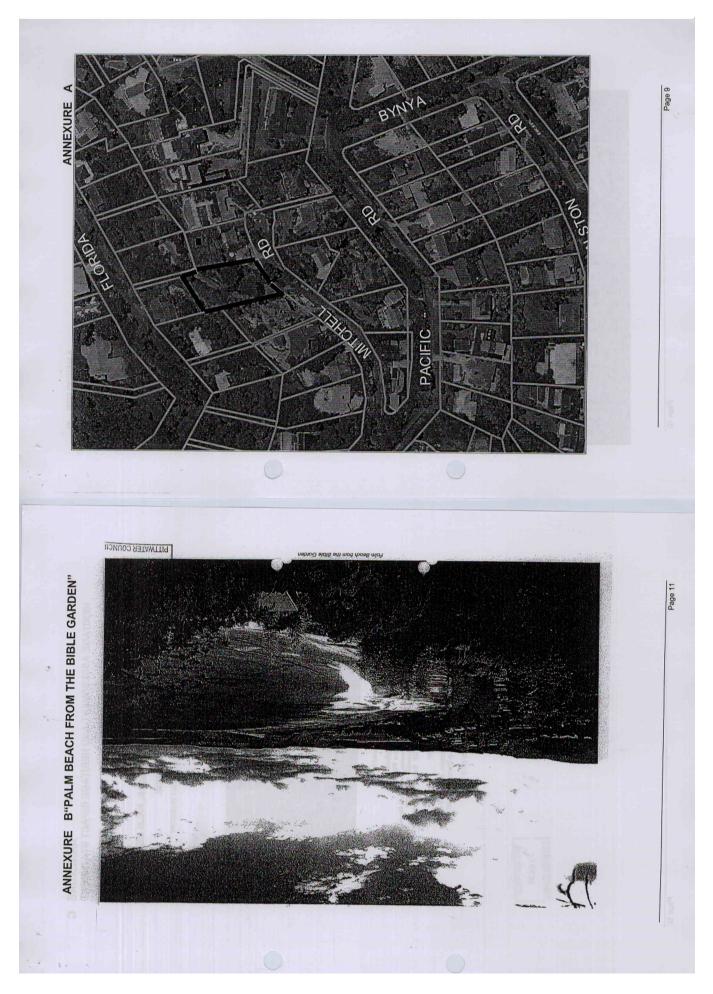
Witness (Public Officer)

SIGNED BY THE TRUSTEES of THE BIBLE GARDEN MEMORIAL TRUST:

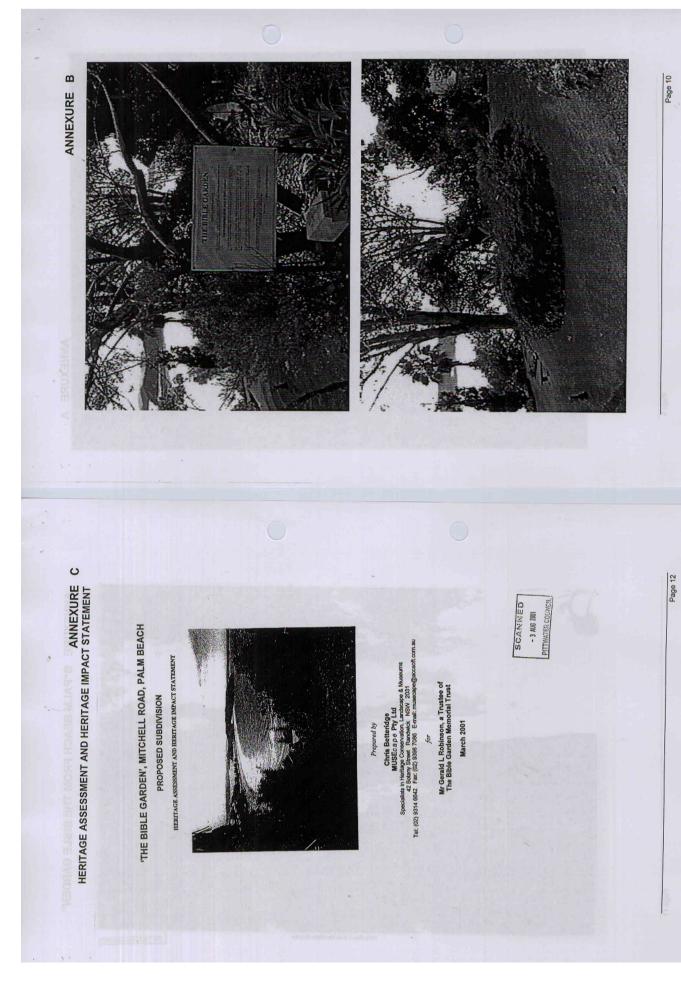
. Derek Lacey Robinson

Gerald Lacey Robinson











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'The Bible Garden', 6 Mitchell Road, Palm Beach - Proposed Subdivision Heritage Assessment & Heritage Impact Statement by Chris Betteridge, Musecape Pty Ltd March 2001



1.0 INTRODUCTION

Background 1.1

This report has been commissioned by Mr Gerald L Robinson, a Trustee of the Bible Garden, 6 Mitchell Road, Palm Beach to provide an assessment of the heritage significance of the garden and an assessment of the likely impact on that significance of a proposed subdivision to separate the garden area from the residential development below it.

The Brief 1.2

- The Brief agreed between the author and the client comprised the following:
- Review of existing documentary evidence relating to the 'The Bible Garden' and its landscape setting;
- Liaison with relevant stakeholders including Pittwater Council.
- Site investigations including assessment of the heritage values of the 'The Bible Garden'
- Assessment of the likely impact of the proposed subdivision on the heritage significance of the 'The Bible Garden' area in the form of a Statement of Heritage Impact (SOHI) prepared in accordance with the guidelines in the NSW Heritage Manual (DUAP/Heritage Council, 1996). The SOHI addresses the following:
- why the item is of heritage significance
- what impact the proposed works will have on that significance
- what measures are proposed to mitigate negative impacts

Author Identification 1.3

This report has been prepared by Chris Betteridge BSc, MSc (Museum Studies), AMA, Director of Musecape Pty Ltd, Heritage Consultants. The author specialises in the identification, assessment and management of natural and cultural landscapes. He has more than 30 years experience in this field, including 10 years as environmental and landscape advisor to the Heritage Council of New South Wales and the former NSW Department of Environment and Planning and ten years in private practice as a heritage conservation practitioner. The author is a foundation member of the Australian Garden History Society, co-author of the publication Historic Gardens: Guidelines for the preparation of conservation plans and author of the study Designed Landscapes in New South Wales.

1.4 Methodology This report has been prepared in accordance with the guidelines in the NSW Heritage Marnual and its companion volume Heritage Curtilages (Heritage Council of NSW / Department of Urban Affairs and Planning, 1996).

Analysis of documentary evidence involved review of relevant literature reports on the the Bible Garden and development plans for the site previously prepared by others. Analysis of physical evidence involved a site inspection by the author on 5 January 2001.

Consultations were held with relevant stakeholders.

Acknowledgments 1.5

The assistance of the following organisations and individuals in the preparation of this report is gratefully acknowledged:

Bibleinfo.com:

Ms Sheridan Burke, Australia ICOMOS (International Council on Monuments and Sites); Mr Gordon A Frase, USA;

Ms Carolyn Kades, Pittwater Council;

Mr David Robinson, on behalf of Mr Gerald L Robinson, a trustee of the charitable trust which owns the subject land.

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2.0 ANALYSIS OF DOCUMENTARY EVIDENCE

The Concept of Bible Gardens

In their book Sacred Gardens (Piatkus, 2000), authors Martin Palmer and David Manning categorise Christian gardens into three main types - symbolic, thematic and pragmatic. Symbolic gardens are exemplified by the monastic gardens developed by monks of the Benedictine and other religious orders in Britain from the 6 monastic gardens developed by monks of the Benedictine and other religious orders in Britam from the b⁻ century AD onwards. These gardens for quiet reflection were created through a fusion of "space and place, plants and symbolism, usefulness and beauty, all caught up in a vision of nature, humanity and God as being in a unity of purpose and intention". Thematic Christian gardens tell a story and are exemplified by Easter gardens, celebrating the death and Resurrection of Christ and by Marian gardens, gardens of flowers associated with the Uracia Marian Benetician gardens are exemplified by the monattic cardens in which believe gardens, celebrating the deam and Resurrection of Currist and by Marian gardens, gardens of nower's associated with the Virgin Mary. Pragmatic Christian gardens are exemplified by the monastic gardens in which healing and economic plants were grown, and by churchyards in which the dead lie buried or are commemorated in what is often referred to as 'God's acre'. The recent popularity of gardens of Biblical plants or the creation of Biblically-themed gardens demonstrate the long and continuing relationship between Christianity and the morden. The Bible Garden at Palm Beach is both symbolic and thematic - its location and magnificent views garden. The Bible Garden at Palm Beach is both symbolic and thematic - its location and magnificent views symbolise the wonders of God's creation while the plantings illustrate many of the themes in the Bible.

Historical Summary of the Bible Garden at Palm Beach The following summary history of the Bible Garden at Palm Beach has been derived from an article about its founder Gerald H Robinson published in *The Australian Women's Weekly* on 10 May 1967, from a brochure produced in February 1977 by his daughter, Church of England Deaconess Beatrice V Robinson, and from information provided by one of his sons, Gerald L Robinson.

Gerald H Robinson, the managing director of a car distributing firm, purchased a block of land in Mitchell Road, Palm Beach in about 1957. He read about a bible garden established by a Professor Tatum Whitehead in the grounds of Bangor Cathedral in North Wales. Robinson visited the Welsh bible garden and was impressed with what he saw. On his return to Sydney in 1963, he commenced work on developing a garden devoted to the plants in the Bible on his Palm Beach land. Already in his seventies, Gerald H Robinson did most of the work himself, laying out the garden in biblical chronological order, commencing with the plants mentioned in the book of Genesis and ending with a plant to represent immortality. Of the 148 plants mentioned in the Old and New Testaments, 143 were planted in the Bible Garden.

Plantings in the Bible Garden were based on research findings available at the time and on Mr Robinson's riantings in the blobe Garden were based on research intuings available at the time and out for for holonson's choice of plants similar to those mentioned in the Bible if the exact species were not available or were unlikely to survive in the humid coastal environment of Palm Beach. (The bible garden at Bangor Cathedral displays only those biblical plants that can cope with the harsh North Wales climate). Plant beds were laid out in similar fashion to those at Bangor and were given numbered markers, keyed to a 15-page brochure compiled by Mr Robinson.

The Bible Garden at Palm Beach was officially opened on Saturday 26 March 1966 by Mr Justice Richardson. Gerald Robinson declared "the garden and the view behind it [to] provide a perfect example of the glory of God's creation". The garden was open to the public free of charge, with a box at the entrance for "thankofferings" which continue to be given to the Sunday School of St David's Church at PaIrn Beach.

Gerald H Robinson wished that the Bible Garden should continue after his death and he gave it to the Bible Garden Memorial Trust, an ecumenical trust established to continue the garden and/or others in the future, in such a way as to further the teachings of Jesus Christ in the Scriptures. The Trustees in February 1977 were the Right Reverend F O Hulme-Moir, a son Gerald L Robinson and daughter Beatrice V Robinson.

Between the date of the garden's opening and 1977, a house called "Tree Tops" was constructed under a concrete driveway which provided access from the Bible Garden to the adjoining properties to the east. This house was occupied until her death in 1994 by Beatrice Robinson. During Beatrice's occupation, the house had a distributed in the death in the death in the death of the second death with the second death of the secon nouse was occupied until net deal at 1994 by beau ice robotison. During beau ice's occupiation, are reader included a display room in which visitors could study bible plant illustrations and books, material describing the Bible Garden and other items of Christian literature. In recent years the garden has been carefully maintained. Over the years some of the original plants have died and labels have disappeared.

Some visitors to the Garden and associations have indicated willingness to support som e restoration and maintenance.

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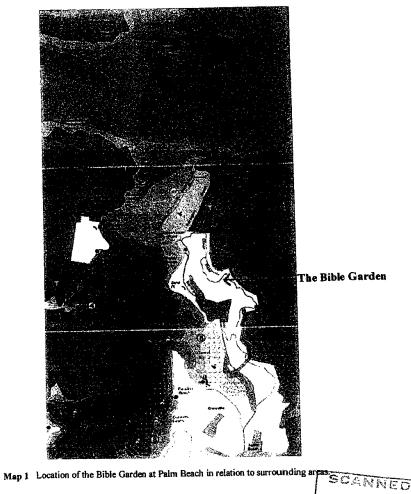
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3.0 ANALYSIS OF PHYSICAL EVIDENCE

Site Location and Description 3.1

3.1.1 Site Location

The subject land is located on Mitchell Road at Palm Beach, in Sydney's northern beaches, as shown on Maps 1 and 2 below.



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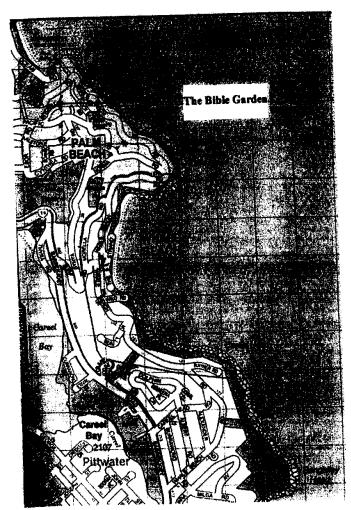
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Map 2 Street location of the Bible Garden in Mitchell Road, Palm Beach.

3.1.2 Site Description

3.1.2 Site Description The subject land, 1195 square metres in area, is located on the upper level of the sandstone escarpment to the south of Cabbage Tree Boat Harbour, at the southern end of Palm Beach. The land has a frontage of approximately 28 metres to Mitchell Road, a cul-de-sac off Pacific Road. The site has a northwesterly aspect and slopes steeply down from the road, with a fall of approximately 22 metres from the highest point at the Mitchell Road frontage to the lowest level. Residential properties border the site to the east and west. SCANNED
is a single state and to the left is a commemorative bronze plaque and a - 3 AliG 78Al

To the right of the entrance is an interpretive sign and to the left is a commemorative bronze plaque and a -3 donation box for 'thank offerings'. A driveway of two concrete tyre tracks with turf between extends down the **υ**υ Ζ**Β**ÜΪ FITTLE

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'The Bible Garden', 6 Mitchell Road, Palm Beach - Proposed Subdivision Heritage Assessment & Heritage Impact Statement by Chris Betteridge, Musecape Pty Ltd March 2001



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western side of the lot, then sweeps towards the north across a reinforced concrete elevated causeway, providing a right of way to the adjoining properties to the east. A single carport with metal deck roof is located to the south of the drive just west of the causeway.

The property is naturally subdivided by a cliff into an upper, Bible Garden section and a lower, residential section. The major lookout from the Garden is a terraced area at the top of the cliff. Located in this area is a plaque including biblical excerpts, seating and a copy of the Bible. The driveway accentuates the subdivision of the lower causeway and residential section.

The Bible Garden is located to the east and south of the driveway, with a series of lawn terraces between slopes and garden beds. Concrete block retaining walls have been constructed along the northern edges of the terraces. Major trees include a wild stone fruit tree, cypress and evergreen oak on the Mitchell Road boundary, two large pines, a mulberry and a carob on the flat northern area of the garden and a number of trees along the eastern boundary.

An ornamental pond is located on the flat area towards the centre of the flat northern area of the garden and there are two metal garden sheds along the eastern boundary.

To the southeast of the elevated driveway a flight of steel stairs provides pedestrian access to a two storey fibro cottage "Tree Tops" which is located under the elevated driveway. From the elevated driveway is a sheer drop of about 8 metres to the lawn in front of the cottage.

A survey plan of the site is shown as Map 3 on the following page.

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4.0 ASSESSMENT OF SIGNIFICANCE

Principles and Definitions

The concept of 'cultural significance' or 'heritage value' embraces the value of a place or item that cannot be expressed solely in financial terms. Assessment of cultural significance endeavours to establish why a place or item is considered important and is valued by the community. Cultural significance is embodied in the fabric of the place (including its setting and relationship to other items), the records associated with the place and the response that the place evokes in the contemporary community.

The NSW Heritage Manual published by the Heritage Council of NSW and the Department of Urban Affairs and Planning, outlines broad criteria for assessing the nature of significance - historical, aesthetic, social and technical/research value. These criteria are considered in addition to two other criteria (rarity and representativeness) that relate to the comparative significance to be considered in assessing the significance of potential heritage items.

Curtilage is defined in the Macquarie Dictionary (2nd Edition, 1991) as 'the area of land occupied by a dwelling and its yard and outbuildings, actually enclosed or considered as enclosed.' This definition does not take into account the importance of the landscape setting of a building or building group, which may include a substantial garden and views and vistas to and from buildings. There have been numerous and varied legal substantial garden and views and visues to and non-oundaries. There have ocen numerous and varied legat determinations of curtilages for heritage buildings and heritage conservation practitioners have grappled with the problem for many years. Many of these opinions and attempts at solving the issue of curtilage are described in the publication *Heritage Curtilages* (Heritage Council/Department of Urban Affairs and Planning, 1996), a companion volume to the NSW Heritage Manual.

Essentially, the curtilage of a heritage item is that area of land necessary to enable its significance to be conserved in context and to enable its heritage value to be interpreted adequately. This area is usually but not conserved in context and to enable its neritage value to be interpreted acequately. This area is usually but not always the lot or lots on which the item stands and, for statutory purposes, is usually but not always restricted to land in the same ownership as the item. The boundaries for an adequate curilage may be the historic lot boundaries or a smaller area resulting from previous subdivision(s). They may also include adjoining lands critical to retention of views and vistas, although these values may be conserved through planning controls other than those used to protect the building and its immediate setting.

The Setting and Curtilage of The Bible Garden 4.2

The visual catchment of the Bible Garden extends well beyond the land in the ownership of the garden itself. It extends well to the north and northwest and includes areas of national park, Pittwater, Broken Bay and the Central Coast. For statutory purposes, the curtilage has been determined as that area bounded by Mitchell Road, the eastern boundary as far north as the northern edge of the elevated driveway, the northern edge of the driveway across to the western boundary, then along the western boundary to Mitchell Road. The final northern subdivision boundary location will depend on the nature and location of any future carport and/or lookout platform.

The Significance of The Bible Garden 4.3

Given the extraordinary quality of the view from the Bible Garden, its unusual nature and the comparative rarity of this type of designed landscape in an international context, the significance of the item has been assessed in accordance with the criteria adopted by the Heritage Council of New South Wales for listing on the State Heritage Register (SHR). To be assessed for listing on the SHR an item will, in the opinion of the Heritage Council, meet one or more of seven criteria relating to historical, aesthetic, associational or research/educational values and rarity, threat or interpretive potential.

It is considered that the Bible Garden at Palm Beach is important in demonstrating aesthetic characteristics and a high degree of creative achievement in NSW (Criterion c). The garden has strong association with a particular community ie Christians in NSW for spiritual reasons (Criterion d). The Bible Garden possesses uncommon and rare aspects of the cultural history of NSW (Criterion f). The garden is also important in demonstrating the principal characteristics of a class of cultural places in NSW is special interest designed landscapes. **SOMPANNED** potential to demonstrate the physical and aesthetic attributes of the natural environment of Palm Beach and - 3 AUG 2001 Broken Bay (Criterion g).

PITTWATER COUNCIL 'The Bible Garden', 6 Mitchell Road, Palm Beach - Proposed Subdivision Heritage Assessment & Heritage Impact Statement by Chris Betteridge, Musecape Pty Ltd March 2001



Statement of Significance 4.4

The Bible Garden at Mitchell Road, Palm Beach is an item of State heritage significance for New South Wales. It is the result of the creativity of Gerald Hercules Robinson, a devout Christian who was inspired to construct a garden of biblical plants in a magnificent natural setting. As a rare example of its type of designed landscape it has and continues to provide inspiration to visitors of all religions as a place for quiet contemplation of the wonders of creation. The garden has special associations with the Christian community for spiritual reasons and has considerable educational potential arising from its special plant collection and the natural environment in which it is located. The significance of the Bible Garden warrants appropriate statutory protection and active management to retain and enhance its value to the community.

5.0 THE PROPOSAL

In an effort to conserve the Bible Garden for the foreseeable future, the Bible Garden Memorial Trust is considering a proposal that the lot on which the garden has been constructed should be subdivided into two lots. An appropriate curtilage for the Bible Garden would be retained in one lot, while the lower lot would be used for residential purposes.

Architect Luke Playoust and Landscape Architect Judith Fritsche have prepared a Landscape Concept plan. dated February 2001 which provides for visitor car parking, improved access from Mitchell Road, new vehicle accommodation for the residence below the elevated driveway (with viewing platform above) and a new residence that extends further northwest and north than the existing cottage under the elevated driveway. Luke Playoust has prepared a Section through the Site.

If subdivision is approved, The Bible Garden Memorial Trust may wish to donate the Bible Garden to Pittwater Council as a community asset to be managed jointly by Council and the Trust, possibly assisted by 'Friends'.

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6.0 LANDSCAPE AND VISUAL IMPACT ASSESSMENT

6.1 Visibility

6.2.1 Viewing Places

The visual catchment of the subject land, conditioned by topography and vegetation, provides visual access to the site from public places primarily from Mitchell Road and from points extending in an arc from the northwest to the northeast. The land is visible also from nearby privately owned residential properties to its north, east, south and west. The public's visual experience of the subject land is primarily from Mitchell Road, and to a lesser extent from areas to the north, although a detailed visual assessment of the latter has not been carried out.

6.2.2 Views from Specific Locations

The following assessment of the Proposal is based on the assumption that there will be no mitigative measures taken to roduce likely impacts i.e what are the likely visual impacts of the proposed subdivision on the existing landscape, with its existing tree cover. The extent and effectiveness of proposed conditions on development are discussed in Section 6.5.

As viewed from Mitchell Road, the viewer will see no change to the site as result of subdivision per se. There will be minor changes arising from proposed landscaping works but these are not expected to have a negative effect on the heritage significance of the site or the visitor experience.

6.2.3 Position and Sequence of Views

Sequences of views may be possible from the north, interrupted by topographic changes and vegetation. The character of the land would not change from its present state. The site would be seen as one of a number of residential developments on the escarpment behind Palm Beach. Any new house will be visible in the landscape but the nature and scale of development will be such that its impact will be less than for some other recent developments nearby.

6.2.4 View Composition

Most public viewing locations of the Bible Garden will be level with the site (ie within the garden) or above the site (ie on Mitchell Road) in relative elevation. The visibility of elements to be added to the site subsequent to subdivision will vary with viewing position and relative elevation. The intrinsic capability of the site to visually absorb the density and type of development proposed is considered to be high but will be significantly increased by appropriate landscaping.

6.2.5 Change to the intrinsic character of the site

The character of the site is expected to remain essentially the same as at present.



6.3 Assessment of visual absorption capacity

The visual absorption capacity of the landscape for the development is judged to be high, even without mitigative measures, based on the following considerations:

The extent and density of the Proposal is comparable with that on the site at present.

The land has high intrinsic visual absorption capacity because of its topography and natural vegetation cover.

The Proposal will not be highly visible from significant viewing points in the Bible Garden, or from major public viewing points elsewhere.

Within the site itself, the subdivision lots have been designed to reduce visual impacts on the Bible Garden.

The development will seek to emulate better examples of recent residential development in the ages SCANNED careful siting, landscaping, building forms and recessive exterior finishes.

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'The Bible Garden', 6 Mitchell Road, Palm Beach - Proposed Subdivision

Heritage Assessment & Heritage impact Statement by Chris Betteridge, Musecape Pty Ltd March 2001



6.4 Visual qualities of the proposed development

The proposed subdivision will merely formalise the present arrangement which is based on topographic separation between the Bible Garden and the residential development below. While any new structures will be permanent elements in the landscape, their visual impact will be reduced by careful siting, landscape screening and appropriate design qualities.

The visual evidence of the subdivision is likely to be low and is not considered likely to obscure or materially reduce the significant elements in the landscape of the Bible Garden. The subdivision is unlikely to reduce the viewer's ability to interpret the cultural landscape of the Bible Garden or its context.

The proposed landscape improvements to the garden are not considered likely to have an adverse impact on the design concept or significant elements within the garden. The visual quality of the proposed new house below the elevated driveway will depend on its final design and exterior finishes. It is essential that it should not intrude on the visitor experience of the garden or its views.

6.5 Specific visual impacts

6.5.1 Contrasts

Visual contrasts caused by the development through changes to the intrinsic character of the landscape of the site will be minimised through careful siting, landscaping, building forms and scale and recessive exterior finishes. There will be very little need for changes to landform.

6.5.2 Interruption

The proposed development is considered unlikely to interrupt any major views to or from the Bible Garden. Any new development will be located so that the Bible Garden can still be read as a discrete entity and appreciated for its original purpose.

6.5.3 Prominence

The prominence of the Proposal will be reduced by the lot design and careful controls over the scale, form, design and materials of any new development.

6.6 Extent of and significance of impacts

6.6.1 Extent of impacts

The initial extent of impacts will be ameliorated by the mitigative measures recommended and long term impacts will reduce as landscaping matures. Given the location of the Proposal, the present character of the landscape and the nature of the proposed development, the extent of impacts is judged to be low and acceptable.

6.6.2 Significance of impacts

The importance of the impact is judged to be low since subdivision of the lower part of the existing site from the Bible Garden and sensitive redevelopment of the lower lot will have a negligible impact on the garden's significance.

Considered together, the extent and significance of impacts are assessed to be low and acceptable. The recommended mitigative measures are considered likely to be effective.

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7.0 STATEMENT OF HERITAGE IMPACT

Need for reflecting existing land uses in appropriate zonings and subdivision 7.1

The residential use of the lower part of the subject land threatens possible land tax burdens on the Trustees, even though the upper part is undeveloped except for the Bible Garden. Subdivision of the lower part of the land for continuing residential use and conservation of the Bible Garden with appropriate zoning and statutory protection would give the garden protection commensurate with its significance. Subdivision would also allow the burden of maintenance of the elevated concrete driveway to lie with the owner of the lower residential allotment, rather than with the owners of the Bible Garden allotment. Active management of the Bible Garden to maintain its design intent and appropriate planning controls over the garden's visual catchment would also be necessary.

7.2 Need for Development adjacent to a Heritage Item The proposed development is on the land owned by the Applicant. While it is adjacent to the heritage item ie the Bible Garden, it does not affect the original concept or design intent of the garden, nor does it significantly affect important views to or from the Bible Garden.

7.3 Likely Impact on The Bible Garden The historical significance of the Bible Garden will be retained but can only be understood by the community by way of interpretive media such as signage, local histories, tourist brochures, self-guiding trails. The historic layout of the garden will be retained, but the plantings and hard landscape elements will need to be managed and enhanced if the original concept is to be respected.

The impact on aesthetic significance will be minimal. The major views to the north of the Bible Garden will be unaffected by the Proposal. The view towards the Bible Garden from the public road (Mitchell Road) will be unantessed by the Proposal. These impacts are considered acceptable and manageable. They will be slightly affected by the Proposal. These impacts are considered acceptable and manageable. They will be minimised by careful subdivision design, careful siting of new buildings, additional planting and by controls over the form, scale and exterior finishes of new buildings as recommended in Section 6.5 below.

Mitigative Measures 7.4

The impact of new development adjacent to a heritage item needs to be minimised by the implementation of appropriate mitigative measures. The suggested curtilage for the Bible Garden is recognition of its sphere of influence in the landscape. Many developers are now creating residential developments which include tighter controls over building footprints, setbacks, the design of dwellings, construction materials and landscaping. Impacts of the Proposal will be reduced by implementation of comprehensive and detailed controls over, height, scale, form and exterior finishes of any new structures.

If approved by Pittwater Council, these controls will ensure that new development on the site is of a high quality and that the impacts on the heritage significance of the Bible Garden are minimised. Recommended mitigative measures are listed below.

7.4.1 Subdivision Design

The subdivision boundary should be determined to allow for retention of the significant area of the Bible Garden and planning control over any new garage/carport, access stairs and other improvements to the lower lot.

7.4.2 Landscaping

A large specimen of Angophora costata previously grew on the lower section of the existing lot, providing a filtered view from the upper levels. It would be appropriate to replace this tree with a specimen of the same species propagated from local seed, so that the original landscape effect can be regained.

Other landscaping on the lower lot should be designed in such a way that it does not obscure the view from the Bible Garden. Preference on the lower lot should be given to local indigenous species. New plantings in the Bible Garden. Frederice of the total to an antioned in the Bible. There is an opportunity to improve Bible Garden should include specimens of plants mentioned in the Bible. There is an opportunity to improve er than the concrete blocks previously hard landscape elements by use of natural used.

hard landscape elements by use of natural matchais such as salids one radio that are not control and used.	SCANNED
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7.4.3 Building Envelope

The building envelope for any new dwelling under the elevated driveway should not allow any visual intrusion into the view from the Bible Garden, either from the existing viewing point near the Ten Commandments plaque or from points further to the south.

7.4.4 Entrance Drive

The existing entrance drive from Mitchell Road is two concrete vehicle tracks, with an elevated concrete causeway bridging the gap to the adjoining property downhill to the east. This type of surface should be retained for the driveway. Any new hard surfaces should be coloured to blend with the existing landscape.

7.4.5 Driveways

Any subsidiary driveways should be paved in material and colour chosen to blend with the existing landscape

7.4.6 Gates and Fences

There are no gates or fences to the street frontage of the site at present and this is considered desirable.

7.4.7 Power and Phone Lines

All power and phone lines should be undergrounded.

7.4.8 Water Supply and Storage Facilities

Any new water storage facilities such as rainwater tanks should be located and finished to minimise visual impact.

7.4.9 Residential Dwellings

Residential buildings should be designed to reduce their visual bulk and to blend with the existing landscape character. Building form, scale and exterior finishes will be compatible with the established character of the region and designed to reduce the impact on views towards the site from surrounding areas. Compatible contemporary design of a high standard is to be preferred to obvious historical reference and simple forms are to be preferred to complex designs.

Materials and exterior finishes which reproduce or complement the natural colours of the landscape will be preferred, such as restricted palettes of tertiary colours which blend naturally with the surrounding landscape. Highly reflective surfaces such as large areas of unshaded glass or untreated metal roofing should be avoided, as should materials which are stridently coloured or strongly contrasted with adjoining materials.

Traditional materials such as stone, earth coloured brickwork, bagged brickwork and painted or pigmented concrete blockwork should be considered for exterior walling. Painted corrugated steel or natural earth-coloured tile or shingle roofing is appropriate.

7.4.10 Ancillary Buildings

Ancillary buildings such as separate garages or carports should be sited to minimise visual impact and designed and coloured to complement residential dwellings.

7.4.11 Car Parking

The Proposal provides for a double carport for the proposed residential lot and for three car parking spaces for the Bible Garden. This is considered adequate for the nature of use of the Bible Garden. Additional parking demand for special events at the Bible Garden will continue to require visitors to park some distance from the Garden, as has been the case since the Garden was founded in 1966.

7.4.12 Effluent Disposal

Effluent disposal must be to Council's requirements and is unlikely to have a negative impact on the heritage significance of the item.

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'The Bible Garden', 6 Mitchell Road, Palm Beach - Proposed Subdivision

Heritage Assessment & Heritage Impact Statement by Chris Betteridge, Musecape Pty Ltd March 2001



8.0 CONCLUSION & RECOMMENDATIONS

Conclusion 8.1

It is considered that the Bible Garden at Mitchell Road, Palm Beach is an item of environmental heritage at a State level. It should be afforded statutory protection by listing on the State Heritage Register and in the Schedule of Items of the Environmental Heritage in Pittwater Local Environmental Plan 1993.

It is considered that the Proposal to subdivide the existing lot will have minor and acceptable impacts on the heritage significance of the Bible Garden and that these impacts can be reduced and managed by implementation of the Mitigative Measures recommended in Section 7.4 above.

8.2 Recommendations

- It is recommended: 1. that the Bible Garden should be afforded statutory protection by listing on the State Heritage Register and
- in the Schedule of Items of the Environmental Heritage in Pittwater Local Environmental Plan 1993; that Pittwater Council give favourable consideration to an application to subdivide the existing lot on which the Bible Garden is located into two lots, the lot boundary to be determined in such a way that the significant parts of The Bible Garden are retained; 2.
- that if subdivision is approved, it should be subject to the mitigative measures in Section 7.4 above and any 3.
- that in sublivision is appoint, it is conserve heritage significance; that Pittwater Council consider an appropriate zoning for the Bible Garden such as Special Uses (Bible 4.
- Garden), with an appropriate residential zoning on the remaining lot; that Pittwater Council give favourable consideration to any proposal by the Bible Garden Memorial Trust to donate the Bible Garden to Council as a rare community asset; 5.
- that, if Council should acquire the Bible garden by gift, that it be designated Community Land of Cultural 6. Significance and that, in accordance with the requirements of the Local Government Act, a Plan of Management be prepared for the site;
- that the Bible Garden be managed by a joint body including representation of the existing Trust, Council 7. and relevant community groups with expertise in management of cultural landscapes of heritage significance. (Such expertise may be available from groups such as the Palm Beach Association, the Australian Garden History Society, an eventual 'Friends of the Bible Garden', the Friends of the Royal Botanic Gardens Sydney and the Friends of Rookwood).

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'The Bible Garden', 6 Mitchell Road, Palm Beach - Proposed Subdivision March 2001 Heritage Assessment & Heritage Impact Statement by Chris Betteridge, Musecape Pty Ltd



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The Bible Garden', 6 Mitchell Road, Palm Beach - Proposed Subdivision Heritage Assessment & Heritage Impact Statement by Chris Betteridge, Musecape Pty Ltd March 2001



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11.0 APPENDICES

11.1 Article from *The Australian Women's Weekly* 10 May 1967 11.2 Interpretive brochure by Beatrice V Robinson, February 1977 11.3 Information leaflet on The Bible Garden

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'The Bible Garden', 6 Mitchell Road, Palm Beach - Proposed Subdivision Heritage Assessment & Heritage Impact Statement by Chris Betteridge, Musecape Pty Ltd March 2001





E OF KNOWLEDGE of good and evil, with whate Eve was tempted, is shought to have probably 1 the epricot ("opple is a mistranslation").



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LILIES OF THE FIELD ("consider ... how they graw; they toil not, neither do they spin") are thought by some scholars to be the chamomile canthemist

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has devotedly planted out his land

On a hill with a view, a Sydney man

BIBLE GARDEN

O'NE of Australia's most up-usual gardens nextles gently on a hillside at Palm Beach, over-looking Pittwater, Barrenjoey Head, and the Pacific Ocean. At first glance the bright patchas of color intermingled with the rest are just part of an ordinary garden. But valk into it, and you will find that it is a Bible Garden In it 143 of the H9 data for the set of t

will find that it is a Bible Garden. In it 143 of the 148 plants, trees, and shrubs mentioned in the Old and New Testaments have been tovingly planted in the last three and a half years by its owner, Mr. Gerald H. Robinson, a Sydney businessmath

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the plants of the Creation. the earth brought forth grass, or yielding seed after his kind. tree yielding fruit, whose seed itself, after his kind." (Genesis and he and the search the search the l; 12.)

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GARDENER Gerold H. Rabin son is managing-director of a large car-distributing firm.

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raim Beach. Although a house could be built on the land. M. F. Robinson does not believe that it is wasted. He says. The garden and the view behind it provide a per-fect example of the glory of God's creasion."

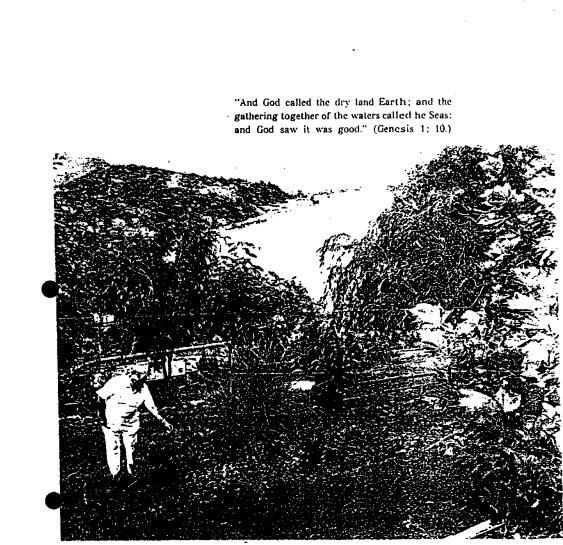
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- 3 AUG 2001

THE AUSTRALIAN WORKEY - May 10, 190

Article from The Australian Women's Weekly 10 May 1967 Appendix 11.1





AT WORK in the garden, with its 143 labelled variaties of biblical plants. Mr. Rebinson does must of the gordening himse



ACACIA, in appearance the nearest available to the Middle East ocacia which provided the wood Moses used to hause the Commondments.





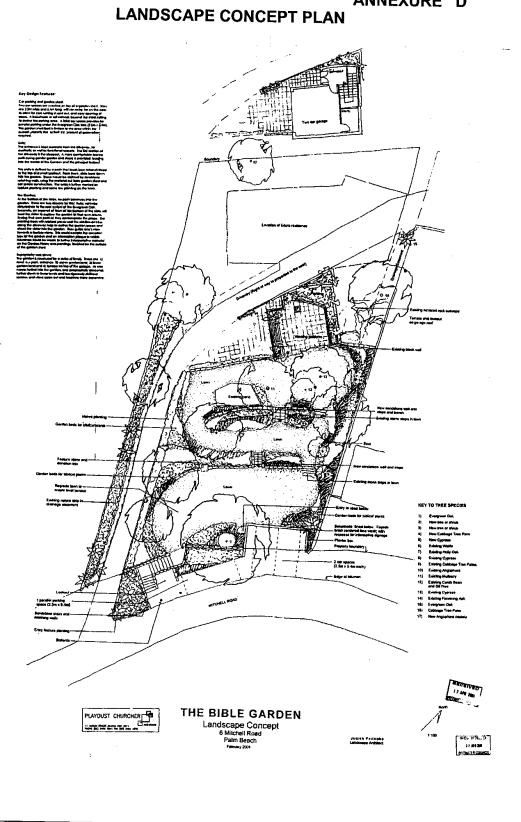
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ABOVE: Gourd, or castar-ail tri God "prepared a gourd, and ma it to come up over lonal

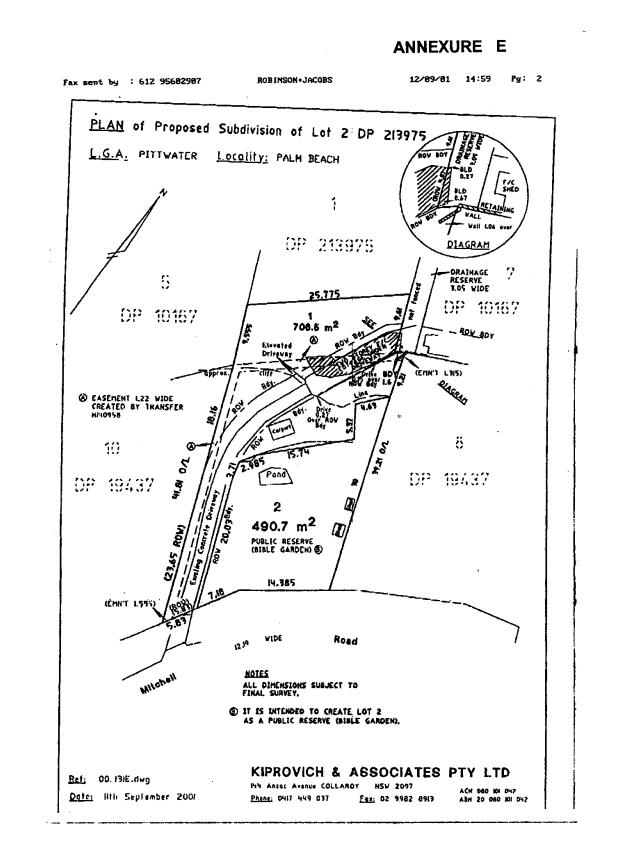
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ANNEXURE D











ANNEXURE F

Draft Plan of Management of the 'Bible Garden' as Community Land (Local Government Act 1993, section 36)

Land: proposed lot 2 in plan of subdivision of 6 Mitchell Road, Palm Beach (the 'Bible Garden')

Classification of the land as 'community land (area of cultural significance)' (section 36(4)(d) Local Government Act 1993)

Objectives (section 36(3)(b))

Conservation and enhancement of the land as a bible garden, in particular for:

- The cultivation of plants mentioned in the Bible,
- Ecumenical contemplation,
- Admiring the view north, and
- Weddings, baptisms and informal visits

Performance Targets (section 36(3)(b))

- Timely and effective undertaking of routine maintenance
- Maintaining appropriate public liability insurance
- Encouraging active, ongoing assistance from the incorporated association 'Friends of the Bible Garden Memorial' ('Friends')
- Assisting with signage and other means of publicising the Bible Garden, as discussed with the committee of the Friends from time to time

Means by which Council proposes to achieve the plan's objectives and performance targets (section 36(3)(c)):

 Management by a committee of Council the members of which include the committee of the Friends

Assessment. Manner in which Council proposes to assess its performance with respect to the plan's objectives and performance targets (section 36(3)(d):

 Consideration of periodic reports from the Friends, including annual financial and activity reports, and periodic landscaping and planting plans



ANNEXURE G

Annexure to Application for Incorporation of 'Friends of the Bible Garden'

The **objects** of the Association will be to support the conservation, maintenance and enhancement of the Bible Garden at Mitchell Road, Palm Beach as a place of ecumenical contemplation and a place that promotes consideration of God's creation, the Bible and the teachings of Jesus Christ.

The principal activities of the association will be:

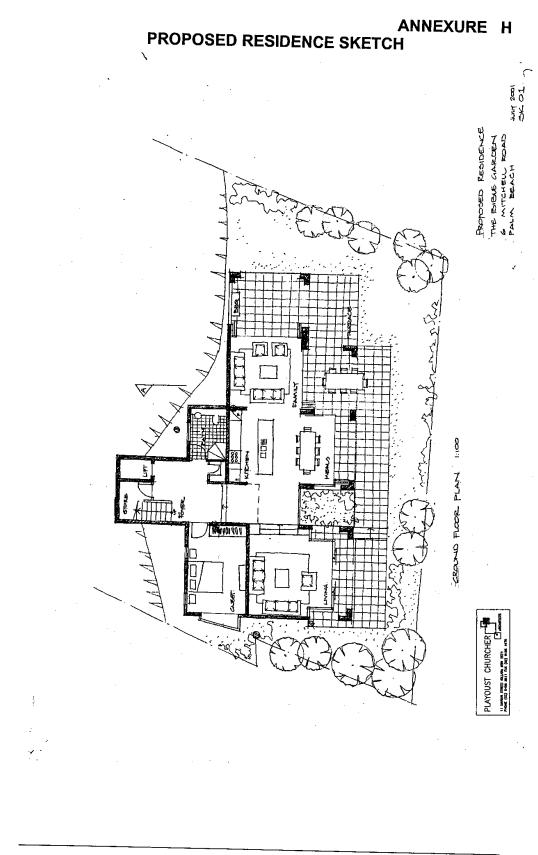
- 1. assisting Pittwater Council to conserve and enhance the Bible Garden, and to promote the public enjoyment of the Bible Garden;
 - volunteering gardening and other services, including:
 - a) coordinating bookings of the Bible Garden for wedding and christening ceremonies;
 - b) preparing and implementing periodic landscaping and planting plans;
 - c) planting and labelling of biblical and other plants in accordance with periodic plans; and
 - d) maintaining the garden;
- 3. fundraising;

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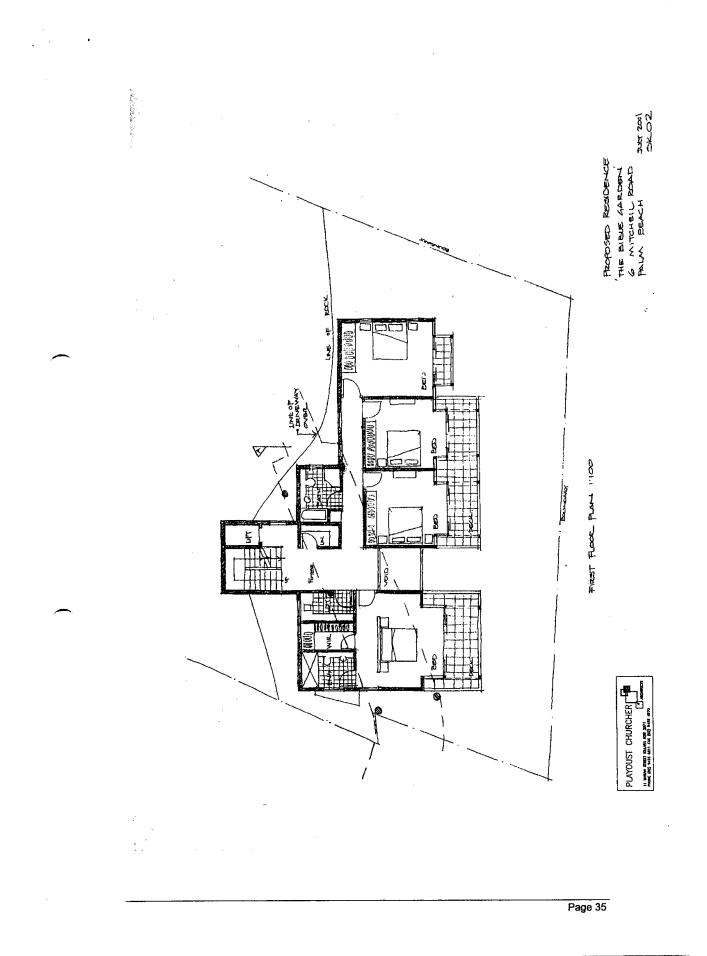
- 4. publishing a newsletter; and
- 5. any other activities to support the Bible Garden.



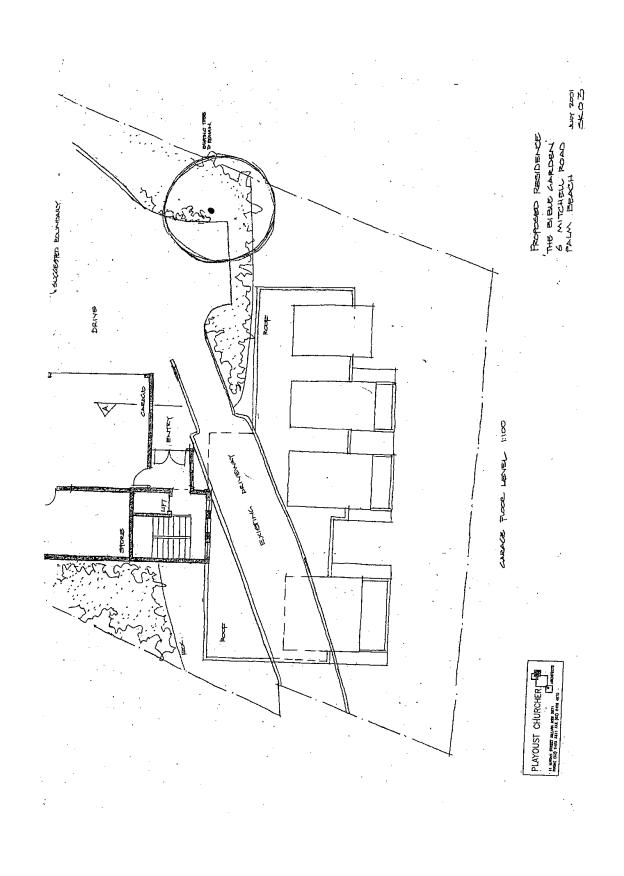


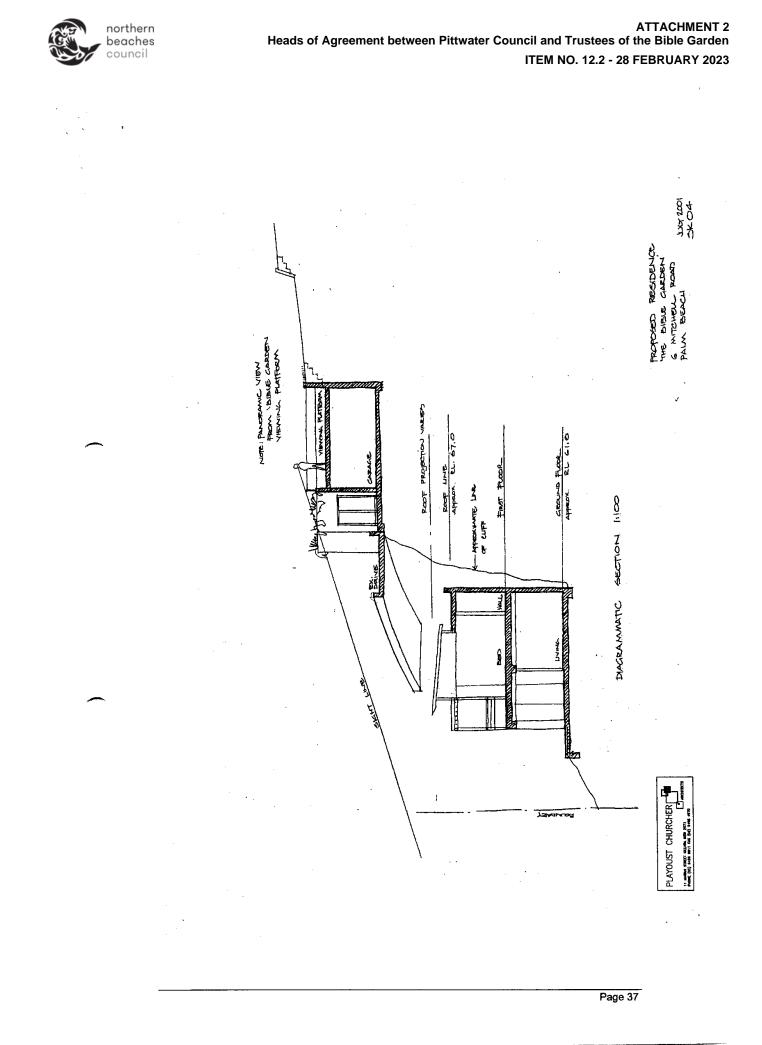






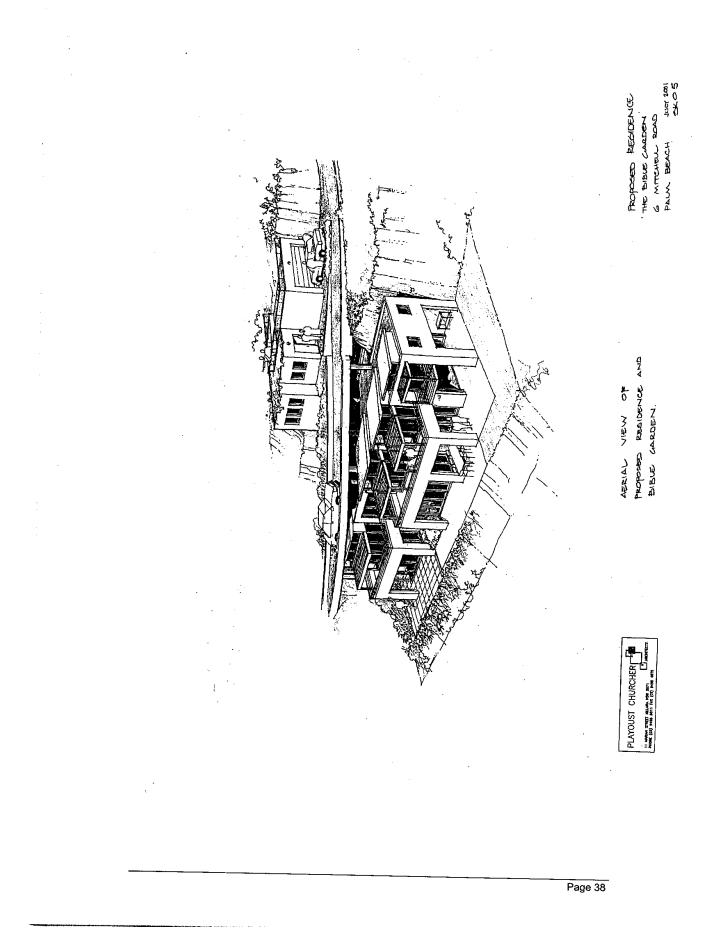




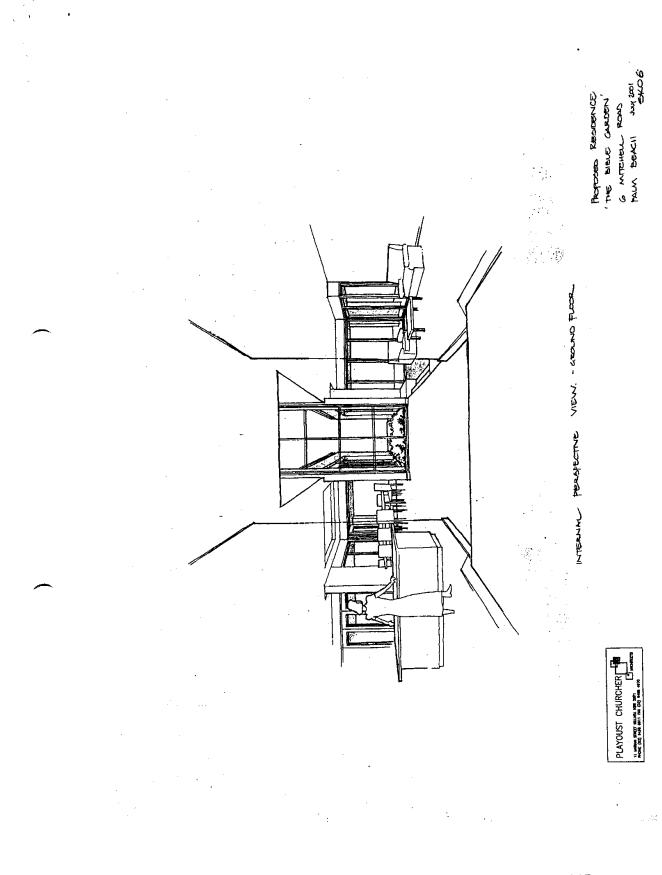




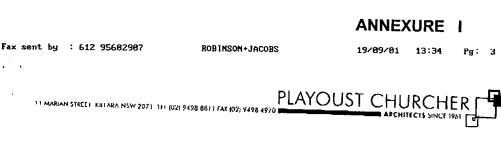
ATTACHMENT 2 Heads of Agreement between Pittwater Council and Trustees of the Bible Garden ITEM NO. 12.2 - 28 FEBRUARY 2023











13 September 2001

PROPOSED RESIDENCE

6 Mitchell Road, Palm Beach

Introduction

The following concept sketches are intended to illustrate a possible future residential development of proposed Lot 1. They have been prepared for the purpose of identifying suitable development parameters for incorporation in the Development Control Plan/Locality Plan at the time of subdivision. The sketches illustrate the proposed design control parameters, being the envelopes, setbacks and areas that are particular to this site and vary considerably to the DCP.

Development consent is not sought in relation to the residence proposed in the concept sketches. Rather a development application to build any particular residence in accordance with the Development Control Plan/Locality Plan (as amended) will be lodged subsequent to subdivision.

1.0 Compliance with Council Requirements

Under the "Paim Beach Ridgeline" Locality Plan and Building Code, Council sets out various objectives and controls. The following is an explanation of how the proposal responds and complies to each issue.

- 1.1 Built Form
- 1.1.1 Designated Slips Areas

The site is located within the designated slip area and a geo-technical report will be required to support a development application. The development control plan states that at no time shall disturbance exceed 40% of the site and the development shall not detrimentally affect the long term stability of the area.

The R.O.W and access road, residence and terraces on lot 1 disturbed in excess of 40% of the natural topography of lot 1 when they were constructed in the 1960s. The design of the new residence has been tailored to the existing landform and features of the site. It is located at the lower end of the site under R.O.W.

The house is situated such that the view lines from the Bible Garden will not be interrupted.

John JF Ploynoust B.Arch (Syd) F RAIA FACD toke JJ Playoust & Arch (hors) BJTS) ARAD Brett K Churcher B.Arch (hors) (BJTS) ARAD REIV John JF Ploynost & Co Phy Linnied ACN ODE 503-188 & Brett Churcher Architects Phy Lil ACN 003-761-611 Trading os Playoust Churcher Architects

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Fax sent by : 612 95682987 19/89/81 13:34 Pa: 4 ROBINSON+JACOBS . 1.1.2 Site Coverage The following are the site coverage calculations: Total Site Area by Surveyors Submission 706.6m² Area of Rights of Way across the site to be doducted from the site area; R.O.W. 164.4 m² Net Site Area: 542.1m² Allowable Built Upon Area @ 40% net site area; 216.84m² Area of parage, drive & entry Less: area of Landscaped Roof Garden 160.0m² <u>36.0m²</u> 124.0m² Add area of Ground Floor footprint 168.0m* Proposed Total Built Upon Area (to be confirmed) 292.0m² (53.87%) Proposal would exceed code by approximately 75.16m² (13.9%)depending on the actual subdivision boundary and subject to final survey. Required Lendscaped area @ 60% net site area; 325.26m² Proposed Landscaped Area: 250.1m² (46.1%) Proposal would be approximately 75.16m² below the minimum required landscaped area. The aim of the site coverage development controls is to restrict the footprint of development on site, to enable retention of the natural vegetation and facilitato planting of additional landscaping, to minimize the bulk of buildings' (Development Control Plan No.LP3 – Paim Beach Ridgeline Locality Plan at 3.1.3) The proposed developments envelope for lot 1 exceeds the controls in the DCP but is consistent with the stated aim of the controls. The alternative of residential redevelopment of the undivided site would result in a larger permissible built upon area than if the proposed development is allowed on lot 1, with lot 2 being excluded from residential development through rezoning. The proposal would not have an adverse effect on natural vegetation, which was substantially affered in the 1900's when the elevated concrete driveway was constructed and the remainder of lot 1 was terraced. An angophora costate would

Page 2 of 4

PLAYOUST CHURCHER ARCHITECTS IIT MARIAN STREET KILLARA NSW 2021 TEL (02) 9498 8811 FAX (02) 9498.

The bulk of buildings is minimised by their location undemeath the existing elevated



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ROBINSON+JACOBS

Pg: 5

1.1.3 Side Boundary Setback and Spatial Separation

The side boundary setback is to be one third of the height of the building, from the highest point to the existing ground line

West Boundary - The proposal would comply with this requirement.

East Boundary - Due to the staggered boundary, the wall complies in part with a setback of 2.3m. However, reduces to a 900m dimension at some points of the building. It is important to note that most of the non-compliance occurs under the existing right of way. The existing dwelling is built onto the boundary.

The proximity of the surrounding residences are sufficiently distant so that Council's spatial separation requirements should not apply. There is no residence adjacent to the West, and the proposed residence to the East will be located partly underneath the elevated concrete access driveway, on the Eastern side of a 3.05 metre wide drainage

1.1.4 Building Lines

We propose that a 3.5m rear building line (to the North) excluding terraces apply to the

1.1.5 Building Height

The slope of the land is greater than 20%, thus the maximum building height shall be 10.0 metres. The proposed residence will be well below the maximum permitted height. The building varies in height and has a height above existing ground level of between 7 and 7.5 metres on both the east and west elevations.

1.1.6 Visibility/Viewlines

The proposed residence has been designed to have no impact or views either to or from the Bible Garden. As per the Heritage Report prepared by Musecape Pty Ltd, the development is located so that the Bible Garden can still be read as a discrete entity and appreciated for its original purpose.

Due to the nature of the site and its topography, the residence is located at the northern end of the site below the existing driveway.

The two-storey residence will have a clearance under the driveway varying from approximately 1.2 metres to 4.5 metres. As a result, of its location, views from the Bible Garden will be maintained.

The location of the garage elso allows a viewing platform to be located on the garage roof. Again, the location and design will not allow any visual intrusion into the view from the Bible Garden. Refer Section Drawing SK04.

Page 3 of 4

ОЦКУ СНИВСНИЕВ АВСНИТЕСТЬ 1.). МАВИЛИ STREET KHI АВА NSW 2071 TEL (02) Y4Y8 8811 FAX (02) 9498-4970



x sent by : 612 95602907

ROBINSON+JACOBS

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1.1.7 Building Materials

Proposed building materials will be in sympathy with the surrounding locality. Natural materials such as stone and timber will be used extensively, while painted surfaces will be of natural earthy tones to evoke the character of the Australian bush, and beach.

Materials used will be:

Stone facing Timber cladding and decking Painted rendered walls Painted steel framing Timber framed glazing Colorbond steel roof sheeting

Although reinforced concrete will be used extensively for the structure of the residence, there will be no unpainted concrete exposed externally. Correct overhangs have been provided for the large areas of glass, eliminating the need for reflective tinting to the glass to provide sun protection.

1.1.8 Car parking

Council requires a minimum of two off street carparking areas. It was considered that the most sensitive position for the carparking on this site was under a rooftop viewing terrace which forms part of the Bible Garden. Part of the viewing terrace will also be landscaped by way of planters which are over the store and stair.

Due to the nature of the site, the garages and entry to the residence are located below the Bible Garden viewing lines therefore the garage and entry will not become a dominant element in the landscape.

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PLAYOUST CHURCHER ARCHITECTS 11 MARIAN STREET KILLARA NSW 2071 TEL (02) 2498 8811 FAX (02) 9498 4970



ANNEXURE J STATEMENT OF ENVIRONMENTAL EFFECT

Statement of Effect

The environmental effects of the proposed subdivision are regarded as minimal, given the purpose of the application, namely to give planning and land title recognition to the existing distinct Bible Garden and residential uses of the land.

The environmental effects of subdivision of 6 Mitchell Road, so as to retain a part of the land as a Bible Garden (lot 2), would be significantly less than if the whole of the land is sold for residential redevelopment.

See also '7.0 Statement of Heritage Impact' in the Heritage Assessment (annexure C) and in 'Proposed Residence – Compliance with Council Requirements' (annexure I).



ANNEXURE K

Proposed Planning Process for Subdivision of 6 Mitchell Road and Conservation of the Bible Garden Portion

1. Public Exhibition - Draft Heads of Agreement

Draft Heads of Agreement exhibited for public comment. *Timeframe: exhibition period commences within 1 month of receipt of draft documents from Trustees*

2. Heads of Agreement Signed

Following consideration of public submissions, Council and Trustees sign the Heads of Agreement.

Timeframe: within 1 month of the last day of the exhibition period

3. Lodgment of Applications

Concurrent lodgment of Development Application (DA) for subdivision, SEPP 1 submission, and application for amendment of Development Control Plan / Locality Plan (DCP), including:

- public reservation of Bible Garden area (based on cultural, heritage and environmental attributes)
- development parameters for the residential lot (for incorporation in DCP) as per concept sketches (Annexure H) and discussion of compliance with council requirements (Annexure I)

Timeframe: within 1 month from date of the Heads of Agreement

4. Public exhibition

Public exhibition of DA, draft DCP, draft plan of management of the Bible Garden as community land (Local Government Act 1993, section 36), the objects and activities of the incorporated association Friends of the Bible Garden Memorial Inc, and proposal to establish a standing committee of Council responsible for the management of the Bible Garden and whose members include the committee of the Friends of the Bible Garden Memorial Inc.

Timeframe: within 2 months of lodgment of applications

5. Approvals

Subject to due compliance with Council's statutory role as a planning authority:

- granting of development consent for subdivision
- public reservation of Bible Garden area
- draft DCP adopted
- resolution that the Bible Garden area will be classified as "community land" upon dedication to Council
- obtain Sydney Water certificate
- lodgment with Land and Property Information of subdivision plans endorsed with Council's subdivision certificate

Timeframe: within 5 months from date of lodgment of applications



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6. Issuing of separate land titles and vesting

- Issuing of separate certificates of title and vesting of Bible Garden area in Pittwater Council as Public Reserve (Bible Garden)
- Council adopts Plan of Management of the Bible Garden as Community Land (Local Government Act 1993, section 36) and forms a management committee which includes the committee of the Friends of Bible Garden Memorial Inc

Timeframe: within 7 months of date of lodgment of applications

7. Rezoning of Bible Garden portion

Council proceeds to amend Pittwater Local Environmental Plan 1993 (or make corresponding arrangements under any successor plan) so as to rezone Bible Garden in accordance with the dedication of Public Reserve (Bible Garden) stated in the plan of subdivision, and include the Bible Garden as a heritage item. Council submits the draft plan etc to the Director-General of the Department of Infrastructure, Planning and Natural Resources. *Timeframe: within 11 months of date of lodgment of applications*



- Various new sandstone walls for garden beds, and sets of stairs within the garden, and bench and seat
- New feature stone and donation box
- Regraded lawn to create a level terrace
- Viewing platform projecting beyond the NW boundary. This improvement would be provided by the eventual owner of the subdivided northern portion of 6 Mitchell Road, who would make the excavation necessary for a two-car garage, and create a load-bearing roof to the garage to serve as a viewing platform for visitors to the Bible Garden. The roof would be flagged in sandstone and include a balustrade.
- Sandstone paving, interpretation signage, planter boxes, seating and pond upgrade to integrate the existing viewing area with the new viewing platform.

The proposal to subdivide 6 Mitchell Road Palm Beach and give the southern half to Council as 'community land' does not provide a budget for funding the above capital improvements to the Bible Garden. Proceeds of sale of the northern (residential) portion of the land are to be used to fund other projects of the Bible Garden Memorial Trust.

The Friends will seek to fundraise for capital works, and Council and the Friends will work together to seek any potential sources of capital works funding over time.



ANNEXURE L RESPONSIBILITIES FOR ONGOING MANAGEMENT AND IMPROVEMENT OF THE BIBLE GARDEN

Background

While public reserves are an asset for the community, they can be expensive to maintain. In relation to the proposed gift of the Bible Garden to Council, joint Friends of the Bible Garden-Council maintenance and improvement is proposed. The committee of the incorporated association Friends of the Bible Garden Memorial ('Friends') would be recognised as a formal management committee of Council.

Maintenance: Role of Council

- Prepare and periodically update a plan of management for the Bible Garden, in accordance with the 'community land' provisions of the Local Government Act 1993
- Maintain public liability insurance
- Take bookings for weddings or christenings, and/or collect fees, in accordance with arrangements with the Friends. (The committee of the Friends, as a formal committee of Council, could handle reservations and collect fees on behalf of Council, or Council's Reserves Booking Officer could do so. Pittwater Council presently has both models working well in respect of its other reserves and community buildings.)
- Designate a suitable liaison officer from its Parks and Reserves staff and, upon request, provide advice to the Friends
- Assist with publicity, for example:
 - Street signage
 - Council's website
 - By making available to interested persons periodic reports provided by the Friends to Council, such as financial reports, landscape plans and planting reports
- Provide other assistance as may be agreed with the Friends from time-totime, for example lawn-mowing

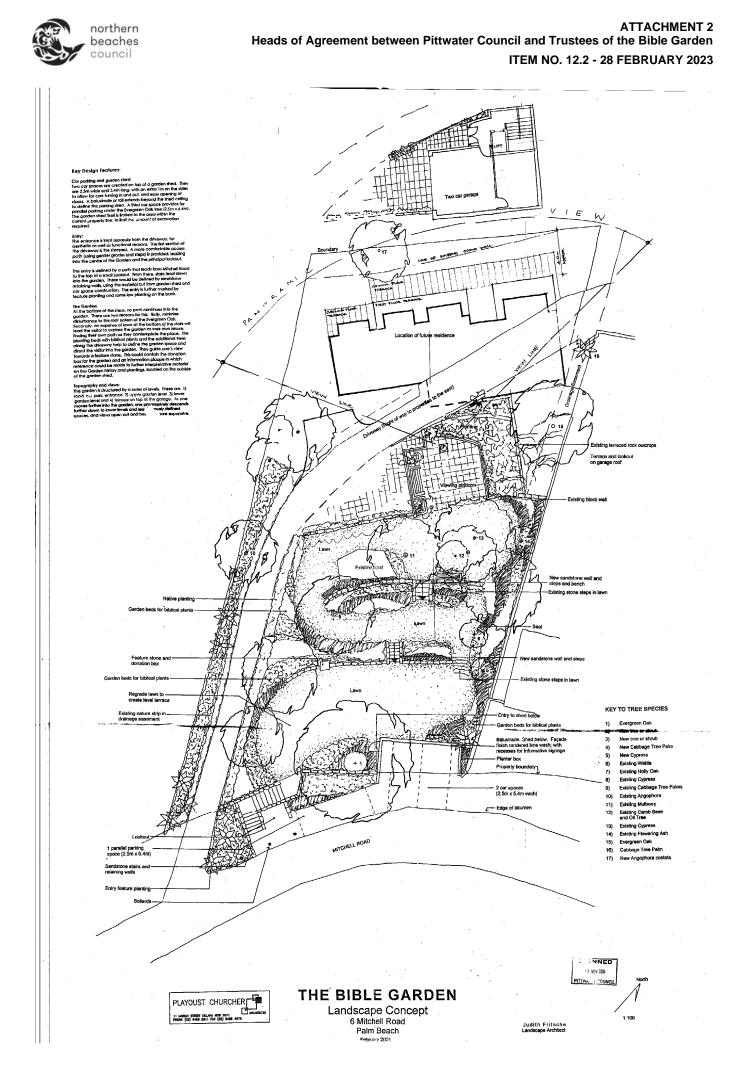
Maintenance: Role of Friends

- Assisting Pittwater Council to conserve and enhance the Bible Garden, and to promote the public enjoyment of the Bible Garden;
 - Volunteering gardening and other services, including:
 - Coordinating bookings of the Bible Garden for wedding and christening ceremonies;
 Prenaring and implementing periodic leaderset
 - Preparing and implementing periodic landscaping and planting plans;
 - Planting and labelling of biblical and other plants in accordance with periodic plans; and
 Maintaining the and and
 - Maintaining the garden;
 - o Fundraising;
 - Publishing a newsletter; and
 - o Any other activities to support the Bible Garden.

Capital Improvements

The Landscape Concept Plan (Annexure D) (Judith Fritsche, Landscape Architect, February 2001) includes the following capital improvements to the Bible Garden:

- Improved parking at Mitchell Road boundary, including 3 formed car spaces. Two of the spaces would form the roof (with balustrade) of a garden shed. The shed would include recesses for interpretive signage.
- Improved pedestrian access from Mitchell Road, including bollards, sandstone stairs and retaining walls





No.	Date Received	Issue Raised	Council Response to Issue
1	30/09/2022	More information needed on the proposal.	Contacted submitter via phone and explained the contents of Planning Proposal. No future submission made by the submitter.
2	10/10/2022	Wanting the garage area to be moved further east and lowered. Rooftop gardens rarely become a permanent fixture on a property, due to various problems or lack of interest. That would be my concern with this being so close to the max development height. Can the vegetation height on the rooftop be at the max development height.	Both suggestions go to design details of a future built form, that would be subject to a future Development Application being lodged on the site.
3	11/10/2022	Wanting more exhibition time.	The request is noted. Council extended the Non-Statutory Exhibition period to Friday 21st October 2022 and submitter advised accordingly. A latter submission, known as Submission #5, is made on behalf of the same landowners.
4	12/10/2022	New structure will obscure view.	The proposal will amend the PLEP2014 to include provisions to the subject site that any future residential development cannot exceed a height of 74.5 AHD for the whole property. This will ensure scenic views of Palm Beach from the Bible Gardens will not be obstructed.
		Concerned that with the owner being responsible for the upkeep of the proposed roof garden it will revert to a weedy mess and plants growing up to further obscure the view from the Bible Garden due to it being out of sight and concern to the owner and upkeep not being enforced.	The submitter is talking about the concept plans provided with the Planning Proposal documentation, that show the rooftop garden on top of the garage. The concept plans are information only and do not form part of the recommended Planning Proposal document before Council (see Attachment 1 to the report). Issues regarding the management of any future rooftop garden is to be addressed during an assessment of a Development Application.
5	21/20/2022	 Making of the Planning Proposal is without a connected development application is contrary to section 3.38 of the Environmental Planning and Assessment Act 1979 (EP & A Act); 	The Environmental Planning and Assessment Act (the EP&A Act) does not require a Planning Proposal is to be accompanied by a development application. The EP&A Act allows a Planning Proposal to be lodged for assessment.
		2) Planning Proposal is unclear in its terms; the additional clause into schedule 1 of the LEP should be clear & unambiguous. The submitter provides amendments to how the proposal is to be written.	The submitter suggests the description of 6 Mitchell Road alone, without the Lot and DP reference, may be uncertain. It is worth noting that as a document, the Planning Proposal is not meant to read and be worded as a legal instrument in much the same way as the Local Environmental Plan it is seeking to amend. The proponent's Planning Proposal clearly states, in plain English, It is clear the location of land as the area applicable to the clause is shown on the street address that the Planning Proposal relates and insofar what it is proposing to amend under the Pittwater LEP.
			Council staff, have prepared an amended Planning Proposal for Council to consider, as Attachment 1 to this report. It clearly states: the Planning Proposal will be a site- specific provision applying only to 6 Mitchell Road Palm Beach (to be identified on the Additional Permitted Land Uses Map of the LEP).
		3)Exhibition of the Planning Proposal is unlawful;	Council notified the proponent's Planning Proposal application. This notification phase is the first phase, an opportunity to obtain the local community's views on the proponent's Planning Proposal and is in accordance with Council adopted Community Participation Plan (May 2020). This is best practice approach in community engagement. It is not unlawful, especially as Council is considering the application and views from local community as part of its assessment of the proponent's Planning Proposal and before it determines whether to progress the Planning Proposal to Gateway Determination.
		4) Above breaches lead to the invalidity of any amendment made as a consequence of the Planning Proposal.	The issues raised by the submitter above , namely 1 to 3 inclusive, have been responded to accordingly. None of the issues raised are in breach of the EP&A Act.
6	28/10/2022	Lack of concern for the stone wall on the northern boundary (bordering with the adjoining property 17 Florida Road Palm Beach) of the subject site. The steep slope and conditions hazards and risk to 17 Florida Road, Palm Beach.	The stone wall in which the submitter refers to is located on the northern boundary of the subject site bordering with the adjoining neighbouring property 17 Florida Road, Palm Beach. Council notes the issue raised by the submitter however the geotechnical report submitted with the Planning Proposal do not conclude to require specific provisions that must be included in a site-specific provision as part of the additional permitted land use for this site (this is the basic premise of the proponent's Planning Proposal). Any issues regarding the structural adequacy of the stone wall and geotech hazards of the land is in the future design of a development on this site, that requires addressing in the assessment of a future Development Application.
'An ad	ditional submission	was received by Council and was subsequently withdrawn by	the submitter. The withdrawn submission has not been included in this table.





MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

14 DECEMBER 2022

4.2 PEX2022/0003 PLANNING PROPOSAL AT 6 MITCHELL ROAD, PALM BEACH

PROCEEDINGS IN BRIEF

The proposal is to amend Pittwater Local Environmental Plan 2014 by adding "dwelling houses" as an additional permissible use on that portion of the subject land zoned RE1 below RL 74.5AHD.

At the public meeting which followed the Panel was addressed by two (2) objectors on behalf of the neighbours.

At the public meeting Counsel for an objector submitted that: (a) there were two planning proposals before the Panel, one by The Planning Hub on behalf of the applicant and the other by Council as set out in Attachment 2 to the Council assessment report; (b) that the former was beyond power under the Environmental Planning and Assessment Act 1979 but that the latter was within power and the Panel could advise in respect of the latter; (c) that the Panel should reject the former and advise Council only in respect to the latter. The Panel considers that there is only one planning proposal before it, namely the Council's planning proposal set out in Attachment 2 to the Council assessment report. The Panel will advise Council only in respect of that planning proposal.

RECOMMENDATION OF PLANNING PANEL

That the Northern Beaches Local Planning Panel recommends that Council **support** the planning proposal set out in Attachment 2 to the Council assessment report to permit a dwelling house limited to a building height of RL 74.5AHD as an additional permitted use on 6 Mitchell Road Palm Beach, for the reasons presented in the assessment report, subject to the following:

The Panel suggests that the additional clauses in Schedule 1 of the Pittwater Local Environment Plan should read to the following effect:

Use of certain land at 6 Mitchell Road, Palm Beach

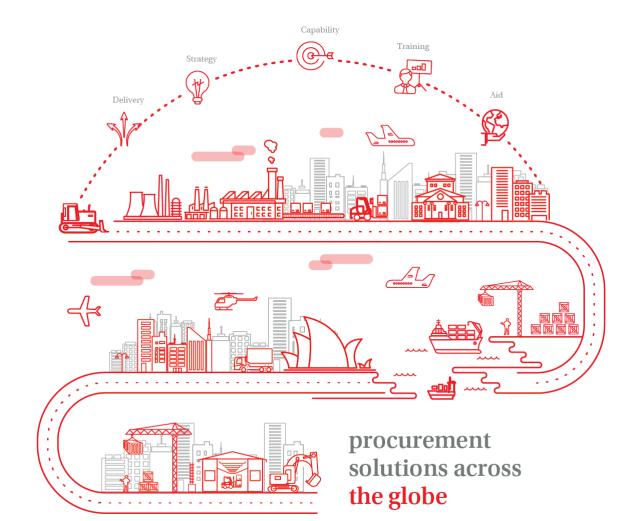
- (1) This clause applies to land at 6 Mitchell Road, Palm Beach, being Lot 1. DP1086858 and identified as "area 25" on the Additional Permitted Uses Map.
- (2) Development on the part of 6 Mitchell Road, Palm Beach zoned RE1 for the purposes of a dwelling house, not exceeding RL 74.5AHD in height, is permitted with development consent.
- (3) The height limit restriction of RL 74.5AHD also applies to the remainder of 6 Mitchell Road, Palm Beach, currently zoned C4.
- (4) Subject to the restriction imposed by clause 3, the remainder of 6 Mitchell Road, Palm Beach continues to be subject to the development height controls in clause 4.3 of the Pittwater Local Environmental Plan.

Vote: 4/0

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Planning Proposal for 6 Mitchell Road, Palm Beach (PEX2022/0003) Probity Report

> Northern Beaches Council 25 January 2023



Aid





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1. Introduction

Northern Beaches Council (Council) received a Planning Proposal Application relating to privately owned land located at 6 Mitchell Road, Palm Beach (Planning Proposal No: PEX2022/0003). The application is a proponentinitiated Planning Proposal under the Environmental Planning and Assessment Act. The proposal seeks to amend Pittwater Local Environmental Plan 2014 by adding "dwelling houses" as an additional permissible use on that portion of the subject land zoned RE1.

The land that is the subject of the application immediately abuts land owned by Council. In accordance with the Council's Community Participation Plan, as Council is an affected property owner to this application. Council's Property Team and Parks & Recreation Team (as the Asset Manager) will be invited to comment on the application along with other affected property owners.

Carriage of the assessment of the application will be by staff in Council's Strategic and Place Planning Business Unit, with input from technical experts across various Council Business Units. To maintain compliance and support good practice, Council engaged Charles Kendall Australia (CKA) to provide probity advisory services relating to the assessment. This Probity Report reflects on the probity of the assessment process.

2. Probity

2.1 Probity

The term "probity" refers to integrity, uprightness and honesty. In the context of the assessment process, probity relates to:

- compliance with relevant legislation, policies and other applicable governance;
- maintaining fairness and impartiality;
- supporting accountability and transparency;
- ensuring confidentiality and security of information; and
- managing potential and actual conflicts of interest.

The probity advisor is able to provide independent scrutiny of the process. The probity advisor can provide advice to facilitate compliance with recognised probity principles and can assist to resolve probity-related issues.

2.2 Specific Duties Included in the Probity Advisor Role

The role of the probity advisor extends to the following activities.

- Act as an independent observer throughout the assessment activity.
- Scrutinise the process to provide advice with respect to compliance with relevant policies and procedures.
- Review and assess all relevant documentation to validate compliance and transparency.
- Review and provide advice regarding conflicts of interest.
- Attend meetings as required.
- Provide a final report that gives an independent view of the probity and compliance of the process.

3. Review of Assessment Process

3.1 Preparation

In preparation for the review, CKA reviewed the following documentation that relate to the Planning Proposal assessment process:

Probity Report for Planning Proposal for 6 Mitchell Road, Palm Beach (PEX2022/0003) 25 January 2023







- Council's Business Process for assessment of Planning Proposal.
- Development Determination Panel (DDP) Charter (dated 30 June 2022).
- Local Environmental Plan Making Guideline (dated September 2022) Published by the NSW Department of Planning, Industry and Environment.
- Environmental Planning and Assessment Act 1979.

3.2 Conflicts of Interest

It was identified that as Council is an affected property owner to the application, Council has an interest and Council's Property Team and Parks & Recreation Team (as the Asset Manager) would be invited to comment on the application along with other affected property owners. This would be undertaken through the normal Council process. To manage this situation and maintain probity, Council ensured separation between the assessment of the Planning Proposal and Council's role as an affected property owner.

In addition, conflict of interest disclosures were received from the following Council officers involved in the process:

- Andrew Pigott
- Brendan Smith
- Joseph Tramonte
- Neil Cocks
- Amanda Clarke
- Liza Cordoba
- Nemani Robertson
- Rachael Thelander
- Robert Blackall
- Shivani Tapas
- Brendan Gavin

No individuals identified any conflicts of interest with respect to the that required management.

3.3 Internal Referrals

In accordance with the documented process, the following referrals were sent to Council stakeholders for comment regarding the application:

- To Suzy Lawrence (Principal Planner Strategic & Place Planning 2) dated 23 September 2022 regarding how Conservation Zones Review impact the subject property and particularly if the rezoning proceeds. No issues were identified in the response.
- To Brendan Smith (Team Leader Biodiversity and Planning Environment & Biodiversity Bushland & Biodiversity) regarding any Environment and Biodiversity feedback. No issues were identified in the response.
- To Brendan Gavin (Principal Planner Heritage European Strategic & Place Planning 1) regarding Non-Indigenous Heritage feedback. The response identified that Heritage can support the planning proposal, but there are some concerns to be considered at the development application stage.
- To Jeremy Smith Manager (Park Assets Planning Design & Delivery) for feedback from Park Assets. The response identified that Park Assets are able to support the planning proposal but raised some issues relating to the Deed of Management. It was determined that these issues are not specifically related to the Planning Proposal but may be addressed later.

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3.4 Community Consultation

3.4.1 Notification

The Planning Proposal was originally placed on non-statutory public exhibition for fourteen days in accordance with the Northern Beaches Community Participation Plan from 28 September to 13 October 2022. Notification letters were sent to the following owners and occupiers:

- Anthony William Cripps.
- Suzannah Victoria Plowman.
- Simon Trentham Fielding May.
- Jason Bradley Smith..
- David Andrew Thomas Thomas & Elizabeth Helen Thomas.
- Nancye Elizabeth Walton.
- The Resident at 15A Florida Road, Palm Beach NSW.
- Paul Howard Warren & Elizabeth Warren.
- The Resident at 6A Mitchell Road, Palm Beach NSW.
- W G Adams.
- Council's Property Team and Parks and Recreation Team.

In addition to the notification letters, Council undertook the following communications:

- Emails to community members who have registered their interest;
- An updated Council Public Exhibition website 'Your Say' with relevant information; and
- Information in Council's Community News.

On 12 October 2022, the notification period was extended to 21 October 2022.

3.4.2 Submissions

A total of six valid submissions were received during the non-statutory exhibition period, which raised the following issues:

- Wanting garage on the concept plan to be lowered;
- Vegetation that will feature on garage roof as shown on garage height should be at max development height;
- New structure will obscure view;
- Unlawful public exhibition;
- Unclear amendment proposal;
- Garage roof vegetation upkeep issues;
- Extension of exhibition time; and
- That the Planning Proposal is unlawful.

One (1) submission was received after 21 October 2022 but was still considered in the review process. The submissions included a response from Piper Alderman on behalf of Jason and Jodie Smith raising concerns that:

- the making of the Planning Proposal without a connected development application is contrary to section 3.38 of the Environmental Planning and Assessment Act 1979 (EP & A Act);
- The notification of the Planning Proposal is contrary to 3.40(1) of the Act;

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- the breaches lead to the invalidity of any amendment made pursuant to the LEP as a result of the Planning Proposal; and
- the Planning Proposal is unclear in its terms.

Council has considered the issues raised in submissions and prepared a response table which was attached to the report to Council.

3.5 Planning Proposal Assessment

The Planning Proposal for Amendments to Pittwater Local Environmental Plan 2014 (PLEP 2014) 6 Mitchell Road, Palm Beach was provided in November 2022.

CKA reviewed the following documentation relating to the assessment of the Planning Proposal:

- The Planning Proposal for Amendments to Pittwater Local Environmental Plan 2014 (PLEP 2014) 6 Mitchell Road, Palm Beach dated November 2022
- Northern Beaches Local Planning Panel Assessment Report for PEX2022/0003 Planning Proposal at 6 Mitchell Road, Palm Beach.
- Minutes of the Northern Beaches Local Planning Panel Meeting held via teleconference on Wednesday 14 December 2022.
- An Email dated 12 December 2022 regarding a question raised by NBLPP Panel member, Kara Krason and the subsequent response from Robert Platt via email on 13 December 2022.
- The Council Report for Planning Proposal for PEX2022/0003 at 6 Mitchell Road Palm Beach.

4. Findings

Based on the probity advisor's observations and the information provided by Northern Beaches Council and reviewed by the probity advisor, it is the opinion of the probity advisor that:

- The assessment of the Planning Proposal for 6 Mitchell Road, Palm Beach (PEX2022/0003) has been undertaken in accordance with Council's procedures;
- all relevant parties were aware of responsibilities to disclose conflicts of interest and there were no conflicts of interest identified by the Council officers involved in the process;
- The interest of Council as an affected property owner was effectively managed, with appropriate separation in place;
- The Planning Proposal was assessed fairly, with no evidence of bias;
- The submissions received through the community consultation and internal referrals were appropriately considered through the process.
- the principles of probity have been observed throughout the process; and
- the process has been undertaken in accordance with applicable legislation, guidelines and policies.

No probity issues have been identified that would prohibit progress of the proposal.

Probity Advisor

Dated: 25 January 2023

Mark Henderson

Probity Report for Planning Proposal for 6 Mitchell Road, Palm Beach (PEX2022/0003) 25 January 2023