



## Agenda

### Council Meeting

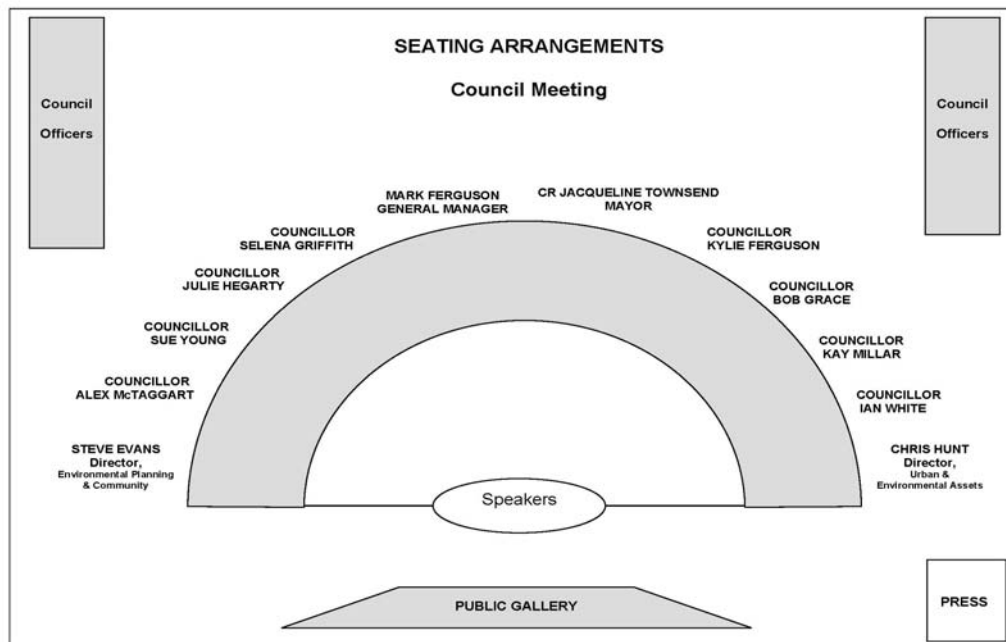
Notice is hereby given that a Council Meeting of Pittwater Council will be held at Mona Vale Memorial Hall on

**17 March 2014**

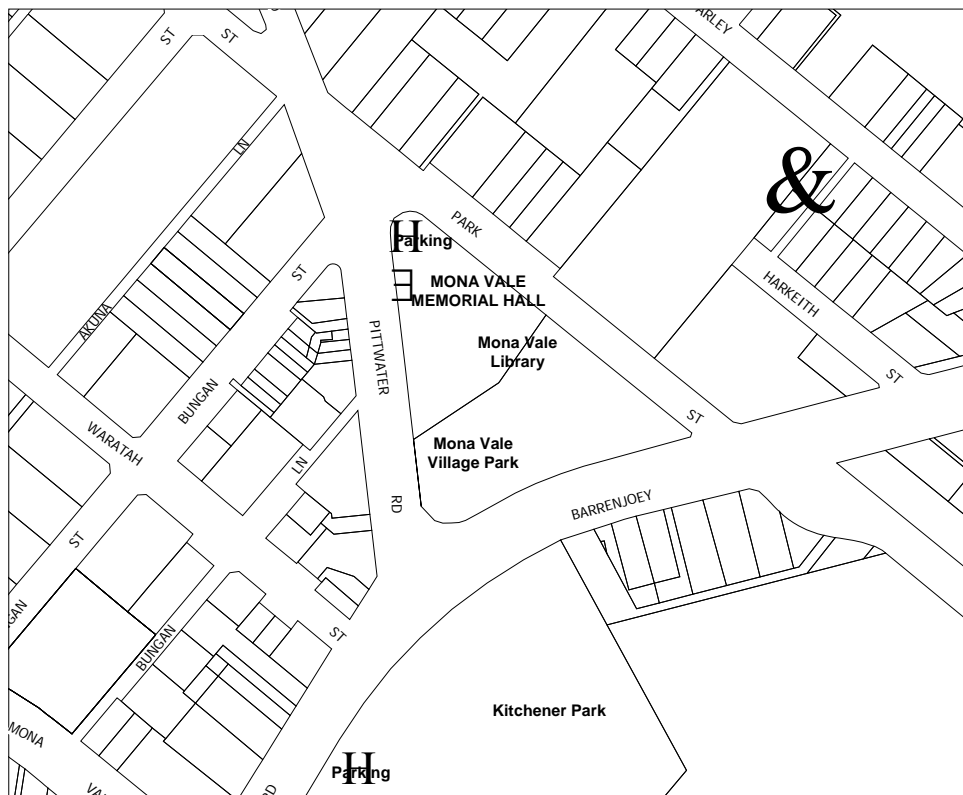
Commencing at 6.30pm for the purpose of considering the items included on the Agenda.

Mark Ferguson  
**GENERAL MANAGER**

## Seating Arrangements



## Meeting Location



All Pittwater Council's Agenda and Minutes are available on the Pittwater website at [www.pittwater.nsw.gov.au](http://www.pittwater.nsw.gov.au)

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## **Acknowledgement of Country**

**Pittwater Council honours and respects the spirits of the  
Guringai people.**

**Council acknowledges their traditional custodianship of  
the Pittwater area.**

## **Statement of Respect**

**Pittwater Council promotes and strives to achieve a climate of respect  
for all and endeavours to inspire in our community shared civic pride by  
valuing and protecting our unique environment, both natural and built,  
for current and future generations.**

**We, the elected members and staff of Pittwater Council, undertake to  
act with honesty and integrity, to conduct ourselves in a way that  
engenders trust and confidence in the decisions we make on behalf  
of the Pittwater Community.**

## IMPORTANT NOTE FOR COUNCILLORS

The Council has received Confidential Advice in relation to the matters listed below which is attached as **Appendix 1 to Councillor's Agenda on yellow paper**. It is important that Councillors read these documents prior to determining the matters. Should the Council wish to consider the Confidential Advice during the course of the meeting, the following procedure should be followed:

1. Any persons wishing to address the Council are invited to address the Council in Open Session, so that the general (non-confidential) issues relating to the matter are debated in Open Session.
2. Should the Council wish to consider the Confidential Advice at any time during the debate, the Council should resolve into Committee of the Whole in Closed Session in accordance with Section 10A(2)(d) of the Local Government Act 1993, and debate the Confidential Advice and any related issues in a Closed Forum, with the Press and Public excluded. The Council does not have to make any resolution whilst in Committee of the Whole in Closed Session.
3. Following conclusion of the Confidential discussion concerning the Confidential Advice the Council should resolve back into Open Session to continue the debate as required, excluding any reference to the Confidential Advice. Once again it is noted that the debate in Open Session should centre around the general (non-confidential) issues associated with the matter.
4. The Council should then determine the matter in Open Session.

The Reports on the items below are listed in Open Session in the Agenda:

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Mark Ferguson  
**GENERAL MANAGER**

# Council Meeting

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**CONFIDENTIAL CLAUSE**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the Council to close the meeting to the public for business relating to the following: -*

- (d) Commercial information of a confidential nature that would, if disclosed:-
  - prejudice the commercial position of the person who supplied it; or
  - confer a commercial advantage on a competitor of the Council; or
 reveal a trade secret.

**E04/13 - Expression of Interest for Avalon to Palm Beach Floodplain Risk Management Study & Plan**

**The Senior Management Team  
has approved the inclusion of  
all reports in this agenda.**

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## Council Meeting

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### 1.0 Public Forum

## GUIDELINES FOR RESIDENTS - PUBLIC FORUM

### Objective

**The purpose of the Public Forum is to gain information or suggestions from the community on new and positive initiatives that Council can consider in order to better serve the Pittwater community.**

- The Public Forum is not a decision making forum for the Council;
- Residents should not use the Public Forum to raise routine matters or complaints. Such matters should be forwarded in writing to Council's Customer Service Centres at Mona Vale or Avalon where they will be responded to by appropriate Council Officers;
- There will be no debate or questions with, or by, Councillors during/following a resident submission;
- Council's general meeting procedures apply to Public Forums, in particular, no insults or inferences of improper behaviour in relation to any other person/s is permitted;
- No defamatory or slanderous comments will be permitted. Should a resident make such a comment, their submission will be immediately terminated by the Chair of the Meeting;
- Up to 20 minutes is allocated to the Public Forum;
- A maximum of 1 submission per person per meeting is permitted, with a maximum of 4 submissions in total per meeting;
- A maximum of 5 minutes is allocated to each submission;
- Public submissions will not be permitted in relation to the following matters:
  - Matters involving current dealings with Council (eg. development applications, contractual matters, tenders, legal matters, Council matters under investigation, etc);
  - Items on the current Council Meeting agenda;
- The subject matter of a submission is not to be repeated by a subsequent submission on the same topic by the same person within a 3 month period;
- Participants are not permitted to use Council's audio visual or computer equipment as part of their submission. However, photographs, documents etc may be circulated to Councillors as part of the submission;
- Any requests to participate in the Public Forum shall be lodged with Council staff by 12 noon on the day of the Council Meeting. To register a request for a submission, please contact Warwick Lawrence, phone 9970 1112.

Mark Ferguson  
**GENERAL MANAGER**

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## **2.0 Resident Questions**

### **RESIDENT QUESTION TIME**

#### **Objective**

**The purpose of Resident Question Time is to provide the community with a forum to ask questions of the elected Council on matters that concern or interest individual members of the community.**

The following guidelines apply to any person addressing a Council / Committee meeting in relation to a Resident Question:

1. *Residents Question Time is conducted at the commencement of the second Council Meeting of the month and prior to the handling of General Business.*
2. *A maximum of 10 minutes is allocated to Residents Question Time.*
3. *Each Resident is restricted to two (2) questions per meeting.*
4. *All questions are to be in writing or made electronically and lodged with the General Manager no later than 6.15pm on the day of the Council meeting at which it is to be considered.*
5. *Questions must be precise and succinct and free of ambiguity and not contain any comments that may be offensive, defamatory or slanderous in any way.*
6. *A brief preamble may accompany the question to clarify the issue however only the actual question will be included in the minutes of the Council meeting.*
7. *Responses to residents questions made at the meeting will also be included in the minutes of the Council meeting.*
8. *Resident's questions taken on notice shall be the subject of a report to Council setting out both the question and response and shall be included in the agenda at the second meeting of the month following the resident's question.*
9. *There will be no debate or questions with, or by, Councillors during / following a resident question and response.*

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## **3.0 Apologies**

Apologies must be received and accepted from absent Members and leave of absence from the Council Meeting must be granted.



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## 4.0 Declarations of Pecuniary and Conflict of Interest including any Political Donations and Gifts

Councillors are advised of the following definitions of a "pecuniary" or "conflict" of interest for their assistance:

- \* Section 442 of the Local Government Act, 1993 states that a "pecuniary" interest is as follows:

- "(1) **[Pecuniary interest]** A Pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.
- (2) **[Remoteness]** A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter."

Councillors should reference the Local Government Act, 1993 for detailed provisions relating to pecuniary interests.

- \* Council's Code of Conduct states that a "conflict of interest" exists when you could be influenced, or a reasonable person would perceive that you could be influenced by a personal interest when carrying out your public duty.

Councillors are also reminded of their responsibility to declare any Political donation or Gift in relation to the Local Government & Planning Legislation Amendment (Political Donations) Act 2008.

- \* A reportable political donation is a donation of:
- \$1,000 or more made to or for the benefit of the party, elected member, group or candidate; or
  - \$1,000 or more made by a major political donor to or for the benefit of a party, elected member, group or candidate, or made to the major political donor; or
  - Less than \$1,000 if the aggregated total of the donations made by the entity or person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) is \$1,000 or more.

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## 5.0 Confirmation of Minutes

"Councillors are advised that when the confirmation of minutes is being considered, the only question that can arise is whether they faithfully record the proceedings at the meeting referred to. A member of a council who votes for the confirmation of the minutes does not thereby make himself a party to the resolutions recorded: **Re Lands Allotment Co (1894) 1 Ch 616, 63 LJ Ch 291.**"

Minutes of the Council Meeting held on 3 March 2014.

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## **6.0 Public Addresses**

The following guidelines apply to any person addressing a Council / Committee meeting in relation to an item on the Council / Committee meeting agenda:

1. *A member of the public may be granted leave to address a meeting of Council or a Committee, where such a request is received by the General Manager no later than 3.00pm on the day of the meeting. This is subject to:*
  - (a) *A maximum of up to six speakers may address on any one item, with a maximum of three speakers in support of the recommendation in the report, and three speakers in opposition.*
  - (b) *A limitation of three minutes is allowed for any one speaker, with no extensions.*
  - (c) *An objector/s to a development application is to speak first with the applicant always being given the right to reply.*

*Exceptions to these requirements may apply where:*

- (a) *The Meeting specifically requests that a person be interviewed at a meeting.*
  - (b) *The Meeting resolves that a person be heard at the meeting without having given prior notice to the General Manager*
2. *Once a public/resident speaker has completed their submission and responded to any Councillor questions, they are to return to their seat in the public gallery prior to the formal debate commencing.*
3. *No defamatory or slanderous comments will be permitted. Should a resident make such a comment, their address will be immediately terminated by the Chair of the meeting.*
4. *Council's general meeting procedures apply to Public Addresses, in particular, no insults or inferences of improper behaviour in relation to any other person is permitted.*
5. *Residents are not permitted to use Council's audio visual or computer equipment as part of their address. However, photographs, documents etc may be circulated to Councillors as part of their address.*

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## **7.0 Councillor Questions with Notice**

Nil.

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## **8.0 Mayoral Minutes**

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**C8.1****Mayoral Minute - Pittwater Woman of the Year 2014 -  
Christine Hopton****Meeting:** Council**Date:** 17 March 2014

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**MAYORAL MINUTE**

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**BACKGROUND**

On Tuesday 11 March 2014 the Member for Pittwater Rob Stokes announced the 2014 Pittwater Woman of the Year. The announcement was made at the annual Zonta International Women's Day Breakfast held at the Royal Prince Alfred Yacht Club.

The award is given to recognise the outstanding achievements of local women and their valuable contribution to the Pittwater community.

This year the 2014 Pittwater Woman of the Year was awarded to Avalon Beach Surf Club President, Christine Hopton.

Christine was the first female to be elected President of Avalon Beach Surf Life Saving Club. She is also a director of Surf Life Saving Australia and is instrumental in encouraging more women to pursue leadership opportunities across the surf life-saving movement.

The Avalon Surf Club membership has increased under her leadership and is involved in young person development and mentoring the future women leaders in surf life-saving.

Christine said she was "thrilled, honoured and humbled" and it was a pleasure for me to see her presented with her award.

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***Motion***

That Council acknowledges and congratulates Christine Hopton as the recipient of the Pittwater 2014 Woman of the Year Award.

Cr Jacqueline Townsend  
**MAYOR**

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<b>C8.2</b>	<b>Mayoral Minute - Newport Surf Life Saving Club State Champions</b>
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**Meeting:** Council

**Date:** 17 March 2014

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**MAYORAL MINUTE**

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**BACKGROUND**

Newport SLSC in its 105th year of community service is celebrating a historic achievement. Last weekend the Club won for the first time in its long and distinguished history the New South Wales Surf Life Saving Open State Championship point score.

It was an incredible achievement for the local Pittwater Club to beat the traditional strong competition surf life-saving clubs of Manly 2nd, Wanda 3rd, North Cronulla 4th and Elouera 5th.

Newport SLSC finished the Championships with 24 Gold medals, 9 Silver medals and 14 Bronze medals and Newport team members contested an incredible number of finals resulting in the overall point score win.

The reason Newport SLSC has achieved such significant competition success is pretty simple. They have created a structure that provides quality coaching and constant positive encouragement. Goals and objectives are set and regularly reviewed for each competitor and for the whole Newport team. Each and every competitor is encouraged to achieve their best rather than simply an emphasis on winning and the culture of Newport SLSC is that it is all about the whole team performance rather than individual success.

Whilst Newport SLSC has achieved great competition results this year it is also obvious that they have replicated this approach across the whole Club's activities and the Newport SLSC is having a very good 105th year.

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***Motion***

That Pittwater council acknowledges and notes the successful season of the Newport SLSC and congratulates them on making State Champions 2013/14.

Cr Jacqueline Townsend  
**MAYOR**

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## **9.0 Business by Exception**

Items that are dealt with by exception are items where the recommendations contained in the reports in the Agenda are adopted without discussion.

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## **10.0 Council Meeting Business**

Nil.

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## **Leading and Learning Committee**

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## **11.0 Leading and Learning Committee Business**

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## **C11.1 Management Report - 2013/2014**

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**Meeting:** Leading & Learning Committee

**Date:** 17 March 2013

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**STRATEGY:** Corporate Management

**ACTION:** Develop a structure / framework for integrated Corporate Planning

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### **PURPOSE OF REPORT**

To report on first 6 months of the 2013/2014 financial year for the 2013-2017 Delivery Program and Budget.

#### **1.0 BACKGROUND**

- 1.1 Council is required to report every 6 months on the progress of the 2013-2017 Delivery Program and Budget. This is a report on the first 6 months the 2013/2014 financial year. Budget results per Key Direction and associated Strategies are all detailed in the **Financial Report for the Period ending 31 December 2013 of the 2013-2014 Financial Year** that was presented to Council on 17 February 2014. The 6 Month Management Report has been circulated separately and will be formally tabled at the meeting.

#### **2.0 ISSUES**

##### **2.1 Reporting on the 2013-2014 Delivery Program**

This 6 Month Management Report provides an update as to the progress of the 341 actions that are contained in the 2013-2017 Delivery Program. For consistency the same format has been used for this report as in the Delivery Program.

The report is broken down by Council's 5 Key Directions and then by strategies and ultimately the operational actions. The report provides an update to each operational action as well as additional comments relating to the progress of the action.

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#### **3.0 SUSTAINABILITY ASSESSMENT**

##### **3.1 Supporting & Connecting our Community (Social)**

The activities below all have a positive effect on community connectedness and continue to provide a variety of services across the community:

- Major Market Days including Palm Beach markets, Narrabeen Food Markets and Mona Vale Market Day
- Enliven Pittwater activities including outdoor cinema, public art (Image Sculpture, yarn bombing, Christmas activities)
- Community events including the Sacred Footsteps Tour, Historical Photographic Exhibition, the Northside Aboriginal Arts Exhibition, Artists & Craftsmen of Pittwater Exhibition, Mona Vale Garden Club Exhibition and U3A Movie Days.
- Contributing to the establishment of the Northern Beaches Headspace
- A volunteer reception held in December 2013 was attended by over 100 people and was important in acknowledging the work undertaken by volunteers throughout the year.
- Three Citizenship ceremonies were held involving 143 new Australian citizens

- The community engagement portal on Council's website was updated to ensure timely access to information about current projects where consultation has been undertaken

### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

The activities below all reflect the philosophy of protecting and enhancing the human and natural environment for current and future generations:

- Dune stabilisation works carried out at North Palm Beach, North Avalon Beach and Mona Vale Beach
- Refurbishment of South Palm Beach amenities
- Upgrade of dune fencing at Newport Beach
- Community involvement in 12 events including Native Plant Giveaway stalls, Asparagus Fern Out Days, Bushcare's Major Day Out, and planting days (including National Tree Day events)
- Promotion and cooperation with native animal rescue services (Sydney Wildlife, WIRES and Southern Cross Wildlife Care) continues through Council's website and environmental newsletter Cooe
- Solar panels installed on Boondah Service Centre, Avalon Recreation Centre and Mona Vale Library. Water collection and recycling structures installed at Boondah Service Centre.
- Upgrade of Narrabeen Sports High western oval which can now be used by the community for local sports

### **3.3 Enhancing our Working & Learning (Economic)**

Council continues to provide life-long learning opportunities for all sectors of the community. Council commits to local economic development initiatives.

- 9 author talks held, 4 reading groups per month at Mona Vale Library
- 4 HSC lock-ins held attended by approximately 250 students
- 93,300 visits to Mona Vale Library, 137,677 loans at Mona Vale Library, 10,000 public PC booking
- 30,000 visits and 38,236 loans at Avalon Community Library
- Career Expo attended by Council staff
- Program of free business workshops and events
- Pittwater Business Limited supported
- Council continues to work very closely with all business chambers across Pittwater

### **3.4 Leading an Effective & Collaborative Council (Governance)**

The activities below all contribute towards Council's ongoing commitment to transparency and accountability when dealing with the community and to continual business improvement:

- 35 formal and 282 informal GIPA applications processed
- Customers at front desk at Avalon = 4310
- Customers at front desk at Mona Vale = 8694
- Council implementing a customised Enterprise Risk Management Plan
- Annual Employee Wellness Program is being implemented
- Council participated in the Career and Training Opportunities Expo (Job Shed) at Mona Vale in July 2013 to promote Pittwater Council as an employment option targeted at 17-30 year old local people.
- A preliminary strategic organisational review was undertaken to strengthen the long term capacity and gender diversity within the management team. A broad look was taken at a number of key strategic areas across the organisation to incorporate some additional structural changes to the organisation structure to help Council better deliver on services to the community.

- Customer Service continues to be a priority for Council and has been significantly improved with two new features being activated on the phone system which have been designed to reduce wait times for callers. These features are:
  - Call back – a feature which allows a customer, rather than wait for an available operator, to enter their phone number and then hang up. The next available operator will then call them back on the phone number that they recorded.
  - Transfer Queue – this feature allows a faster call transfer between a customer and Council officer.

### 3.5 Integrating our Built Environment (Infrastructure)

All the highlights below are aimed at enhancing the provision and use of public space as well as ensuring that Council adhere to environmental principles:

- Ingleside Precinct Planning Process commenced with consultant studies commissioned for the planning investigations. Community engagement already commenced as part of the Community Participation Plan
- Preparations underway for Mona Vale Village Centre Masterplan
- Construction of multi-deck car park in Mona Vale is progressing. Beeby Park carpark complete
- Paving in town centres have been steam cleaned, gardens have replanted, mulched and pruned where required and infrastructure repainted
- Walkway from the Serpentine to Bilgola Beach constructed
- New kayak storage at Clareville Beach
- New commuter boat tie-up at Scotland Island
- New shelter shed constructed at Bennetts Wharf, Coasters Retreat
- New pelican statue at Lakeside Park
- As a part of Council's Major Projects Program it has been recognised that more funds are required to be spent in the area of Building and Infrastructure Renewal in order for Council to achieve the industry benchmark of 100% for Asset Renewal. With the injection for additional funds in 2013/14 (including Special Rate Variation funding) Council's Asset Renewal ratio is projected at 108.22%.
- Council's 2013/14 Total Works Program is projected at \$36.461 million, one of the largest programs in Council's history. As a part of the Total Works Program Council is set to spend some \$1.431 million on footpath improvements, significantly adding to this infrastructure network.
- Preparation of a new Pittwater Local Environmental Plan (LEP) is underway with extensive public consultation undertaken throughout the process.

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## 4.0 EXECUTIVE SUMMARY

In providing Council with this information for the period ending 31 December 2013 the following information should be noted as a summary, there are 341 active operational actions for the period 2013/14.

	6 Months
Completed	15 (4.4%)
Progressing*	318 (93.3%)
Not Progressing	8 (2.3%)

\* Progressing includes those actions that are only scheduled to start in the last quarter; these actions are still scheduled to start, as planned, in this quarter.



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## **RECOMMENDATION**

That the 6 Month Management report for the period ending 31 December 2013 (6 months) **as tabled** be noted.

Report prepared by  
Lilian Whiteman - Local Infrastructure Funding Coordinator/Corporate Planner

Paul Reid  
**MANAGER - CORPORATE STRATEGY & COMMERCIAL**

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## **C11.2 Investment Balances as at 28 February 2014**

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**Meeting:** Leading and Learning Committee

**Date:** 17 March 2014

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**STRATEGY:** Corporate Management

**ACTION:** To Provide Effective Investment of Council's Funds

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### **PURPOSE OF REPORT**

To advise on the status of Council's Investment Balances as at 28 February 2014.

### **1.0 BACKGROUND**

- 1.1 As provided for in Regulation 212 of the Local Government (General) Regulation, 2005, a report listing Council's investments (**see Attachment 1**) must be presented.

### **2.0 ISSUES**

#### **2.1 MONTHLY RETURN**

Investment return for the month of February 2014:

Term deposits interest income:	<u>\$91,696</u>
Net investment return for February 2014:	\$91,696

#### **YEAR TO DATE RETURN**

Investment return year to date February 2014:

Term deposits interest income:	<u>\$945,315</u>
Net investment return year to date:	\$945,315

Projected investment return budget for financial year:	\$1,225,000
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#### **2.2 PERFORMANCE OF COUNCIL'S PORTFOLIO FOR THE LAST FIVE YEARS**

Annual returns of Council's portfolio for the last five years:

<b>Year to</b>	<b>Net Return</b>	<b>Return on average funds invested</b>
June 2010	\$ 1,364,315	6.1%
June 2011	\$ 1,521,223	5.9%
June 2012	\$ 1,679,693	6.4%
June 2013	\$ 1,656,908	4.8%
February 2014	\$945,315	3.8%
Projected Budget	\$ 1,225,000	3.6%

Note: Net investment return includes interest income and capital movements.

### **3.0 RESPONSIBLE ACCOUNTING OFFICER CERTIFICATION**

- 3.1 The Responsible Accounting Officer certifies that all investments have been made in accordance with Section 625 of the Local Government Act, 1993, the Local Government (General) Regulations, and Council's Investment Policy (No 143).
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### **4.0 SUSTAINABILITY ASSESSMENT**

This report does not require a sustainability assessment.

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### **5.0 EXECUTIVE SUMMARY**

- 5.1 The net investment return as at 28 February 2014 is \$945,315.
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### **RECOMMENDATION**

That the information provided in the report be noted.

Report prepared by  
Renaë Wilde, Senior Project Accountant

Mark Jones  
**CHIEF FINANCIAL OFFICER**



# PITTWATER COUNCIL

## INVESTMENT BALANCES

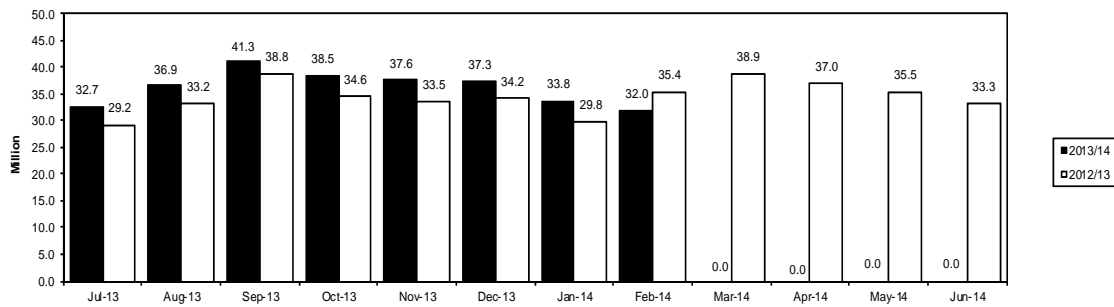
As at 28th February 2014

TYPE	INSTITUTION	Rating	AMOUNT \$	DATE INVESTED	MA TURITY DATE	TERM (DAYS)	INTEREST RATE
At Call	NAB	AA-	2,000,000.00 *	At Call	At Call	1	3.00%
At Call Total			2,000,000.00				
Term Dep	IMB Society	BBB	1,000,000.00	2-Dec-13	28-Apr-14	147	3.60%
Term Dep	IMB Society	BBB	1,000,000.00	9-Dec-13	11-Jun-14	184	3.60%
Term Dep	IMB Society	BBB	1,000,000.00	17-Dec-13	19-May-14	153	3.60%
Term Dep	IMB Society	BBB	750,000.00	27-Feb-14	16-Jun-14	109	3.50%
Investee Total			3,750,000.00				
Term Dep	Suncorp-Metway	A+	1,000,000.00	3-Sep-13	3-Mar-14	181	3.75%
Term Dep	Suncorp-Metway	A+	1,000,000.00	3-Sep-13	2-Jun-14	272	3.80%
Term Dep	Suncorp-Metway	A+	1,000,000.00	3-Sep-13	10-Jun-14	280	3.80%
Term Dep	Suncorp-Metway	A+	750,000.00	29-Nov-13	28-Apr-14	150	3.65%
Term Dep	Suncorp-Metway	A+	1,000,000.00	2-Dec-13	14-Apr-14	133	3.65%
Term Dep	Suncorp-Metway	A+	500,000.00	2-Dec-13	22-Apr-14	141	3.65%
Term Dep	Suncorp-Metway	A+	1,000,000.00	3-Dec-13	12-May-14	160	3.65%
Term Dep	Suncorp-Metway	A+	1,000,000.00	16-Dec-13	22-Apr-14	127	3.65%
Term Dep	Suncorp-Metway	A+	500,000.00	20-Jan-14	16-Jun-14	147	3.40%
Investee Total			7,750,000.00				
Term Dep	Bankwest	AA-	1,000,000.00	25-Feb-14	27-May-14	91	3.55%
Term Dep	Bankwest	AA-	1,000,000.00	27-Feb-14	2-Jun-14	95	3.55%
Investee Total			2,000,000.00				
Term Dep	Westpac	AA-	1,000,000.00	3-Sep-13	10-Mar-14	188	3.68%
Investee Total			1,000,000.00				
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	3-Dec-13	5-May-14	153	3.60%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	9-Dec-13	11-Mar-14	92	3.70%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	10-Dec-13	12-Mar-14	92	3.70%
Term Dep	Newcastle Permanent	BBB+	1,000,000.00	16-Dec-13	24-Mar-14	98	3.60%
Investee Total			4,000,000.00				
Term Dep	ING Bank	A-	500,000.00	8-Jan-13	27-Jun-14	535	4.47%
Term Dep	ING Bank	A-	1,000,000.00	2-Sep-13	3-Mar-14	182	3.91%
Term Dep	ING Bank	A-	1,000,000.00	9-Sep-13	17-Mar-14	189	3.75%
Term Dep	ING Bank	A-	1,000,000.00	16-Sep-13	31-Mar-14	196	3.72%
Term Dep	ING Bank	A-	500,000.00	2-Dec-13	9-Jun-14	189	3.80%
Term Dep	ING Bank	A-	1,000,000.00	9-Dec-13	11-Jun-14	184	3.80%
Term Dep	ING Bank	A-	1,000,000.00	17-Feb-14	11-Aug-14	175	3.70%
Investee Total			6,000,000.00				
Term Dep	NAB	AA-	1,000,000.00	28-Aug-13	1-Sep-14	369	3.90%
Term Dep	NAB	AA-	1,000,000.00	3-Sep-13	3-Jun-14	273	3.84%
Term Dep	NAB	AA-	1,000,000.00	10-Sep-13	24-Mar-14	195	3.80%
Term Dep	NAB	AA-	500,000.00	23-Sep-13	26-May-14	245	3.79%
Term Dep	NAB	AA-	500,000.00	21-Oct-13	7-Apr-14	168	3.75%
Term Dep	NAB	AA-	500,000.00	4-Nov-13	8-Apr-14	155	3.72%
Term Dep	NAB	AA-	1,000,000.00	13-Jan-14	26-May-14	133	3.68%
Investee Total			5,500,000.00				
February BBSW Close							2.64%
TOTAL INVESTMENTS			\$32,000,000.00				

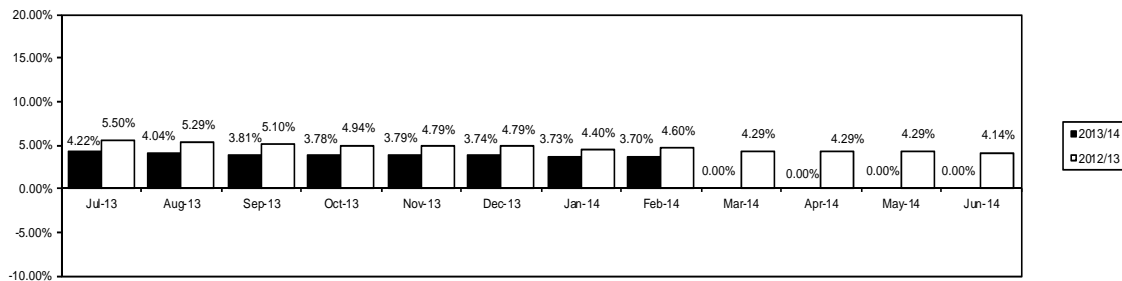
Note: Investments denoted with an \* are held in Cash and Cash Equivalents in Council's Balance Sheet along with Cash at Bank and Floats.

All other investments are held as Investment Securities in Council's Balance Sheet

### Investments On Hand - Month End

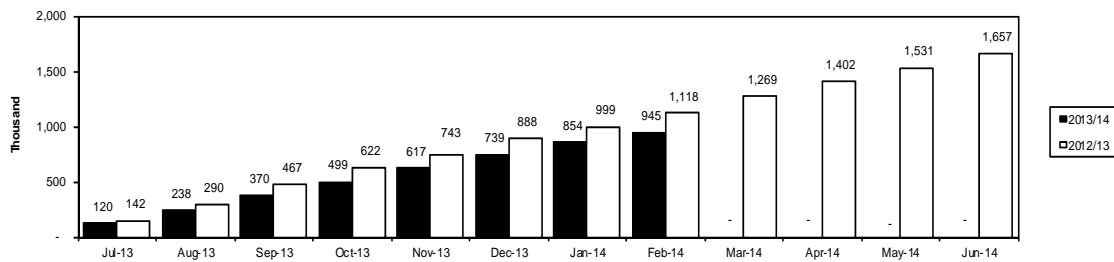


### Average Interest Rate

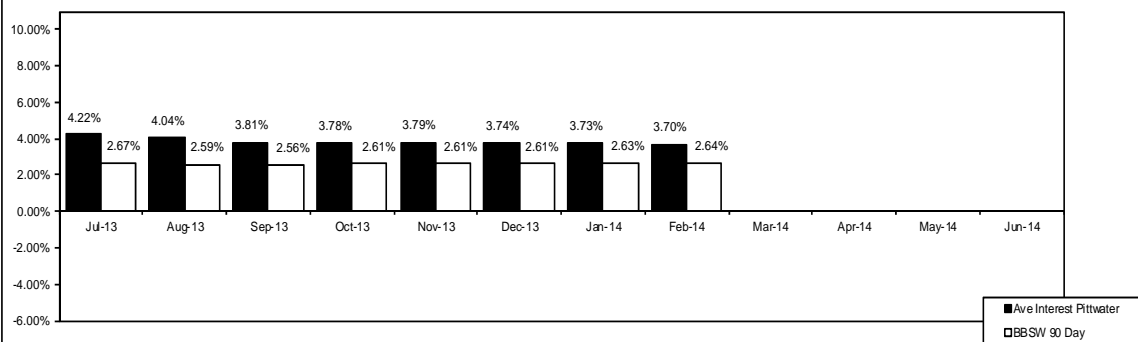


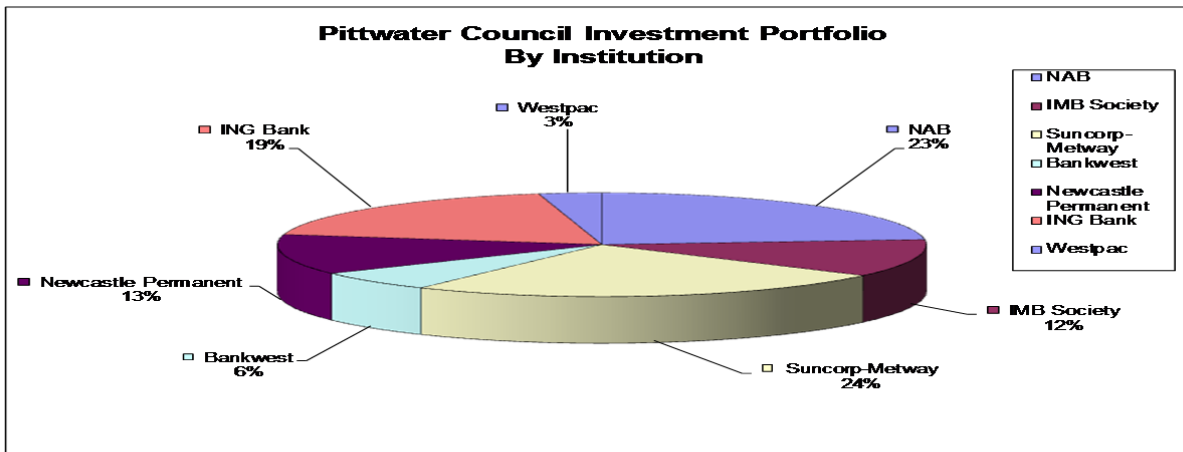
### Total Return Y.T.D.

Budget 1,225

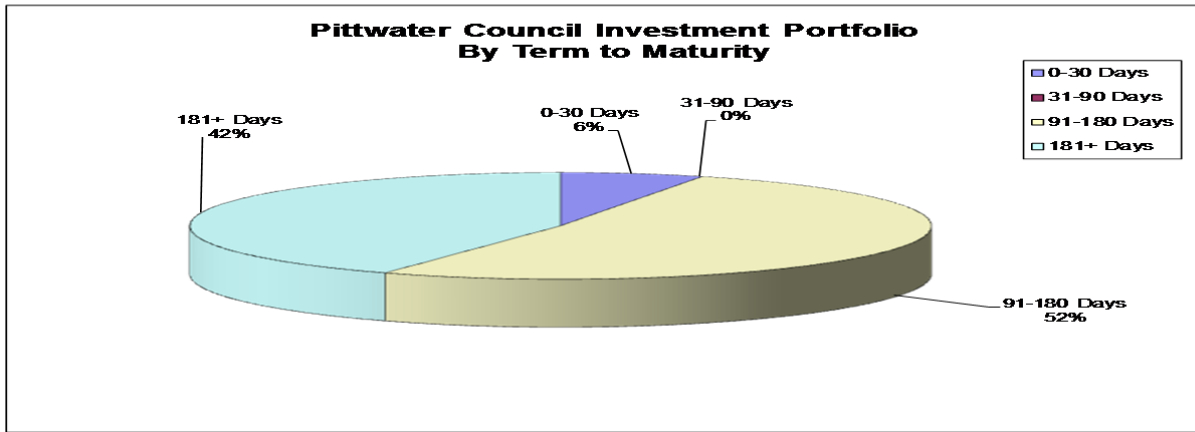


### Rate of Return vs Benchmark

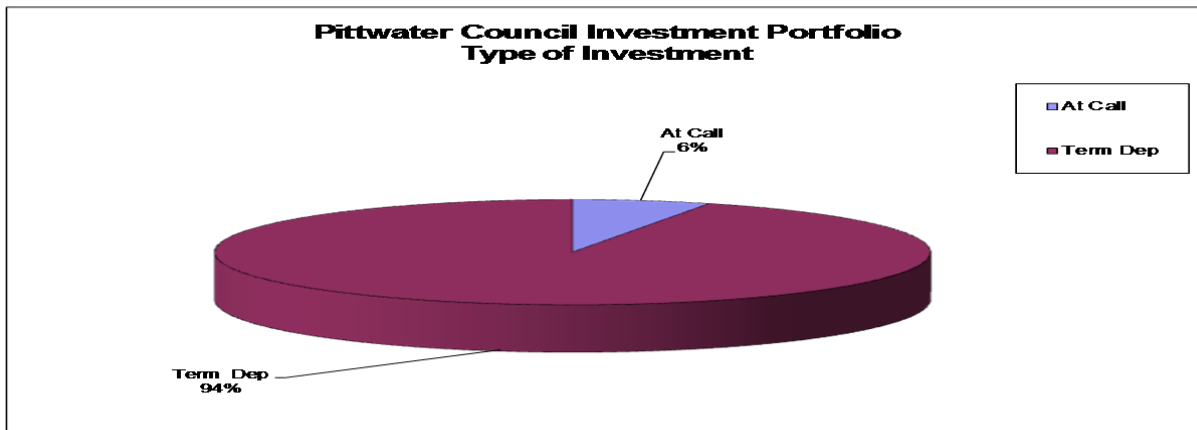
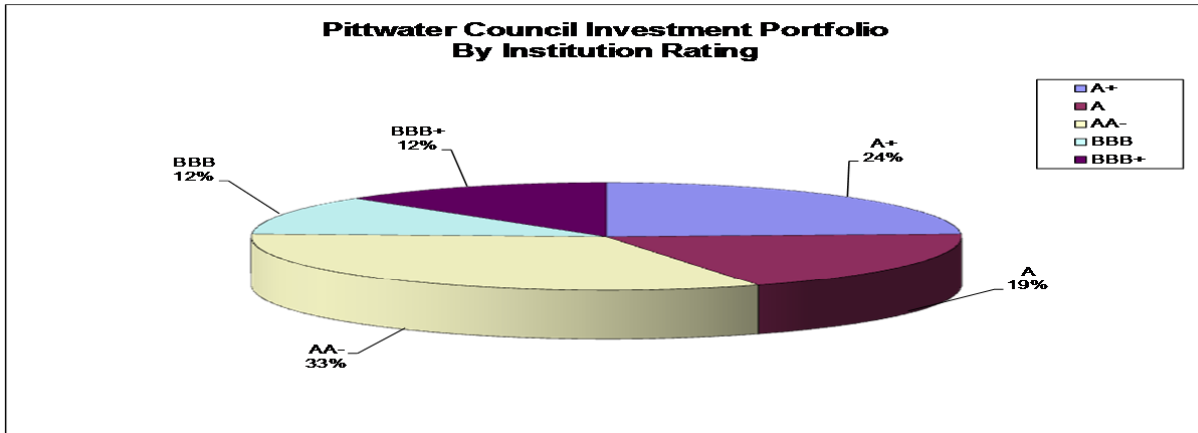




**Note: Council Policy - No Institution can hold more than 25% of Council's Total Portfolio**



**Note: Council Policy - No Term to Maturity can be greater than two years**



## Investment Information:

### Types of Investments -

**At Call** refers to funds held at a financial institution and can be recalled by Council either same day or on an overnight basis.

A **Term Deposit** is a short term deposit held at a financial institution for a fixed term and attracting interest at a deemed rate.

### Credit Rating Information -

Credit ratings are generally a statement as to the institutions credit quality.

Ratings ranging from BBB- to AAA (long term) are considered investment grade.

A general guide as to the meaning of each credit rating is as follows:

AAA	<i>Extremely strong capacity to meet financial commitments (highest rating)</i>
AA	<i>Very strong capacity to meet financial commitments</i>
A	<i>Strong capacity to meet financial commitments, but somewhat more susceptible to adverse economic conditions and changes in circumstances</i>
BBB	<i>Adequate capacity to meet financial commitments with adverse economic conditions or changing circumstances more likely to lead to a weakened capacity of the obligor to meet its financial commitments</i>
BB	<i>Less vulnerable in the near term, but faces major ongoing uncertainties and exposures to adverse business, financial, and economic conditions</i>
B	<i>More vulnerable to non-payment than obligations rated 'BB', but the obligor currently has the capacity to meet its financial commitment on the obligation</i>
CCC	<i>Currently vulnerable, and is dependent upon favourable business, financial, and economic conditions to meet its financial commitments</i>
CC	<i>Currently highly vulnerable</i>
C	<i>Highly likely to default</i>
D	<i>Defaulted</i>

The **Bank Bill Swap Rate (BBSW)** is the average mid rate for Australian Dollar bills of exchange accepted by an approved bank having regard to a designated maturity.

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<b>C11.3</b>	<b>Outcomes of the E04/13 Expression of Interest for Avalon to Palm Beach Floodplain Risk Management Study &amp; Plan</b>
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**Meeting:** Leading & Learning Committee

**Date:** 17 March 2014

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**STRATEGY:** Disaster, Emergency and Risk Management  
Land Use and Development

**ACTION:** Develop plans to mitigate/control, wherever possible, risks associated with hazards  
Progress and implement program for flood risk management studies  
Implement and periodically review plans to mitigate/control wherever possible, risks associated with natural hazards

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## **PURPOSE OF REPORT**

To consider, in accordance with Clause 177 of the Local Government Regulation, the Expression of Interest Evaluation Panel's (EEP) recommendations following its assessment of the expressions of interest received for the Provision of Consultancy Services for the Avalon to Palm Beach Floodplain Risk Management Study and Plan and to formally resolve on a list of companies to be invited to submit select tenders to provide this consultancy service

**Note:** Reports to Council for Expression of Interest are in two components:

- The open report provides an outline of the tender and the process
- The detailed assessment of the tenders is 'commercial in confidence' in accordance with Section 10A(2) of the Local Government Act and as such is included as a confidential attachment – see Confidential Section of this Agenda

## **1.0 BACKGROUND**

- 1.1 Through an Expression of Interest, Council sought to identify suitably qualified and experienced consultants, in order to invite the selected consultants to tender for the Provision of Consultancy Services for the Avalon to Palm Beach Floodplain Risk Management Study and Plan.
- 1.2 In 2013, Council completed a Flood Study for the Careel Creek Catchment as well as the Pittwater Overland Flow Flood Study. The previous Floodplain Risk Management Study and Plan (FRMS&P) for the Careel Creek Catchment was undertaken in 2002, there has been no FRMS&P for Overland Flow Paths in the area.
- 1.3 Pittwater Council is developing a Floodplain Risk Management Study and Plan (FRMS&P) for all flood affected land between the suburbs of Bilgola to Palm Beach. The NSW Office of Environment and Heritage (OEH) are also involved through the provision of technical and financial assistance.



## **2.0 ISSUES – Expression of Interest Process and Assessment**

- 2.1 **The EOI's were called in accordance with** Section 55 of the Local Government Act and have been assessed in accordance with Clause 177 of the Local Government Regulation.

**This Expression of Interest is for the:**

- The provision of a consultancy

**The Expression of Interest process was via:**

- An open tender invitation to the market

**Expression of Interest documentation included (brief précis):**

- Standard Expression of Interest Form
- Project Information
- Selection Criteria

2.2 **Call for and receipt of Expression of Interest:**

- Expression of Interest advertising & closing date
- Receipt of EOI
- EOI opening and administration
- EOIs received & registration at time of opening – Note this establishes a list of the companies that submitted an EOI and at that stage does not assess whether the EOI is conforming or not.

**EOI Advertising, Closing date and any pre-lodgement requirements**

- The Expression of Interest (EOI) was advertised by open EOI on 21 January 2014 in the Sydney Morning Herald and Tenderlink and 25 January 2014 in the Manly Daily with the closing date for receipt being 2.00 p.m. on 13 February 2014.
- A total of seven (7) contractors purchased the tender documents.

**Receipt of EOI**

- As per the call for EOI, the EOI could be received via the official Tender Box or via Tenderlink prior to the closing specified tender closing time/date of 13 February 2014.

**EOI Opening & List of EOI Received**

Following the close of the EOI period, the EOI opening was carried out on 13 February 2014 and conducted by the authorised tender opening panel.

At the specified tender opening time, 0 (NIL) tenders were collected from the tender box, with 7 (Seven) received via Tenderlink and were duly registered by Council, as follows, in no specific order:

- Webb McKeown and Associates (WMA Water)
- SMEC Australia Pty Ltd (SMEC)
- Pitt & Sherry
- NSW Department of Finance and Services (MHL)
- Molino Stewart Pty Ltd (Molino Stewart)
- Cardno Grogan Richards (Cardno)
- BMT WBM Pty Ltd (BMT)

## 2.3 Outline of EOI evaluation process

- EOI contain commercial in confidence information. As such under Section 10A(2) of the Local Government Act the detailed assessment of EOI is included in the confidential section of this Agenda.
- An Expression of Interest Evaluation Panel (EEP) was specifically formed to confidentially assess the EOI received. The EEP has provided a confidential assessment with covering report and recommendations for formal consideration by Council.
- The EEP takes into consideration the following steps as part of its confidential assessment
  - Probity checks including a declaration as to any Conflict of interest or pecuniary interest associated with the tender
  - Initial assessment– this assesses compliance with the call for EOI requirements and discussions with the EEP if any company is not conforming and whether it should be culled from the next stages of the EOI assessment process
  - Detailed assessment of remaining tenders then takes place, including performance against the EOI evaluation criteria.

Criteria	Weighting/Pass/Fail
Compliance with Conditions of EOI and submission of all documentation required by the request for EOI	Pass/Fail
Compliance with WH&S legislation and requirements of Workcover Authority of NSW	Pass/Fail
Environmental Sustainability and Social Equity	Pass/Fail
Demonstrated past experience (min 5 years) of the participant in performing work similar to the works required in this EOI in NSW	Weighted
Qualifications and demonstrated past experience of the Participant's key Personnel including key personal of subcontractors	Weighted
Participant's quality assurance system and procedures	Weighted
Technical requirements: <ul style="list-style-type: none"><li>• Community consultation</li><li>• Identification of management options</li><li>• Assessment of management options</li><li>• Reporting and presentation of results</li></ul>	Weighted
Project Management	Weighted
Departures and qualifications and compliance with project information	Pass/Fail
Participant's corporate and financial capacity	Pass/Fail
Insurances	Pass/Fail

- Ranking of conforming EOI and statements as to suitability to deliver the service
- EEP Confidential Report and recommendations to Council

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## 3.0 SUSTAINABILITY ASSESSMENT

### 3.1 Supporting & Connecting our Community (Social)

- 3.1.1 This EOI and the consultancy it provides will assist the Pittwater community to invite consultants to tender for the Avalon to Palm Beach Floodplain Risk Management Study and Plan

- 3.1.2 The overarching aims of the Avalon to Palm Beach Floodplain Risk Management Study and Plan will be to:
- increase safety for residents and businesses during flood events;
  - increase the community's resilience and reduce the social disruption that can be caused by flood events.

### **3.2 Valuing & Caring for our Natural Environment**

- 3.2.1 Flood Studies details the flood behaviour and natural hazard of the catchment. By understanding where the risks are likely to occur, Council can undertake the necessary steps to mitigate and manage the risk.
- 3.2.2 The EOI documentation questionnaire also included environmental sustainability. Consultancies provided information relating to products used, waste management, energy and water efficiency as well as recycling.

### **3.3 Enhancing our Working & Learning (Economic)**

- 3.3.1 This tender supports the Council and the communities' economic outcomes by providing a competitive opportunity, including local businesses, to provide this project for Pittwater.
- 3.3.2 One of the key outcomes of the NSW Government Flood Prone Land Policy and espoused in Council's Flood Risk Management Policy is the 'protection of private and private infrastructure and assets'. By ensuring that properties impacted by flooding are identified, and that there are adequate flood-related development controls in place, this will reduce future flood damages across not on the Careel Creek Catchment, but the whole of the Pittwater community.

### **3.4 Leading an Effective and Collaborative Council (Governance)**

- 3.4.1 Council provides a range of services for the community and resources these through a combination of internal and external providers.
- 3.4.2 The EOI process enables Council to seek competitive prices from the market to resource its external providers of the supply of goods and services, projects and consultancies.
- 3.4.3 The calling for and assessment of EOI is in accordance with Section 55 of the Local Government Act and the Local Government (General) Regulation.
- 3.4.4 Members of the Expression of Interest Evaluation Panel (EEP) are required to make a declaration in regard to any conflict or pecuniary interest.
- 3.4.5 The EOI received are assessed by a specifically convened Expression of Interest Evaluation Panel against the pre-determined mandatory criteria.
- 3.4.6 The EOI assessment and recommendations are reported to Council for formal consideration and are assessed against organisational and product information systems, policy.

### **3.5 Integrating our Built Environment (Infrastructure)**

- 3.5.1 The Avalon to Palm Beach Floodplain Risk Management Study and Plan will identify and determine mitigation and management options such as development controls which can be implemented to ensure new development is compatible with the flood behaviour and subsequent risks that this flooding poses.

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#### **4.0 EXECUTIVE SUMMARY**

- 4.1 Pittwater Council prepared an Expression of Interest E04/13 for the Provision of Consultancy Services for the Avalon to Palm Beach Floodplain Risk Management Study and Plan.
- 4.2 Seven (7) EOI submissions were received from:
- Webb McKeown and Associates (WMA Water)
  - SMEC Australia Pty Ltd (SMEC)
  - Pitt & Sherry
  - NSW Department of Finance and Services (MHL)
  - Molino Stewart Pty Ltd (Molino Stewart)
  - Cardno Grogan Richards (Cardno)
  - BMT WBM Pty Ltd (BMT)
- 4.3 The Expression of Interest Evaluation is presented to Council for consideration in the confidential section of this Agenda.
- 

#### **RECOMMENDATION**

That the four (4) companies nominated in the Confidential Section of this Agenda be invited to tender for the Provision of Consultancy Services for the Avalon to Palm Beach Floodplain Risk Management Study and Plan.

Report prepared by  
Melanie Schwecke - Acting Principal Officer - Floodplain Management

Jennifer Pang  
**MANAGER - CATCHMENT MANAGEMENT AND CLIMATE CHANGE**

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<b>C11.4</b>	<b>Local Government Managers Australia (NSW) Summit for Executive Women in Local Government November 2013</b>
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**Meeting:** Leading and Learning Committee

**Date:** 17 March 2014

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**STRATEGY:** Corporate Management

**ACTION:** To report on the Local Government Managers Association (LGMA) NSW Summit for Executive Women held 14 November 2013 attended by Councillor Townsend, Councillor Ferguson and Councillor Millar.

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## **PURPOSE OF REPORT**

To advise Council of Councillor Millar's report following attendance at the LGMA NSW Summit for Executive Women in Local Government held in November 2013. This report is also on behalf of Councillor Townsend and Councillor Ferguson.

### **1.0 BACKGROUND**

- 1.1 Council's Policy No 145 – Policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors provides that:

*'Conference Reporting:*

*Following attendance at a Conference authorised under this Policy, the relevant Councillor is required to submit a report of approximately one page in length to the community via the Council's Agenda papers on the outcomes of the Conference, with particular emphasis as to any outcomes affecting Pittwater.'*

- 1.2 The General Manager, under delegated authority, authorised Councillor Millar, Councillor Townsend and Councillor Ferguson's attendance at the Local Government Managers Association NSW Summit for Executive Women in Local Government held 14 November 2013.
- 1.3 This report is submitted by Councillor Millar and is also on behalf of Councillor Townsend and Councillor Ferguson.

### **2.0 ISSUES**

- 2.1 Reporting on attendance at conferences.
- 

### **3.0 SUSTAINABILITY ASSESSMENT**

#### **3.1 Supporting & Connecting our Community (Social)**

The report will have no impact on this Strategy.

#### **3.2 Valuing & Caring for our Natural Environment (Environmental)**

The report will have no impact on this Strategy.

#### **3.3 Enhancing our Working & Learning (Economic)**

The report will have no impact on this Strategy.

### 3.4 **Leading an Effective & Collaborative Council (Governance)**

This report is in response to Council's Policy 145 – Policy for the Payment of expenses and Provision of Facilities to the Mayor and Councillors – Conference Reporting.

### 3.5 **Integrating our Built Environment (Infrastructure)**

The report will have no impact on this Strategy.

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## 4.0 **EXECUTIVE SUMMARY**

- 4.1 Council's Policy No 145 – Policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors – provides that following attendance at a Conference authorised under this Policy the relevant Councillor is required to submit a report of approximately one page in length to the community via the Council's Agenda papers on the outcomes of the Conference, with particular emphasis as to any outcomes affecting Pittwater.
- 4.2 Councillor Millar's report, also on behalf of fellow Councillors, following their attendance at the Local Government Managers Association NSW Summit for Executive Women in Local Government held November 2013 is attached (refer **Attachment 1**) for Council information.

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## **RECOMMENDATION**

That the attached report be noted.

Report prepared by  
Kim Reading - Executive Assistant, Mayor & Councillors

Warwick Lawrence  
**MANAGER, ADMINISTRATION & GOVERNANCE**

## **LOCAL GOVERNMENT MANAGERS AUSTRALIA NSW SUMMIT FOR EXECUTIVE WOMEN IN LOCAL GOVERNMENT NOVEMBER 2014**

Convened by Annalisa Haskell, Chief Executive Officer, LGMA NSW

The Mayor, Cr Townsend, the Deputy Mayor, Cr Ferguson and I attended the inaugural 'Women in Local Government Summit' which showcased inspirational industry leading speakers.

The program covered interesting topics particular to women in male dominated spheres. This included:

- **Women's Initiatives at Maddocks – Presented by Cecilia Rose, Senior Associate and Lisa Chung, Partner, Maddocks.**

The presenters outlined the initiatives Maddocks has developed which has led them to be awarded citations as an Employer of Choice for Women. These initiatives include a Maternity Leave Plan policy, a Maddocks Women's Group, networking opportunities, professional development, engaging younger females in the organisation and assigning male champions to enable opportunities for women.

- **The Value of a Diverse Workforce**

Unfortunately this speaker was unable to attend so we received an update from Annalisa Haskell on the Independent Panel Report - Future Directions for NSW Local Government – Twenty Essential Steps.

- **Opportunities and Challenges in Today's Local Government – Presented by Ms Haskell, Penny Holloway, General Manager and Jilly Gibson, Mayor, North Sydney Council and Stefanie Pillora, Research Manager, ACELG.**

This was an interactive panel session looking at the opportunities being presented and challenges being overcome in their councils in today's local government environment. Statistics revealed the small representation of women involved in local government in either senior management positions or the elected body. It was interesting to hear from Penny Holloway as to the importance of the symbiosis between the General Manager and Mayor in local government and how the success of council was enhanced by positive relationships between them. Ms Holloway had very recently been successful in being awarded a position as Administrator of Lord Howe Island.

- **Leadership in Business – Presented by Jenny Young, GAICD, Partner, Ernst and Young.**

"Leadership is nothing to do with gender – it's all about performance" said Ms Young.

Jenny shared her perspectives on the outcomes and characteristics of successful leaders. Her mantras were:

- Culture beats Strategy (a positive culture can beat strategy)
- Behaviour beats Organisation (Individual behaviour can beat a flawed organisation)

Other topics included:

- 5 Factors for Wellbeing and Productivity
- Characteristics of Successful Leaders
- Personal Perspectives
- Make it Happen
- Challenge Yourself

Her final thoughts:

- Be true to yourself
- Don't forget to have some fun

- **Changing Culture to Improve Business Efficiency – Presented by Louise Rose, Manager Advisory, PWC Consulting.**

Ms Rose spoke about understanding the culture of your organisation and using this to drive change. She identified the glossy brochure interpretation (formal culture) and the reality (shadow culture) of an organisation, the myths and realities of the workplace and the gaps between culture and strategy. Louise highlighted the need for continuous improvement – “a commitment to competence”. Her key strategies were:

- Making change stick framework
- Focus on benefits
- Build involvement
- Focus on sustainability

“If you don't like something change it, if you can't change it change your attitude” – Maya Angelou.

- **Older Women Matter: Harnessing the Talents of Australia's Older Female Workforce – Presented by Jo Tilly, Policy & Research Manager, Diversity Council Australia.**

Ms Tilly spoke of new research recently released by the Diversity Council of Australia exploring how workplaces can better harness the skills and talents of Australia's older female workforce. She also highlighted a framework for action to assist organisations to attract, engage and retain older female workers and structure effective transitions into retirement. There was lively discussion on this topic as many of the women attending may have been in this category.

In conclusion I was inspired by the presenters, their skills, determination and success in their chosen fields. There were many lessons I learnt on both a personal and professional level which I feel will enhance the execution of my duties as a Councillor. My colleagues, Mayor Townsend and Deputy Mayor Ferguson, valued the presentations and the opportunity to meet attendees from many local government areas.

Kay Millar  
**COUNCILLOR**



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<b>C11.5</b>	<b>Minutes of the Warringah Pittwater Bush Fire Management Committee Meeting held on 3 December 2013</b>
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**Meeting:** Leading & Learning Committee

**Date:** 17 March 2014

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**STRATEGY:** Disaster, Emergency & Risk Management Strategy

**ACTION:** To work effectively with all emergency and utility agencies to improve emergency response

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## **PURPOSE OF REPORT**

To report to Council the minutes of the Warringah Pittwater Bush Fire Management Committee meeting held on 3 December 2014. The minutes are given in **Attachment 1**.

### **1.0 BACKGROUND**

- 1.1 The Warringah Pittwater Bush Fire Management Committee (BFMC) coordinates bushfire management in the Pittwater and Warringah local government areas. The BFMC comprises representatives from; Warringah Pittwater District Rural Fire Service, NSW Fire and Rescue, Pittwater Council, Warringah Council, Office of Environment and Heritage, NSW Nature Conservation Council, Land and Property Management Authority, Roads and Maritime Service and Ausgrid. The BFMC is responsible for preparing, implementing and reviewing the Warringah Pittwater Bushfire Risk Management Plan (BFRMP).
- 1.2 The Warringah Pittwater Bush Fire Management Committee meets quarterly to plan for and discuss issues such as; the progress of annual hazard reduction programs, APZ and fire trail maintenance, fire mitigation funding etc.

### **2.0 ISSUES**

Issues relevant to the Pittwater LGA include the following:

#### **2.1 Risk Management Plan**

The RFS has received a number of GIPA requests regarding hazard reductions. It is the Land Manager's responsibility to keep information in BRIMS up to date to answer these requests.

#### **2.2 Update on the 2013-14 Hazard Reduction Program**

Seven Hazard Reduction burns have been completed as part of the Annual Hazard Reduction Program;

<u>Agency</u>	<u>Reserve</u>	<u>Date completed</u>
NSW RFS	Deep Creek Reserve (Elanora Road)	31/8/2013
FR NSW	Attunga Reserve	16/8/2013 & 29/8/2013
	McKay Reserve (Bynya Road)	27/9/2013
	Annie Wyatt Reserve	5/9/2013
	Sunrise Reserve	5/9/2013
	Woodlands Reserve	7/9/2013
	Stapleton Reserve	6/11/2013

Most of the remaining proposed burns will be rolled into the 2014-15 Annual Hazard Reduction Program. Other than for inappropriate weather conditions, the NSW RFS Commissioner does not accept excuses for failing to complete targetted hazard reduction work.

### **2.3 Community Protection Plans**

The Draft Community Protection Plan (CPP) for Ingleside, Elanora Heights, Bayview and Warriewood was tabled for adoption on 3 December 2013. The progress of this plan will be reported at the next Bush Fire Management Committee meeting to be held on Tuesday 5 March 2014.

### **2.4 Mitigation Funding 2013 – 14**

Submissions for 2013-14 Mitigation Funding were put forward in June 2013. Pittwater Council has received \$150k through the Local Government Enhancement funding.

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## **3.0 SUSTAINABILITY ASSESSMENT**

Sustainability Assessment is not required

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## **4.0 EXECUTIVE SUMMARY**

- 4.1 The BFMC met on the 3 December 2013. The above issues relevant to Pittwater LGA were discussed. The minutes are given in **Attachment 1**.

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## **RECOMMENDATION**

That the Minutes of the Warringah Pittwater Bush Fire Management Committee Meeting held on 3 December 2013 be noted.

Report prepared by  
Kim Macqueen, Biodiversity Officer – Natural Environmental & Education

Mark Beharrell  
**MANAGER – NATURAL ENVIRONMENTAL & EDUCATION**

**MINUTES OF MEETING OF WARRINGAH PITTWATER BUSH FIRE MANAGEMENT COMMITTEE  
HELD TUESDAY 3 DECEMBER 2013 AT TERREY HILLS**

Meeting start: 11:15

<b>Participants:</b>	<b>Present</b>	<b>Apology</b>	<b>Absent</b>
Rosa Pangallo – DoP&I		X	
Mark Beharrell – Pittwater Council		X	
Scott Crosweller – RFS		X	
Kim Macqueen – Pittwater Council		X	
Chris Buckley – Manly Dam		X	
Nick Skelton – NCC	X		
Sarah Kemble – RFS	X		
Kel McNamara – FRNSW	X		
Sue Heins – Warringah Council	X		
Nicole McVicar – Warringah Council	X		
James Brisbois – Warringah Council	X		
David Ryan – Warringah Council	X		
Jonathan Mallin – Ausgrid	X		
Tim Heslop – LPMA	X		
Adam Burrowes – Warringah Council	X		
Ray Duguid – RFS	X		
Nihal Balasuriya – Sydney Water	X		
Natasha Funke – OEH	X		
Peter Hay – OEH		X	
Robert Strauch – FRNSW	X		
Karin Nippard – Pittwater Council	X		
George Sheppard – RFS	X		
Todd Dickinson – Warringah Council		X	
<b>Observers/Guests/Alternate:</b>			
Jodi Cree – RFS (Minutes)	X		

Item			Action
1.	Welcome	Chairperson – Cr Sue Heins welcomed everyone to the meeting.	
2.	Apologies	Todd Dickinson – Warringah Council, Peter Hay - OEH	
3.	Confirmation of minutes of previous meeting	Acceptance of previous meeting minutes from 3 September 2013 <b>Moved:</b> Karin Nippard <b>Seconded:</b> Kel McNamara <b>Carried</b>	
4.	Business arising from the previous minutes	Nil	
5.	Correspondence In	<ul style="list-style-type: none"> <li>- Smugglers Track Funding to be withdrawn due to fire activity</li> <li>- 2/12/13 – Report from Office of Strategic Lands</li> </ul>	
6.	Correspondence Out	<ul style="list-style-type: none"> <li>- 29/11/13 – Agenda for BFMC Meeting 3 December 2013 and Minutes of the BFMC Meeting held 3 September 2013</li> <li>- 29/11/13 – Department of Primary Industries brief for the Cromer Trail upgrade</li> <li>- 29/11/13 – NSW RFS Emergency Management Concept of Operations 2013/14</li> </ul>	
7.	Agenda Items	<p><b>7.1 Risk Management Plan</b></p> <p>Reminder to all agencies to enter information into BRIMS.</p> <p>RFS is receiving a number of GIPA requests. This information comes from BRIMS so it needs to be kept up to date.</p> <p>Resident Complaint from 11 Aquatic Drive – APZ on Crown Land. Works are undertaken regularly; the last time was two weeks ago.</p> <p><b>7.2 Update on the 2013-14 Hazard Reduction Program</b></p> <p>Completed 19 HR's totalling 266 hectares. Forced to stop due to dry and severe weather. There has been a lot of difficulty extinguishing HRs due to the dry weather; the West Head fire reignited 6 weeks within burnt area since completed.</p>	

Item		Action
	<p>FRNSW has completed 3 HR's for Warringah Council, 2 private burns at Salvation Army and War Vets as well as 6 HRs for Pittwater Council. Metro East has completed 14 HR's.</p> <p>Thank you to land managers for acting so quickly to requests for preparation.</p> <p>Sydney Water has a 3 year rolling program for Hydrant Inspections. Would like information on Completed HR's.</p> <p>Most of the HR program will roll into the 2014-15 programs. We need to add any new ones as required. Perhaps look at smaller, strategic HR's for property protection.</p> <p>Would like to prioritise Allenby Park East for next year.</p> <p>When doing HR's remember smoke management 1km from schools.</p> <p>The RFS Commissioner will not accept any excuses except weather for not completing HR's. We will bring in personnel from other areas if required.</p> <p>There has been a lot of media interest in HR's following the Port Stephens fire and 'green tape' for approvals. We do not have this issue with the BFMC working together on priorities.</p> <p><b>7.3 Fire Trail Register</b></p> <p>Fire Trail (FMWF) funding closes May 2015. Please ensure trails are on the register, 99% complete. Please speak to Ray Duguid if you have any queries.</p> <p>Standardised Signage? No funding at present. We need to comply with the policy. Look at adding a little extra to requests for funding.</p> <p>Difficult when there are multiple land owners.</p> <p>Coordinating committee Policy on signage is available on the RFS Website. Will attach to the minutes.</p>	<p>Attach</p>

Item		Action
	<p><b>7.4 Community Protection Plan</b></p> <p>The Community Protection Plan (CPP) for Ingleside, Elanora Heights, Bayview &amp; Warriewood has been tabled for adoption today. There may be some minor changes prior to release to the public.</p> <p>The CPP includes 3 maps:</p> <ul style="list-style-type: none"> <li>1 Bushfire Survival Map – shows the interface and the level of risk</li> <li>2 Bushfire Preparation Map – Shows APZ's, HR's and mitigation works. We need to look at proposed or existing APZ's</li> <li>3 Operational Brigade Map – shows fire history, assets, Helipads, Water points, hazards etc</li> </ul> <p>There have been a series of public meetings held with approximately 60 – 70 residents attending each. Local Brigades have been meeting with residents as well.</p> <p>Standards Australia – Living in Bushfire Prone Areas</p> <p><b>Motion:</b> To Endorse the Community Protection Plan for Ingleside, Elanora Heights, Bayview and Warriewood.</p> <p><b>Carried Unanimously</b></p> <p><b>Motion:</b> To endorse the Community Protection Plan for Terrey Hills and Duffys Forest</p> <p><b>Carried Unanimously</b></p> <p>The CPP for Beacon Hill and Oxford Falls area will be started after Christmas. We will be working with FRNSW and Warringah Council. Should speak to Friends of Narrabeen Lagoon.</p> <p><b>7.5 Update on the Section 52 Operations Plan</b></p> <p>Please ensure the Section 52 Plan is up to date.</p> <p>Plan has been sent off for BFCC approval. Expect it to be returned in the next couple of weeks.</p>	

Item		Action
	<p><b>7.6 Neighbourhood Safer Places</b></p> <p>The Neighbourhood Safer Place (NSP) program continues to be maintained. There is a current list of NSP's on the RFS and Council Websites.</p> <p>Buildings are being reviewed due to the inability to ensure the doors are opened. There is an MOU with the NSW Police to ensure buildings are opened however there are some issues at sites where there is no agreement with the land holder.</p> <p>We are reviewing the plan and trying to look at open places due to legalities.</p> <p>Funding has been made available for upgrading buildings and signage. NSP's are inspected annually.</p> <p><b>7.7 Mitigation Funding for 2013-14</b></p> <p>We are half way through the financial year. Agencies have been advised of their Fire Mitigation Funding. Local Government enhancement is \$160k for each council.</p> <p><b>7.8 2013-14 Bush Fire Season</b></p> <p>Brigades have been busy from Mid September to Mid November. Members were sent to a number of areas. 1415 personnel were sent away including aviation specialists, Communications personnel, resourcing and Bushfire Information Line as well as personnel for Incident Management Team's.</p> <p>The office was open daily with 3 staff over a 3 week period due to deployment. Catering provided breakfast and dinner to all crews leaving the district. Craig was on night shift in the Blue Mountains.</p> <p>FRNSW Stations from all over the state were at multiple fires. All the local units spent considerable time in the Blue Mountains and the north coast.</p> <p>RFS Warringah and Hornsby worked with FRNSW to ensure all local areas were covered. Fires that start in this area can be in houses within 10 minutes.</p>	

Item		Action
	<p>We had local fires at Forestville (Bluff Fire), Barrenjoey Headland and Maitland Street at Davidson. Believe the Maitland St Fire was deliberately lit, Barrenjoey possibly from a cigarette butt and the Bluff fire is undetermined – possibly deliberate or a spot from the Hazard Reduction.</p> <p>NPWS were kept very busy as well. They also had a dolphin and whale entanglement during this period.</p>	
8.	<p><b>General Business</b></p> <p><b>Hazard Complaints</b></p> <p>RFS have been looking at how they deal with complaints in areas that are not covered by RFS. Previously they were covered by RFS Service Centres or FRNSW.</p> <p>Following round table discussions with neighbouring districts and close cooperation with FRNSW, Warringah Pittwater RFS will now be looking after Hazard Complaints in Manly, Mosman, North Sydney, Hunters Hill, Sydney, Woollahra and Waverly. We may need to send people to assist in Hornsby and Blue Mountains as required.</p> <p><b>Horse Evacuation</b></p> <p>Met with District Emergency Management and Department of Primary Industries (DPI). DPI is responsible for animals. There is lots of angst among horse owners.</p> <p>Police conduct the evacuation with DPI responsible to look after the animals.</p> <p><b>NPWS Management Parks &amp; Reserves</b></p> <p>After speaking with RFS, FRNSW and NSW Police, NPWS have devised a Matrix/plan of which Parks will be open or closed on days of certain fire danger – attached.</p> <p>North Sydney and Lane Cove Councils are creating their own matrix for Parks and Reserves.</p> <p>Manly Dam is implementing a similar plan. All sections are closed other than Section 1 which will be gated.</p> <p>Another document – NPWS Emergency Management Plan works in conjunction with this.</p>	Attachment



Item		Action
	<p>It is a pilot program that we would like to see become like a wet weather line on raining days. On Toban days the public would go to this matrix. Hope to see it adopted by all BFMC's in the future.</p> <p>Would also like to see this eventually as part of the Risk Management Plan and the Section 52 plan.</p> <p>Need to look at the Aero club at Belrose. Petrol powered planes that may crash on high fire danger days.</p> <p><b>Signs for Council</b></p> <p>RFS Banners regarding Prepare.Act.Survive and Bushfire Plans were given to Warringah and Pittwater Councils to be placed in a public area.</p> <p><b>Catalyst Program</b></p> <p>The Catalyst program that aired on 1 December would be good to show at community meetings. Highlights the need to have a plan.</p> <p><b>FRNSW – Must Have Bag</b></p> <p>An initiative from FRNSW contains a list of things you may need in the event of evacuation. Identification, Bank account details etc. If anyone would like some for Residents, please contact Kel or Rob.</p> <p><b>Cromer Road Trail</b></p> <p>LPMA are looking for endorsement to approach other land owners for the Cromer Road Trail upgrade, eg Metro Land Council. Would like to get it to a trafficable status. A non through trail that will have low impact to EEC and the Giant Burrowing Frog.</p> <p>Request endorsement from the BFMC as a strategic trail already upgraded from dormant to important.</p> <p>North and west side of Cromer – very important Strategy.</p>	

Item		Action
	<p>Nature Conservation and Aboriginal land Council have an interest in this. We need to emphasize the need for further environmental assessment.</p> <p>Remainder of the trail is not being worked on. Will remain at dormant status.</p> <p><b>Sydney Water</b></p> <p>Contacts have changed. Provided an update.</p> <p><b>Private Clearing Amendment</b></p> <p>Still some issues being worked through and is not legislated as yet. Expected to only be on private land and there will be a list of what can and can't be done or removed, awaiting legislation.</p> <p><b>BRIMS</b></p> <p>Tim Heslop attended a workshop. We should be creating a new shell each year as reporting is not being shown when the shell runs over multiple years.</p> <p>Summary report is not producing all figures. Individual work report is ok for funding etc. Make sure it is entered.</p> <p>Whoever creates the shell gets credit for the work.</p>	

Date of next meeting	Tuesday, 4 March 2014, commencing at 10:00 hours	
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Meeting finish: 13:00hrs

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<b>C11.6</b>	<b>Minutes of the Audit &amp; Risk Committee Meeting held on 25 February 2014</b>
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**Meeting:** Leading & Learning Committee

**Date:** 17 March 2014

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**STRATEGY:** Corporate Management

**ACTION:** Maintain and service Council's range of Committees

---

## **PURPOSE OF REPORT**

To present to Council the Minutes of the Audit & Risk Committee for the meeting held on 25 February 2014.

### **1.0 BACKGROUND**

- 1.1 Council approved the establishment of an Internal Audit Committee at its meeting held on 16 November 2009. The Committee plays a pivotal role in the governance framework to provide Pittwater Council with independent assurance and assistance on risk management, control, governance and external accounting responsibilities. This Committee was subsequently renamed the Audit & Risk Committee. The original Audit & Risk Committee Charter required the Committee to report to Council "at least annually".
- 1.2 At its meeting on 15 February 2012, the Audit & Risk Committee resolved that:
- Minutes of the Audit & Risk Committee Meetings are to be reported to Council on a quarterly basis and so be placed on the public record.*
- and
- The Audit & Risk Committee Charter ... to be reviewed and revised by the Committee ... and submitted for approval by Council at the first availability.*
- As a result the Audit & Risk Committee Charter was revised to reflect quarterly reporting to Council.
- 1.3 Council endorsed an updated Audit & Risk Committee Charter at its meeting held on 16 April 2012.
- 

### **2.0 ISSUES**

- 2.1 Per the revised Audit & Risk Committee Charter the Minutes of the Audit & Risk Committee Meetings shall be reported to Council on a quarterly basis.
- 

### **3.0 SUSTAINABILITY ASSESSMENT**

#### **3.1 Leading an Effective & Collaborative Council (Governance)**

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

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#### **4.0 EXECUTIVE SUMMARY**

- 4.1 The Audit & Risk Committee has resolved to amend their Charter so that Minutes of quarterly meetings are reported to Council and so be placed on the public record. As such, a copy of the Minutes of the Audit & Risk Committee Meeting held on 25 February 2014 is at **Attachment 1**.

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#### **RECOMMENDATION**

That the Minutes of the Audit and Risk Committee Meeting held on 25 February 2014 be noted.

Report prepared by  
Karen Farquhar - Internal Auditor

Warwick Lawrence  
**MANAGER, ADMINISTRATION & GOVERNANCE**

# Minutes

## *Audit & Risk Committee Meeting*

held in the 3<sup>rd</sup> Floor Conference Room at  
Pittwater Council, Warriewood on

***25 February 2014***

Commencing at 5.30pm

ATTENDANCE:

**Members**

Mr John Gordon (Chair)  
Mr Robert Dobbie  
Cr Julie Hegarty  
Cr Bob Grace

**The following Council Officers (non-voting)**

Mr Mark Ferguson, General Manager  
Mr Mark Jones, Chief Financial Officer  
Mr Warwick Lawrence, Manager, Administration & Governance  
Mr Steve Rawe, Manager, Corporate Development  
Ms Helen Walker, Principal Officer, Corporate Development  
Ms Karen Farquhar, Internal Auditor  
Ms Pamela Tasker, Administration Officer / Minute Secretary

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**Audit & Risk Committee**

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**Attached:**    **Action Item Summary**

**Notes:**

1. The Chairman welcomed the Manager, Corporate Development, and the Principal Officer, Corporate Development, to the meeting.
2. The Committee agreed to first consider Item 4.0 – Retro Paid Insurance Scheme.

---

## **4.0 Retro Paid Insurance Scheme**

**Proceedings in Brief**

The Manager, Corporate Development, and the Principal Officer, Corporate Development, addressed the Committee on this item.

**Action Items – Retro Paid Insurance Scheme:**

- ***The Manager, Corporate Development, to ascertain if Ashfield Council report any advantages to their Retro Paid Insurance Scheme.***
- ***That the Retro Paid Insurance Scheme be reviewed on an annual basis and compared with exiting arrangements.***

**Notes:**

1. The Chair thanked the Manager, Corporate Development, and the Principal Officer, Corporate Development, for their presentation.
2. The Manager, Corporate Development, and the Principal Officer, Corporate Development, left the meeting at 5.54pm.
3. The General Manager and the Manager, Administration & Governance, addressed the Committee on the Organisation Restructure, in particular those changes relating to Risk Management.
4. The Chair welcomed the Manager, Administration & Governance, to the Meeting. The Internal Auditor still reports directly to the General Manager, however administratively the function will come under the Administration & Governance business unit.
5. The Manager, Administration & Governance, provided a brief history of his experience in Local Government.

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## **1.0 Apologies**

Nil.

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## **2.0 Declarations of Conflict / Pecuniary Interest**

Nil.



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### **3.0 Confirmation of Minutes**

#### **COMMITTEE DECISION**

That the Minutes of the Extraordinary Meeting of the A&RC held on 12 December 2013, copies of which were circulated to all members, be and are hereby confirmed as a true and accurate record of that meeting.

(Cr Hegarty / Mr Dobbie)

---

### **5.0 Report on Risk Management**

#### **Proceedings in Brief**

The General Manager and the Manager, Administration & Governance, addressed the meeting on this item.

#### **Action Item – Report on Risk Management:**

- ***That a Risk Management update be brought to each Committee Meeting.***
- ***That any emerging Risk Management issues be brought to the attention of the Committee.***

#### **Notes:**

1. The report was noted by the members.
  2. The Committee noted that further advances in targeting Internal Audit resources would be possible when an enterprise wide risk management framework has been implemented and integrated with Council's operations.
  3. The Chair thanked the General Manager and the Manager, Administration & Governance, for the report.
- 

### **6.0 Report on Internal Audit Activities**

#### **Proceedings in Brief**

Ms Karen Farquhar, Internal Auditor, addressed the meeting on this item.

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### **6.1 Internal Audit Status Report**

#### **Action Items – Internal Audit Status Report:**

- ***Internal Auditor to follow up on the purchase of an internal audit manual.***
- ***Internal Auditor to contact the Internal Auditor for Willoughby Council, Mr Michael Quirk, regarding the internal audit quality review checklist.***

---

## **6.2 Implementation of Audit Recommendations**

### **Action Items – Implementation of Audit Recommendations:**

- ***Annual schedule of Audit Recommendations implemented to be brought to the Committee.***

### **Note:**

Internal Audit verifies and performs a review of High Risk recommendations on an annual basis as per the Audit Plan.

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## **6.3 Procurement Internal Audit**

### **Action Items – Procurement Internal Audit:**

- ***Internal Auditor to follow up on the revised scoping document to be provided to Technology 1 for review of system requirements.***

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## **6.4 Tendering Internal Audit**

Noted.

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## **6.5 Fees and Charges Internal Audit**

Noted.

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## **6.6 Review of Audits completed in 2013**

### **Action Items – Review of Audits completed in 2013:**

- ***Mr Dobbie to provide the Internal Auditor with details concerning the 'Green Book' which provides examples of Business Plans.***

---

## **6.7 Internal Audit Plan 2014**

### **Action Items – Internal Audit Plan 2014:**

- ***Internal Auditor to complete an analysis of available hours allocated for audit plan including time spent on audit engagements, special investigations, attendance at A&RC meetings, training (as a minimum to maintain CPE hours) and administration.***

---

## **7.0 Matters Arising & Action Items from Minutes**

### **Action Items – Matters Arising & Action Items from Minutes:**

- *External Auditors recommendations to be included in the 'Implementation of Audit Recommendations' Schedule in future.*

---

## **8.0 Complaints Register**

### **Action Items – Complaints Register:**

- *Summary comparison of number of complaints per annum over the different business units to be included in future.*

---

## **9.0 General Business**

### **9.1 Probity Processes:**

Probity processes are undertaken on various issues across Council from time to time. Due to the potential risk to Council, any such processes should be reported to the A&RC in future. Any issues considered to be confidential may be covered in summary / by topic, but it is important that all issues should be brought to the attention of the Committee.

### **Action Items – Probity Processes:**

- *Probity Audits overview are to be reported to the AR&C in future.*
- *A&RC to review the Council Policy on closure and sale of road reserves.*

### **9.2 Informing Council Staff on the Audit & Risk Committee:**

### **Action Items – Informing Staff:**

- *The General Manager to inform staff of the function of the A&RC via the staff newsletter.*

---

## **10.0 Next Meeting**

The next meeting of the Audit & Risk Committee is scheduled to be held at 5.00pm on Tuesday, 17 May, 2014.

**There being no further business  
the meeting closed at 7.38pm  
on Tuesday 25 February 2014.**

**ACTION ITEM SUMMARY:****Action Items – Retro Paid Insurance Scheme:**

- *The Manager, Corporate Development, to ascertain if Ashfield Council report any advantages to their Retro Paid Insurance Scheme.*
- *That the Retro Paid Insurance Scheme be reviewed on an annual basis and compared with existing arrangements.*

**Action Item – Report on Risk Management:**

- *That a Risk Management update be brought to each Committee Meeting.*
- *That any emerging Risk Management issues be brought to the attention of the Committee.*

**Action Items – Internal Audit Status Report:**

- *Internal Auditor to follow up on the purchase of an internal audit manual.*
- *Internal Auditor to contact the Internal Auditor for Willoughby Council, Mr Michael Quirk, regarding the internal audit quality review checklist.*

**Action Items – Implementation of Audit Recommendations:**

- *Annual schedule of Audit Recommendations implemented to be brought to the Committee.*

**Action Items – Procurement Internal Audit:**

- *Internal Auditor to follow up on the revised scoping document to be provided to Technology 1 for review of system requirements.*

**Action Items – Review of Audits completed in 2013:**

- *Mr Dobbie to provide the Internal Auditor with details concerning the 'Green Book' which provides examples of Business Plans.*

**Action Items – Internal Audit Plan 2014:**

- *Internal Auditor to complete an analysis of available hours allocated for audit plan including time spent on audit engagements, special investigations, attendance at A&RC Meetings, training (as a minimum to maintain CPE hours) and administration.*

**Action Items – Matters Arising & Action Items from Minutes:**

- *External Auditors recommendations to be included in the 'Implementation of Audit Recommendations' Schedule in future.*

**Action Items – Complaints Register:**

- *Summary comparison of number of complaints per annum over the different business units to be included in future.*

**Action Items – Probity Processes:**

- *Probity Audit overviews are to be reported to the AR&C in future.*
- *A&RC to review the Council Policy on closure and sale of road reserves.*

**Action Items – Informing Staff:**

- *The General Manager to inform staff of the function of the A&RC via the staff newsletter.*

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<b>C11.7</b>	<b>Minutes of the Special Rate Variation Advisory Committee Meeting held 4 March 2014</b>
--------------	---

**Meeting:** Leading and Learning Committee

**Date:** 17 March 2014

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**STRATEGY:** Corporate Management

**ACTION:** Maintain and Service Council's Range of Committees

---

**PURPOSE OF REPORT**

To present to Council for consideration the Minutes of the meeting of the Special Rate Variation Committee held on 4 March 2014 (refer **Attachment 1**).

**1.0 BACKGROUND**

1.1 To assist the administration and governance of the SRV Community Contract, the Special Rate Variation Advisory Committee has been established to carry out the following functions, as per its Charter:

- To monitor progress of works and the expenditure related to the works program as stated in the Special Rate Variation Community Contract.
- To inform Council about the progress of the works program.

1.2 The Committee consists of the following members:

**Councillors:**

Cr White

Cr McTaggart

Cr Millar

All other Councillors are free to attend as Observers and to engage in the discussion.

**Pittwater Community Representatives:**

Ms Roberta Conroy

Ms Karen Lambert

Mr Peter Mayman

Mr James Owen

Ms Brianna Seale

**Council Advisors**

Mr Chris Hunt, Director, Urban & Environmental Assets

Mr Mark Shaw, Manager, Urban Infrastructure

Mr Les Munn, Manager, Reserves Recreation & Building Services

Mr Steve Lawler, Principal Officer, Reserves & Recreation

Ms Sherryn McPherson, Minute Secretary

**2.0 ISSUES**

2.1 **SRV4.1 – Special Rate Variation - Current 2013/2014 Works Program - Progress Report -**

The SRV Committee noted the final report on completed works.

## **2.2 SRV4.2 – Special Rate Variation - Proposed Works Program 2014/2015**

The SRV Committee endorsed the draft Special Rate Variation Works Program 2014/2015 for inclusion in the draft Pittwater Council Delivery Plan 2014/2018.

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## **3.0 SUSTAINABILITY ASSESSMENT**

This report does not require a sustainability assessment.

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## **4.0 EXECUTIVE SUMMARY**

- 4.1 To present to Council the minutes of the Special Rate Variation Advisory Committee Meeting held on 4 March 2014.
- 

## **RECOMMENDATION**

That the Minutes of the Special Rate Variation Advisory Committee Meeting held on 4 March 2014 be noted.

Report prepared by

Chris Hunt  
**DIRECTOR, URBAN & ENVIRONMENTAL ASSETS**

# Minutes

## Special Rate Variation (SRV) Advisory Committee Meeting

held in the Conference Room on  
Level 3, 5 Vuko Place, Warriewood on

**4 March 2014**

Commencing at 4:03pm

## **Attendance**

### ***Councillors:***

Cr White  
Cr McTaggart

### ***The following Pittwater Community Representatives:***

Ms Brianna Seale  
Ms Karen Lambert  
Mr Peter Mayman  
Ms Roberta Conroy  
Mr James Owen

### ***and the following Council Advisors***

Mr Mark Shaw, Manager, Urban Infrastructure  
Mr Les Munn, Manager, Reserves, Recreation & Building Services  
Mr Mark Beharrell, Manager, Natural Environment and Education  
Mr Steve Lawler, Principal Officer, Reserves, Recreation and Building Services  
Ms Sherryn McPherson, Minute Secretary



## ***Special Rate Variation Advisory Committee Meeting***

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<b>5.0</b>	<b>General Business</b>	
<b>6.0</b>	<b>Next Meeting</b>	

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## **1.0 Apologies**

### **COMMITTEE RECOMMENDATION**

That apologies be received and accepted from

- Cr Millar
- Mr Chris Hunt, Director, Urban & Environmental Assets
- Mr Mark Jones, Chief Financial Officer

and a leave of absence be granted from the Special Rate Variation Committee meeting held on 4 March 2014.

(Cr White / Mr Peter Mayman)

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## **2.0 Declarations of Pecuniary Interest**

Nil.

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## **3.0 Confirmation of Minutes**

### **COMMITTEE RECOMMENDATION**

That the Minutes of the SRV Advisory Committee Meeting held on 9 July 2013 be confirmed as a true and accurate record of that meeting.

(Mr Peter Mayman / Ms Roberta Conroy)

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## **4.0 Committee Business**

### **SRV4.1 Special Rate Variation - Current 2013/2014 Works Program - Progress Report**

#### **Proceedings in Brief**

Mr Mark Shaw, Manager – Urban Infrastructure addressed the meeting on this item.

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### **COMMITTEE RECOMMENDATION**

That the progress report on the Special Rate Variation Program of Works be noted.

(Mr Peter Mayman / Ms Roberta Conroy)

**Notes:**

1. That the 2013/2014 Major Special Rate Variation Works Program be amended to correctly reflect the new Key Direction Strategies and be distributed to committee members.
2. That the Special Rate Variation Funded Projects shows an increase in \$675,783 from the previous years allocation which is made up of the following two (2) items:
  - Palm Beach Wharf - \$451, 926
  - Church Point Sea Wall - \$223,857
3. That the Palm Beach Wharf and Church Point Sea Wall projects will be carried over to the next 2014/2015 Major Special Rate Variation Works Program. The Bushfire Risk Management will have a minor amount carried over into 2014/2015 program.
4. That Council update the committee members regarding the increase from \$362,000 to \$556,000 within the Footpaths and Verge Rehabilitation Program and advise where the monies have been reallocated from.

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<b>SRV4.2</b>	<b>Special Rate Variation - Proposed Works Program 2014/2015</b>
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Mr Mark Shaw, Manager – Urban Infrastructure addressed the meeting on this item.

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**COMMITTEE RECOMMENDATION**

1. That the SRV Committee endorse the draft Special Rate Variation Works Program 2014/2015 for inclusion in the draft Pittwater Council Delivery Plan 2014/2018.
2. That Protecting Native Plants and Animals – Feral Animal Control in particular the Mynah Bird control program, be an item on the Natural Environment Reference Group Meeting in May 2014.
3. That the ten year Special Rate Variation Works Program be reformatted and be distributed to Committee members.
4. That an updated 2014/2015 Proposed Works Program be distributed to the Committee at the next meeting.

(Ms Karen Lambert / Mr Peter Mayman)

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<b>5.0</b>	<b>General Business</b>
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**Q:** Once the money is allocated for this project can it be reallocated to another program?

**A:** Monies are to be spent in accordance with the 10 year works program and would only be reallocated with the concurrence of the Committee and Council.

---

### **Committee Memberships**

**Q:** Will the Committee look at replacing Mr John Greaves who has resigned within this membership term?

**A:** The tenure for the members is due to expire in December 2014 therefore the expression of interest process for the new Special Rate Variation Advisory Committee will begin after the December 2014 meeting, it is at that point the vacant position will be filled.

**Q:** What is the tenure for membership for this Committee?

**A:** The membership is for 3 years and is due to expire at the last meeting in 2014. This will be an Agenda item at the next meeting.

---

### **6.0 Next Meeting**

That the next meeting of the Special Rate Variation Advisory Committee is scheduled on 15 July 2014 and will be a Project inspection and will depart from the loading dock on level 1, 5 Vuko Place, Warriewood at 4pm.

**Note:**

That members are encouraged to contact Council and nominate sites or projects to be included at the next Project Inspection meeting.

**THERE BEING NO FURTHER BUSINESS  
THE MEETING CONCLUDED AT 5.23PM  
TUESDAY, 4 MARCH 2014**

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<b>C11.8</b>	<b>Minutes of the Leading &amp; Learning Reference Group Meeting held on 26 February 2014</b>
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**Meeting:** Leading & Learning Committee

**Date:** 17 March 2014

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**STRATEGY:** Corporate Management

**ACTION:** Maintain and Service Council's Range of Committees

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**PURPOSE OF REPORT**

To present to Council for consideration, the Minutes of the Leading & Learning Reference Group Meeting held on 27 November 2013 (**Attachment 1**).

**1.0 BACKGROUND**

- 1.1 The Leading & Learning Reference Group has a primary role of assisting the Pittwater 2025 Strategic Plan by critically analysing and reviewing the Strategic Goals aligned to leading an effective and collaborative Council and providing Reference Points for further consideration by Council.

**2.0 ISSUES**

- 2.1 At the meeting of 26 February 2014 the Leading & Learning Reference Group considered the following topics:

***Discussion Topics:***

*LL4.1 Council Policy on Sustainability*

Pittwater's Community Strategic Plan 2025 has embedded sustainability principles and seeks to achieve a balance between environmental, social, economic and governance considerations. The Leading & Learning Reference Group considered the strategic initiatives relevant to its portfolio and provided feedback via a 'brain storming' exercise. The suggestions / initiatives will be collated and distributed to members of the Reference Group for further discussion

*LL4.2 Update on the NSW Independent Local Government Review Panel*

The Review Panel has released their final report to the State Government and to the public. It was noted that the State Government has again stated that there will be no forced amalgamations however the Review Panel has recommended amalgamations. Pittwater Council will be making a further submission on the final recommendations.

**2.2 General Business:**

*5.1 Greenhouse Gas Emissions Working Group*

The update highlighted the progress and initiatives to reduce Council's greenhouse gas emission, in particular the trend line shows a decline in emissions. In this regard, Pittwater Council is leading by example and discussion took place on how the community could be empowered to further embrace greenhouse gas reduction initiatives in their homes and businesses as a Pittwater wide response. It was recognised that there needs to long term behavioural change to make a positive ongoing difference. It was noted that the planning for the Ingleside land release will embed sustainability measures prior to development.

### 5.2 EcoMarker Trial

The Reference Group was provided with feedback on the EcoMarker trial to date. It was considered that the EcoMarker Trial be expanded to include other locations that provide a higher exposure and become a part of highlighting sustainability across Council projects. The intention is to showcase good examples of sustainability at work and thereby encourage behavioural change in the broader community and businesses, based on these practical initiatives.

### 5.3 NSW Planning Bill Update

The update on the Planning Bill was noted.

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## **3.0 SUSTAINABILITY ASSESSMENT**

- 3.1 The Leading & Learning Reference Group has a specific focus on governance related matters in the context of the Pittwater 2025 Strategic Plan and its quadruple bottom line sustainable living approach.

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## **4.0 EXECUTIVE SUMMARY**

- 4.1 This report presents the outcome of discussion papers on strategic issues and Reference Points arising from the Leading and Learning Reference Group as contained in the Minutes of the meeting held on 26 February 2014.

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## **RECOMMENDATION**

That the Minutes of the Leading & Learning Reference Group Meeting held on 26 February 2014 that relate to the discussion on:

- *Council Policy on Sustainability*
- *Update on the NSW Independent Local Government Review Panel*
- *Greenhouse Gas Emissions Working Group*
- *EcoMarker Trial*
- *Update on NSW Planning Bill*
- 

And that the following Reference Points:

- ***Sustainability Pittwater to research what data is available from other agencies and liaise with staff on Greenhouse Gas Emissions.***
- ***Sustainability Pittwater and the Community Groups to suggest Council sites to expand to 100 eco-Markers.***

be noted.

Report prepared by

Chris Hunt  
**DIRECTOR, URBAN & ENVIRONMENTAL ASSETS**

# ***Minutes***

## ***Leading & Learning Reference Group***

held at the Coastal Environment Centre,  
Lake Park Road, North Narrabeen on

***26 February 2014***

**Commencing at 4.02pm**

**Attendance:****Members of the Committee:**

Cr Sue Young, Chairperson

**The following community representatives:**

Mr Peter Middleton, Pittwater Resident Representative  
Mr Graeme Jessup, Sustainability Pittwater  
Ms Suzanne Atteridge, Pittwater Resident Representative  
Mr Neil Evers, Aboriginal Support Group  
Mr Robert Moran, Pittwater Rotary / Precision Dynamics Discovery Shed  
Mr Tony Tenney, Clareville and Bilgola Plateau Residents Association

**The following Council Advisors:**

Mr Chris Hunt, Director, Urban & Environmental Assets  
Ms Jane Mulroney, Principal Officer - Community Engagement  
Mr Mark Beharrell, Manager, Natural Environment & Education  
Ms Jo Tulau, Senior Environment Officer - Sustainability  
Ms Pamela Tasker, Administration Officer/Minute Secretary

**Observers:**

Ms Gail Carew, Mona Vale Hospital Auxiliary



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## 1.0 Apologies

### **Notes:**

1. The following apologies were received and leave of absence was granted from the Leading & Learning Reference Group Meeting held on 26 February 2014:
    - Mr Gavin Butler, Newport Residents Association
    - Ms Kimberly Clouthier, Pittwater Resident Representative
    - Ms Judy Readman, Scotland Island Residents Association
    - Mr David Shields, Bayview Church Point Residents Association
    - Ms Dru Von Drehnen, Pittwater Resident Representative
    - Mr Christopher Hornsby, Warriewood Residents Association
    - Ms Brigitte Mahler-Mills, West Pittwater Community Association
  2. Ms Gail Carew (Mona Vale Hospital Auxiliary) attended as an Observer.
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## 2.0 Declarations of Pecuniary Interest

Nil

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## 3.0 Confirmation of Minutes

### **REFERENCE GROUP RECOMMENDATION**

That the Minutes of the Leading & Learning Reference Group held on 27 November 2013, copies of which were circulated to all Reference Group Members, be and are hereby confirmed as a true and accurate record of the proceedings of that meeting.

(Mr Middleton / Mr Jessup)

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## 4.0 Discussion Topics

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**Proceedings in Brief**

Mr Mark Beharrell, Manager Natural Environment & Education, addressed the meeting on this item.

**What do people mean by Sustainability?**

Members were provided with a copy of Council's Sustainability Policy, built on the three pillars of Economic Development, Social Development and Environmental Protection (Sustainability – Policy #164 - via link below):

[http://www.pittwater.nsw.gov.au/council/policy\\_register/policies\\_by\\_alphabetical\\_order](http://www.pittwater.nsw.gov.au/council/policy_register/policies_by_alphabetical_order)

Council has a charter under the Local Government Act, which lists the principles of ecologically sustainable development:

- Inter-generational equity
- The precautionary principle
- Improved valuation, pricing and incentive mechanisms
- Conservation of biological diversity and ecological integrity
- Improved environmental valuation, pricing and incentives
- Continuous improvement
- Community engagement and partnerships

As a group exercise, the LL Reference Group “brainstormed” and recorded a number of suggestions/initiatives relating to sustainability. The following is a précis of that discussion.

**Discussion Points:**

- We need to maintain sustainability for future generations. It is important to pursue the goal of a northern beaches university campus. The presence of a campus in Pittwater and all the aspects around them would stimulate economic development for the area.
- Sustainable tourism initiatives could be incorporated into University curriculum. Offer courses in hospitality, business principles and other areas applicable to the tourism industry.
- The Quarantine Station at Manly was raised as an excellent example of the sustainable eco-tourism concept. The native vegetation and fauna reserve was degraded and the heritage buildings were falling into disrepair. A four star accommodation and conference centre and an events program provides the necessary income stream to maintain the natural and built heritage in good repair. There is not one five star accommodation venue north of the harbour. We need boutique accommodation to attract an international up market clientele.

Response: It has come up constantly that we don't take advantage of our unique and beautiful environment. There are lots of challenges and lots of opportunities as well. There is nothing to stop us having specific targets re tourism.

- By 2025 I hope we are looking at some achievements. Sustainability comes through leading and not being pushed into developments which are unsustainable and not wanted by the community.

- From Sustainability Pittwater's point of view the word *Sustainability* is currently being used for everything. The first question should always be *What is the effect on the planet, the air, the earth!* We would like to see Council measure this impact. There must be a mechanism whereby we could assess how we are going. It is important that we measure carbon emissions and that we make the public aware of those measures. This is the only way to ensure behavioural change within society.

Response: Until people take it on board and there is a community push for change nothing will happen. It is good to see people using water tanks and solar power. The natural environment in Pittwater has been degraded through development, and it is almost impossible for a Council to completely prevent that. We can preserve whatever it is possible to preserve but we are limited in how much we can do. We agree this is a major issue now and into the future.

- But the community needs to be aware of what is happening to make the decision to push for change. If bushland is disappearing and the community is aware then they can choose to continue down that road or show concern and have Council reverse current trends. We realise that Council has done that to some extent but is being stymied by State Government planning reforms.

Response: We are losing bushland but do have strategies in place to preserve what remains. For instance we have a large stand of Pittwater Spotted Gum forest, a unique species, although we have lost most of the understory which lived within that forest. But the trees are listed as an endangered ecological community and we give away lots of plants. It is getting people to plant them. Land use is also a concern particularly with large land releases like Ingleside now coming on line. But forward planning for the Ingleside land release means sustainability principles will underpin any development. This has been workshopped with the Ingleside Community Reference Group and their recommendations will inform the process as much as possible.

Chris Hunt provided a brief history of Pittwater's track record of bringing into public ownership over 140 hectares (1,400,000 sqm) of open space over the past 22 years, including the following:

- Warriewood Wetlands
- Ingleside Chase Reserve
- Creekline corridors through the Warriewood Valley land release
- Winnererremy Bay foreshore at Mona Vale
- Currawong
- Additional sports fields

Along with acquisition, there has been a range of upgrades carried out. In the case of the Ingleside Chase Reserve this now provides an environmentally significant wildlife habitat corridor that extends from Elanora Heights in the south to Mona Vale Road in the north and links via the lower creeklines to Warriewood Wetlands. It is also an important scenic buffer to the proposed Ingleside land release.

- Houses are getting larger. If we are not careful normal development will squeeze us into a high density urban environment. It is important to protect what we have.

Response: We have to choose our battles as the population and the need for housing development is always increasing. If there is one thing the community groups can help with it is to encourage residents to maintain the canopy through planting more trees.

- Providing free plants and trees is part of the answer, but there needs to be a more hands on approach. Advise and assist residents to choose what to plant and where, and then follow up and monitor these plantings afterwards. We need to restore the spotted gum population and other indigenous species. But we need more information: how big will it grow, where best to plant it. Council needs to advise to minimise inappropriate plantings.

Response: I could see Council doing that on road reserves and in parks, but there are risks associated with trees on private land. Is Council liable if they fall over and damage property or people? We are doing it now with street tree plantings. Also, there is great information on the website. The resource is there. We would encourage the community groups to disseminate the good news.

Website link:

[http://www.pittwater.nsw.gov.au/environment/species\\_lists](http://www.pittwater.nsw.gov.au/environment/species_lists)

- There is a need to get some key indicators in place for monitoring conditions.

Response: There is a process, for instance we do monitor flora and fauna, mostly the rare and endangered species. It is very difficult and costly to monitor everything.

- I would like to see a focus on the social aspects: we are facing the potential long term unemployment of young people and we have big problems already with vandalism and graffiti. How can this be addressed?
- This ties in with a need for conflict management and for education on issues like alcohol abuse. The more you pack people into an area the more conflict and problems you will encounter.

Response: Council is putting more resources into youth issues. The link below for the Minutes of the Connecting Communities Reference Group details our involvement on this issue:

Website link:

[http://www.pittwater.nsw.gov.au/council/meetings/council\\_meetings/council\\_meetings/2014/5\\_feb\\_-\\_connecting\\_communities\\_reference\\_group\\_meeting](http://www.pittwater.nsw.gov.au/council/meetings/council_meetings/council_meetings/2014/5_feb_-_connecting_communities_reference_group_meeting)

- Why not link with Macquarie University and get students and lecturers involved in researching, mentoring, etc?
- The Business Education Network is involved in this. Their programs are funded by the government and I understand they collaborate with Pittwater Business in running youth programs. . We should check first that we are not putting resources into duplicating their services.

Response: The CEC works with mainly 6-12 year olds and our income in large part is derived from school programs and holiday programs. There is scope to improve this. But involving youth is always difficult. We have a lot of public meetings and it is unusual to get people under 50 along.

- It is not just youth we need to focus on, but on the family as well. There are lots of hidden issues on the northern beaches which would benefit from conflict resolution strategies: domestic violence, youth violence, depression, suicide.

Response: In the past Council has concentrated on environmental issues. We need to consider all aspects of sustainability. But there are conflicting demands, cross overs and doubling up and it is all competing for the same resources.

**If there was one thing you could influence what would that be?**

- Build partnerships between Pittwater and Macquarie University.

Response: Pittwater High is linked with Macquarie and Council does take on trainee officers from Macquarie, particularly in Planning. At one time we did have cadets across Council, but changes to the labour laws has ended that program.

- Build tourism which will create jobs and stimulate economic development across the LGA. We enjoy some of the most pristine and beautiful places on the planet so there has to be opportunities.

Response: Council has developed maps and a phone app of walking and biking trails. We agree that tourism has a lot of potential for the future. At present we get a lot of day trippers or B&B visitors, but few long term stayers.

- We need to be innovative. One facility with quality will attract others.

Response: There was a Conference Centre at Mona Vale which closed. There is a lot of community interest in developing a facility similar to Q Station. All the preserved land needs to be supported by an income stream. The kiosk at Winnererremy Bay supports the upkeep on facilities and we want to roll out more of those. We don't have a lot of commercial property so we have to build up a portfolio to provide an income to fund environmental and social outcomes.

- ***Mr Beharrell to distill all the comments recorded by Ms Mulroney and to report back to members in the next few weeks.***

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## LL4.2 Update on NSW Independent Local Government Review Panel

### **Proceedings in Brief**

Ms Jane Mulroney, Principal Officer Community Engagement, addressed the meeting on this item.

The panel has released their final report to the State Government and to the public. A survey is currently being completed by Councillors gauging their support for the recommendations. Council will make a further submission on the final recommendations informed by those survey results. This is all still in progress and Council is very appreciative of the Leading & Learning Reference Group involvement on this issue last year.

The panel is not recommending compulsory amalgamations but they are still recommending amalgamation or combination of LGAs, including the proposal to amalgamate Pittwater with Manly and Warringah. It appears that the Department of Local Government's view is that the prospect of amalgamations detracted from the positive changes put forward by the review panel. Also, it seems that the panel had not considered the benefits of the ROCs, such as SHOROC, where councils are collaborating to bring down costs through their combined spending power.

**Q:** Why did the Panel continue with recommendations for amalgamation?

Response: The push for amalgamations was probably for economic reasons. The number of councils in Queensland has been reduced. There has been mixed views on the benefits of this. In some of the sparsely populated rural shires amalgamations have been beneficial. In others rates have risen and in one case the amalgamation has even been reversed. The success or otherwise depends on many factors such as infrastructure parity, residential and commercial densities, etc. Across the northern beaches LGAs there is a diversity of cultures with high rise development and high density living towards the south and low rise low density towards the north. The LGAs are on different scales that don't necessarily fit the model. The recommendations are working towards ideal population size rather than cultural, economic or social diversity which is far too simplistic. The panel stated that the governing factor was a community of interest, but questions have been raised about why the State Government would want to amalgamate highly efficient councils such as Pittwater. A series of workshops by LGNSW are being held to discuss the final report, with one scheduled at City of Sydney Council on Thursday 6 March 2014.

Mayors from northern Sydney have combined to form the Northern Metropolitan Council of Mayors (see Item 8.1 in the Council Meeting Agenda for 3 March 2014) to provide a stronger voice for councils to advocate on behalf of the region

Cr Young noted that Pittwater was mentioned in the final report under Advancing Structural Reform:

*“The most recent burst of activity was in 2003-4, when 40 non-metropolitan councils were amalgamated into 21 new areas. To date, there have been no interventions in the Sydney metropolitan region, except for repeated changes to the boundaries of the City of Sydney and, oddly, a decision in 1991 to allow the Pittwater area to separate from Warringah Shire.”*

The book *Pittwater Uprising* provides details on the history behind Pittwater's succession from Warringah and is available at all good bookstores.

Comprehensive analysis concerning the recommendation was undertaken by Professor Brian Dollery. Follow the link below to access that report.

Website link:

<http://www.pittwater.nsw.gov.au/reform>

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## 5.0 General Business

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### 5.1 Greenhouse Gas Emissions Working Group

#### **Proceedings in Brief**

Ms Jo Tulau, Senior Environment Officer – Sustainability, addressed the meeting on this item.

Council GHG Emissions Reduction Strategy currently being implemented.

To Date:

- Develop robust GHGE inventory – done.
- Pittwater Council operations - trendline shows decline in emissions.
- Community GHG Strategy – addressing residential emissions is currently in draft. We held a Reference Group members workshop and a survey.
- One of the commitments in document is about making transparent reporting available to the community.
- Focus shifting to community engagement on climate change and encouraging behavioural changes to reduce GHGEs.
- Partnering with community groups to understand issues and barriers to devise process through community group networks is important.
- Pittwater LGA data gathering is difficult. We are accessing some through utility providers. Ausgrid can provide energy consumption on an annual basis.
- Communications Plan – marketing Council's activities and achievements out to the public is the next step.

### **Discussion Points:**

- You have done a great job in getting together the data that is available and it is especially good to see Council leading by example. But we should progress to gathering LGA data across all the key indicators even though it is difficult.

Response: It is our intention to try to tap into data collected by other agencies. It is not possible for Council to do this on its own and it is unlikely that it will ever be measured accurately; it is not possible to capture all data. We can only estimate on a proportional basis.

Council could develop a model to encourage businesses and residences to monitor their own emissions / energy usage, but it is difficult to engage people especially if it is not providing them with an immediate benefit. On new developments such as the Ingleside land release hopefully it will be possible to capture the data from the outset. Also it is planned to embed sustainability measures prior to development. It might be possible to influence long term behavioural change as this information becomes available.

- ***Sustainability Pittwater to research what data is available from other agencies and liaise with Ms Tulau.***

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## **5.2 EcoMarker Trial**

### **Proceedings in Brief**

Mr Graeme Jessup, Sustainability Pittwater, addressed the meeting on this item. A copy of the PowerPoint presentation relating to this item is at Appendix 1 to the Minutes.

### **Council's EcoMarker Trial – Where to Now?**

In 2013 Council embarked on a trial to assess the benefits of displaying EcoMarkers at various locations where Council has undertaken environmental initiatives. The objective of this program is to raise awareness in the community of Council's work and to provide some good news stories on progress to reduce the impact of Climate Change. This includes the following:

- The rationale for displaying EcoMarkers
- Development History
- Details of the EcoMarker Trial
- Results of the trial
- Options for the way ahead
- Group discussion

It was identified during the trial that there is a problem with measuring the impact of the markers. We can measure the number of hits or 'likes' on the website, but not everyone who remarks on one whilst out walking will progress to the website. Also, the trial was with ten markers only and not in high traffic areas. In the next stage, Council will roll out 100 eco-Markers many of which will be situated in heavy traffic areas, such as identifying water savings at public amenities blocks. The more high profile the marker the more people will become aware of the scheme and of the energy savings across Pittwater.

The trial has established that the initiative is neither costly nor labour intensive. However, there is a need for some form of cooperative integration across Council business units. Natural Environment & Education will continue to produce the eco-Markers and identify the sites and savings to record, but those business units responsible for Council property, buildings, sportsfields and reserves need to come on board and support the initiative.



In the next stage (100 eco-Markers) it is planned to acknowledge Council property only. There are many examples of sustainable Council infrastructure and environmental energy savings which are not being acknowledged. We will expand the program in time and we hope eventually to involve schools, businesses, and even private dwellings where water tanks and/or solar power for instance have been installed.

It was suggested that the Eco-Marker Trial website and markers need to be more user friendly. There is very limited space on the markers but it was envisaged that improvements will come with time. Eventually, it may even be that businesses will want to promote their own products. All of this will be considered as the program is expanded to include other than Council properties.

- ***Sustainability Pittwater and the Community Groups to suggest Council sites to expand to 100 eco-Markers***
  - ***Council to liaise with other business units to identify further suitable Council sites***
- 

### 5.3 NSW Planning Bill Update

As advised, the status is largely unchanged. The Bill was passed from the Lower House to the Upper House with a number of changes and was subsequently withdrawn by the State Government. It is likely to be reintroduced to Parliament in its amended form in the next sitting.

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### 6.0 Next Meeting

The next meeting of the Leading & Learning Reference Group is scheduled to be held on Wednesday 28 May 2014 commencing at 4.00pm.

**There being no further business  
the meeting concluded at 6.18pm  
on Wednesday 26 February 2014**

*“All social change comes from  
the passion of the individual”*

# An Idea for Positive Community Feedback

## Visual ecoMarkers in Pittwater

Graeme Jessup – Sustainability Pittwater  
[graemejessup@optusnet.com.au](mailto:graemejessup@optusnet.com.au)

## Climate Change - why should we worry about it?

- The science is telling us we have a big problem – should we believe them?
- Is it really going to affect us much?
- The easy option - “Do Nothing”
- How much of an effort do we really want to make?
- Have we done much already – is it enough?
- Does Council want to take a big lead?

# Too much negative stuff

Through the media we are bombarded with:

- The impending catastrophe of climate change
- We all need to do something - here's a list of things you should be doing
- Govt should set an example!
- Why should I do something if others are not?
- Anyway what are other people doing?

**We need some Good News about progress!**

# Positive Initiatives by Council

More than 30 measures already in place:

- PV installations – 4 locations
- Efficient lighting
- Energy management systems
- Water saving measures

## Community initiatives

- PV installations
- Solar hot water
- Water tanks
- Efficient lighting



# Spreading Good News Stories

- Educates the community
  - Council – “Monitoring and Reporting is vital”
  - Council “To be a Leader in sustainable mgmt”
- Fosters community awareness and action
- Council is seen to be a sustainable leader
- Grows support for Councils existing and future initiatives

**So how about something to showcase  
progress in Pittwater**

# ecoMarkers





# Why ecoMarkers?

- Just what is Council doing? – most people don't know
- EcoMarkers will highlight Councils sustainable initiatives - for the public and Council employees
- Seeing worthwhile initiatives in place will promote a positive attitude
- If Council is seen to be leading the way the community is more likely to follow and support further Council initiatives

## ecoMarker progress to date

- Several meetings and Council have expressed support
- Good verbal support from interested parties
- Council has taken the running and embarked on a small ecoMarker trial:
  - 11 ecoMarker sites - all in southern Monā Vale
  - CEC 3, Hol Park 2, Rugby Park 2, Nelson Heather, Ted Blackwood, Boondah, Lakeside Park
- ecoMarker website is up and running
- Results – virtually no feedback or web hits
- We now have to decide on what to do next

## Further developments

- The ecoMarker could be part of an integrated plan to engage the public and promote sustainable living:
  - Extension to a Pittwater business program with ecoMarkers fixed to business/shop windows
  - Small ecoMarker badges could be fixed to home letterboxes for householders who install eco initiatives
  - The ecoMarker symbol could become the identifier for all sustainable initiatives in Pittwater
  - SHOROC?

# Has it been done before?

- Pittwater – Yellow Fish stormwater
- Willoughby Council – Better Business Partnership
- Newcastle– ClimateCam
- Others?





# Options for ecoMarker project

- Expand the number of markers (50 - 150?)
  - More markers need to have an impact have an impact
- Integrate the ecoMarker project into Councils comprehensive greenhouse strategy
- Further consideration and development of the ecoMarker concept
- Abandon the project
- Other options??

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<b>Sustainable Towns and Villages Committee</b>

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<b>12.0</b>	<b>Sustainable Towns and Villages Committee Business</b>
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<b>C12.1</b>	<b>Assessment of Planning Proposal PP0007/13 - 6 Jacksons Road &amp; 3, 6, 8, 10 &amp; 12 Boondah Road Warriewood</b>
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**Meeting:** Sustainable Towns and Villages Committee

**Date:** 17 March 2014

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**STRATEGY:** Land Use & Development

**ACTION:** To establish land uses that respond to environmental, cultural, social and economic needs in a sustainable manner.

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## **PURPOSE OF REPORT**

This report provides Council with an assessment of the planning proposal PP0007/13 for 6 Jacksons Road and 3, 6, 8, 10 and 12 Boondah Road Warriewood.

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### **1.0 BACKGROUND**

- 1.1 A planning proposal application prepared by SJB Planning Pty Ltd was received by Council on 19 November 2013 for rezoning of 6 Jacksons Road and 3, 6, 8, 10 and 12 Boondah Road, Warriewood.
- 1.2 Following a preliminary review of the documentation submitted, the application was returned to the applicant on 20 November 2013 as the application was deemed incomplete. The following information was requested to accompany the application when resubmitted:
  - An economic impact assessment giving consideration of the retail centres hierarchy,
  - A revised flooding report, taking into consideration the adopted Narrabeen Lagoon Flood Study,
  - A revised traffic assessment, taking into consideration the total development potential in Warriewood Valley,
  - Consideration of infrastructure requirements commensurate with the proposal and the potential funding mechanisms.

Given the level of outstanding information, Council officers recommended that the applicant request a pre-lodgement meeting with Council prior to resubmitting the planning proposal application.
- 1.3 The planning proposal was later resubmitted by SJB Planning Pty Ltd and formally accepted by Council on 16 December 2013. The application did not provide the above mentioned studies.
- 1.4 This planning proposal application has been assessed and a report finalised for Council's consideration within 90 days of lodgement. The 90<sup>th</sup> day from the lodgement date of 16 December 2013 is 17 March 2014.
- 1.5 In circumstances where the Council does not determine an application within 90 days of lodgement or the Council determines not to progress the planning proposal to a Gateway determination, the applicant may request a pre-gateway review of the application. A pre-gateway review is enabled under Section 56(5) of the *Environmental Planning and Assessment Act 1979* (the Act) and allows the Minister for Planning and Infrastructure (the Minister) to arrange for a review of a Planning Proposal by the Joint Regional Planning Panel (JRPP) or the Planning Assessment Commission (PAC).

- 1.6 If a decision is made that the proposal is to be referred to the JRPP/PAC for review, these bodies will provide advice based on the merits of the proposal and make a recommendation to the Minister as to whether the proposal should progress to a Gateway determination under Section 56 of the Act. The Minister (or his delegate) will make the final decision on whether the proposal should proceed to a Gateway determination.
- 

## **2.0 THE SITES**

- 2.1 Six properties are proposed to be rezoned under this planning proposal. The sites fall within the Warriewood Valley Release Area, within the sector known as the Southern Buffer (see **Attachment 1** for location map of the subject properties within the Southern Buffer).
- 2.2 The Southern Buffer is located at the junction of Pittwater Road and Jacksons Road and adjoins the Warriewood Wastewater Treatment Plant to the north and Warriewood Square and the Warriewood Wetlands to the west. Boondah Road which runs north to south dissects the sector.
- 2.3 The application proposes a masterplan covering substantial area of land surrounding their landholdings, including lands owned by Council, Crown Lands and Sydney Water. No consultation was had with Council regarding the masterplan.
- 2.4 The six properties proposed to be rezoned under this planning proposal are privately owned properties, with an approximate combined site area of 6.23 hectares.
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## **3.0 STRATEGIC CONTEXT – PITTWATER LOCAL PLANNING STRATEGY**

- 3.1 Council's primary land use document is the *Pittwater Local Planning Strategy – Planning for Pittwater towards 2031* (Local Planning Strategy) which was adopted by Council in August 2011.

The Local Planning Strategy translates the aims and objectives of the current *Metropolitan Plan for Sydney 2036* (Metropolitan Plan) into a range of local actions and targets for Pittwater. The housing and employment targets outlined in the Local Planning Strategy have been informed by the *Draft North East Subregional Strategy 2007*, the *SHOROC Regional Employment Study 2008* and the *SHOROC Employment Lands Study Addendum 2011*.

### **3.2 Centres and Corridors**

- 3.2.1 Consistent with the Metropolitan Plan the Local Planning Strategy endorses a centres-based approach to planning for Pittwater.
- 3.2.2 The Local Planning Strategy identifies Mona Vale as a town centre and highest order centre in Pittwater, reflecting the pivotal role that the Mona Vale town centre plays for the existing and future economic growth in Pittwater. The Local Planning Strategy recommends that Mona Vale continues to operate and continues to be promoted as the highest order centre in Pittwater.
- 3.2.3 Warriewood Square is identified as a 'stand-alone shopping centre'. The Metropolitan Plan does not recommend the provision of new stand-alone shopping centres, but outlines that through good planning, existing stand-alone shopping centres may have the potential to be converted to more traditional town centres over time. The Local Planning Strategy identifies that expansion of Warriewood Square into a larger retail and town centre may be viable, however Mona Vale would still remain Pittwater's highest order centre.



### 3.3 Employment & Housing Targets

- 3.3.1 The Local Planning Strategy conforms that the target of 4,600 dwellings and 5,740 jobs can be delivered in Pittwater LGA by 2031.
- 3.3.2 The Local Planning Strategy confirms that the designated housing targets can be accommodated primarily within Pittwater's already established residential areas, including Warriewood Valley.
- 3.3.3 Based on the *SHOROC Employment Lands Study Addendum 2011*, the Local Planning Strategy translates Pittwater's job target into projected demand for retail, commercial, industrial and special uses floor space. The Local Planning Strategy outlines Pittwater's progress toward the achievement of these targets, confirming that:
- Approximately 100,000sqm of retail floor space is still to be provided to meet the forecast demand (this floor space is not needed to be provided within the Pittwater LGA)
  - Demand target for commercial floor space has been delivered
  - Demand target for industrial floor space has been delivered
- 3.3.4 As commercial and industrial floor space targets have been met, the Local Planning Strategy does not recommend any changes to current planning controls/zonings.
- 3.3.5 In regard to the need for additional retail floor space, the Local Planning Strategy considers various options to meet this demand. Consideration is given to the creation of a new retail centre in the Southern Buffer. The Southern Buffer has been identified by both the *Draft North East Subregional Strategy* and the *SHOROC Employment Study* as potential key employment land for Pittwater.
- 3.3.6 The Local Planning Strategy supports further investigation of a new centre in the Southern Buffer as a means of meeting Pittwater's projected retail floor space demands.

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## 4.0 ASSESSMENT PROCESS

### 4.1 Engagement of an independent probity advisor

- 4.1.1 Due to Council's significant interests in the lands adjoining and adjacent to the subject sites, an independent probity advisor was engaged to make arrangements to ensure the probity of the assessment and determination process. On 20 December 2013 Council engaged Procure Group Pty Ltd as the probity advisor for the planning proposal.
- 4.1.2 Two internal teams have been established within Council to ensure the separation of functions and restrict access to confidential information in relation to the planning proposal. Council has established a technical team to handle matters related to the assessment of the proposal and a property team to response to the planning proposal on behalf of Council as a landowner.
- 4.1.3 A Probity Plan has been prepared by Procure Group Pty Ltd aimed to provide a framework to guide the assessment of the planning proposal in a manner that is consistent with probity principles. The Probity Plan is attached to this report (see **Attachment 2**)
- 4.1.4 A Probity Report providing an audit of the assessment process has been prepared by Procure Group Pty Ltd. At the time of finalising this report Procure Group's Probity Report was not finalised in time to be included in tonight's agenda and will be circulated separately.

## 4.2 Engagement of an independent planning consultant and other technical consultancies

- 4.2.1 As a primary step to address the probity issues associated with the planning proposal, an independent planning consultant was engaged to undertake an assessment of the planning proposal. On 20 January 2014 Council engaged Don Fox Planning (DFP) to undertake an assessment of the planning proposal. DFP's assessment report has been tabled separately to the Council's agenda.
- 4.2.2 To assist DFP in their assessment of the proposal, a number of technical consultants were engaged to review the supporting documentation submitted with the planning proposal:-
- AECOM Australia Pty Ltd was engaged to review GTA Consultants' Transport Assessment
  - Cardno (NSW/ACT) Pty Ltd was engaged to review Brown Consulting's Flood Assessment
  - In the absence of an Economic Impact Assessment, Hill PDA was engaged to undertake an economic review of the planning proposal.

These reports are considered in and appended to DFP's assessment report.

- 4.2.3 DFP was instructed to assess the application against NSW Planning & Infrastructure's *A Guide to Preparing Local Environmental Plans* (April 2013) which outlines criteria that must be reasonably satisfied to justify the progression of the planning proposal to the Gateway. The assessment criteria are as follows:

*a. Has strategic merit as it:*

- *Is consistent with the relevant local strategic endorsed by the Director-General or*
- *Is consistent with the relevant regional strategy or Metropolitan Plan or*
- *Can it otherwise demonstrate strategic merit, giving consideration to the relevant section 117 Directions applying to the site and other strategic considerations (e.g. proximity to existing urban areas, public transport and infrastructure accessibility, providing jobs closer to home etc)*

*b. Has site specific merit and is it compatible with the surrounding land uses, having regard to the following:*

- *The natural environment (including known significant environmental values, resources or hazards) and*
- *The existing uses, approved uses and likely future uses of land in the vicinity of the proposal and*
- *The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

## 4.3 Notification Process

- 4.3.1 The Planning Proposal was placed on non-statutory notification from 6 January 2014 to 2 February 2014 in accordance with Council's notification procedures. An advertisement also appeared in the Manly Daily on 7 January 2014.

- 4.3.2 Neighbouring landowners and community groups in the area, including the Warriewood Valley Rezoning Association and Warriewood Residents Association Incorporated, were notified of the proposal and invited to make comment during the notification period.
- 4.3.3 A total of 22 submissions were received from the community.
- 4.3.4 State agencies and servicing authorities were also notified of the application and asked to provide comment.
- 4.3.5 All submissions and comments were made available on Council's website.
- 4.3.6 An analysis of and response to comments and submissions to the proposal is contained in Appendix H of DFP's Assessment Report.

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## 5.0 PLANNING CONSULTANT'S ASSESSMENT

- 5.1 An assessment of the planning proposal has been prepared by DFP. This report has been tabled separately to Council's agenda.
- 5.2 DFP, following their assessment, have concluded that the planning proposal should not be supported on the following grounds:
  - *"While the Planning Proposal is consistent with regional and subregional planning and transport strategies, particularly in relation to the opportunities for providing housing and employment close to existing facilities or facilities that could be realised in the Masterplan, the proposal is not considered to be consistent with the Warriewood Valley Strategic Review which is a strategy endorsed by Council and DoPI;*
  - *Further, the proposal is inconsistent with the concept of expanding Warriewood Square shopping centre to become a new town centre, or integrating a new town centre on adjoining land which has clear and direct linkages with Warriewood Square, as envisaged by a number of strategic documents;*
  - *Is inconsistent with Section 117 Direction 4.3 – Flood Prone Land, with which the Planning Proposal is inconsistent on a number of key issues as outlined in Appendix I of this report;*
  - *The approach to managing flooding constraints in order to justify an urban zone on the subject land is not supported as it has unacceptable implications including:*
    - *Risk to property and life by providing over 1000 car parking spaces in the flood storage area which is susceptible to a probability of flood inundation;*
    - *Insufficient accommodation of flood evacuation measures have been considered/proposed; and*
    - *Level changes between the Planning Proposal site and adjoining public domain areas (roads and public open space) resultant adverse urban design outcomes.*
    - *Level changes between an elevated Boondah Road and Sydney Water land.*
  - *The ecological recommendations in the Travers Ecological Analysis report are not adopted in the Masterplan. All land is zoned B4 creating the expectation that EECs could be redeveloped and therefore no certainty is provided in the ongoing protection of the vegetation.*
  - *The 45m corridor on Lot 3 DP 26902 recommended in the Travers (report as a compensatory measure for ecological corridors including EEC removed elsewhere) is proposed to be zoned B4 – Mixed Use and the Masterplan does not guarantee satisfactory ecological outcomes.*
  - *The rezoning of No. 6 Jackson Road (Lot 9 DP 806132) to relocate Boondah Road is not supported on the basis of unacceptable ecological and traffic impacts, including a road design conflict with the roundabout serving Warriewood Square shopping centre. Further, as no satisfactory ecological outcomes are achieved for this land, it should not be rezoned to permit the development as proposed.*

- *The vehicular connection to Vuko Place from Boondah Road is not supported on the basis of unacceptable ecological and traffic impacts, and as consent from Sydney Water as the land owner would be required (which has been refused). An alternative, less intensive option such as a pedestrian footpath or cycleway should be considered.*
- *The Planning Proposal also proposes that Sites A and C not only be zoned B4 - Mixed Use, but the LEP also contain a clause to permit "residential accommodation" on those sites. The Masterplan does not envisage mixed use development on Site A and therefore that approach is not necessary. If Site C contained such a provision it would allow residential development with ground level active retail frontage, contrary to the Masterplan. Therefore this component is not supported and alternative zones for these Sites should be investigated.*
- *An Economic Impact Assessment is required to determine potential impacts of the Planning Proposal on surrounding retail/commercial centres, and to determine the potential for oversupply of commercial floor space within Pittwater LGA.*
- *The Masterplan supporting the Planning Proposal will result in unacceptable adverse outcomes for public open space and recreation areas within the Southern Buffer, including:*
  - *A net reduction in the availability of public open space and recreational facilities resulting from direct (i.e. net reduction in playing field areas) and indirect (i.e. generating a significant increase in demand for public open space areas which cannot be provided) impacts upon the existing public open space and recreation land including Boondah Reserve and Jacksons Road Reserve;*
  - *Failure to provide or dedicate any suitable public open space areas which can be used for recreational purposes;*
  - *Removal of car parking facilities along Boondah Road without identifying replacement or compensatory car parking facilities;*
  - *Removal of strategically significant land from a precinct which presently suffers from an undersupply of public recreational open space and will be subject to a future increase in demand for these areas.*
- *The urban design outcomes of the Masterplan supporting the Planning Proposal are not supported having regard to the following:*
  - *Adequate connectivity between the Site and surrounding retail and commercial development is not achieved and therefore the concept of an 'expanded Warriewood Square' would not be realised, resulting in two competing "stand-alone" shopping centres; and*
  - *The extent of active retail street frontages proposed at the raised ground floor level presents a significant challenge upon which hinges the success and vibrancy of the proposed town centre. Further investigation of this potential outcome is required.*
- *Insufficient consultation with adjoining landowners has been undertaken to guide the Masterplan supporting the Planning Proposal, therefore the Planning Proposal does not adequately represent the interests of all affected land owners."*

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## **6.0 ASSESSMENT OF INFRASTRUCTURE CONSIDERATIONS**

### **6.1 Infrastructure delivery in Warriewood Valley**

- 6.1.1 The provision of infrastructure, which ensures public safety, reasonable amenity and adequate provision of services for development, is a fundamental component of the land release process. In the case of the Warriewood Valley, a strategy and plan to provide appropriate infrastructure and services has been an integral component of the land release process since its commencement in 1993.

- 6.1.2 The sites proposed to be rezoned under this Planning Proposal fall within land to which the *Warriewood Valley Section 94 Contribution Plan (No. 15 Amendment No. 16)* (the Section 94 Contributions Plan) applies. The Plan provides the funding mechanism for infrastructure and services for the general use of the new residents and occupants in the release area, where they cannot be directly and equitably provided through the development process.
- 6.1.3 Having regard to the maximum density of 32 dwellings per hectare now adopted for Warriewood Valley and the additional infrastructure demands resulting from increased population, the *Warriewood Valley Strategic Review Report 2012* has confirmed that a monetary contribution rate commencing at \$50,000 (2011/12 dollars) per dwelling, indexed annually thereafter, could deliver the remaining infrastructure for Warriewood Valley, namely:
- Traffic and transport infrastructure
  - Network of multi-function creek line corridors
  - Community facilities – note this would now be an extension to an existing building, not a new community facility
  - Public recreation and open space (land acquisition [4.6 hectares] and embellishment) for playing fields
  - Pedestrian and cycleway network
- 6.1.4 A review of the Section 94 Contributions Plan is underway based on a contribution rate commencing at \$50,000 (2011/12 dollars) per dwelling and the identified works schedule. On completion of this review, the Plan will be reported to Council (anticipated April 2014) with the intention of placing the plan on public exhibition.
- 6.2 Assessment of additional infrastructure requirements**
- 6.2.1 With respect to this Planning Proposal, a preliminary assessment of additional infrastructure needs expected to be generated by this proposal has been undertaken. The additional commercial development and increased resident population of 980 people (350 dwellings x 2.8 persons per household in Warriewood [occupancy rate adopted in current Section 94 Contributions Plan]), above what is currently anticipated under the Strategic Review, would require an increase in infrastructure associated with traffic and transport, open space and community facilities. The additional dwellings and commercial development would require:
- Major intersection upgrade to the Pittwater Road/Jacksons Road intersection
  - Major additional acquisition and embellishment of land for public recreation – estimated to be in the order of 2.77 hectares of land suitable for open space (based on 2.83 hectares of open space land per 1000 persons)
  - A new community facility – the additional resident population will exceed the threshold which would allow augmentation of an existing community facility to sufficiently meet the needs of the incoming population.
- 6.2.2 Council's preliminary assessment of the additional infrastructure requirements required by this Planning Proposal has raised serious doubts as to whether the additional infrastructure needs generated by this development would be able to be provided in the release area or able to be reasonably funded without compromising the contribution rate of \$50,000 (2011/12) per dwelling.
- 6.3 Ability to deliver additional infrastructure requirements**
- 6.3.1 There is grave concern that the infrastructure and services originally planned for Warriewood Valley may not be able to be expanded, sufficient to provide for the increased development. Development of Warriewood Valley is now over half complete and it is unclear as to whether additional infrastructure can actually be provided without significant impact on amenity and safety and/or additional costs.

- 6.3.2 Of particular concern is the ability of Council to find suitable land up to 4.6 hectares to purchase for playing fields commensurate to the development approved by the Planning Assessment Commission and that anticipated under the Warriewood Valley Strategic Review, let alone an additional 2.77 hectares of open space demand created this development. The additional demand created as a result this development will require up to 7.37 hectares of land suitable for playing fields, reasonably near to, and available for the use of, future residents in Warriewood Valley.
- 6.3.3 In recent years there has been difficulty in providing land suitable for active open space in the Warriewood Valley area to meet the needs of the current planned dwelling yields. There is a shortage of available land suitable for active open space in the vicinity of the release area, without moving into area of existing residential development (where the cost of acquisition would be prohibitive) or forfeiting the development opportunity for land otherwise assigned for residential development.
- 6.3.4 In order to address this issue, Council has already had to adopt a range of innovative measures, including alliances with local schools and surface treatments to increase usability of the assets, to provide increased recreation opportunities in an attempt to meet contemporary standards of provision. While these strategies have offset some of the land needed to meet the requirements under the Section 94 Contributions Plan, additional land still need to be purchased to meet the demands of the current planned population.
- 6.3.5 As already mentioned, this proposal will result in a larger resident population than planned for, meaning that augmentation of an existing community facility in Warriewood Valley will no longer be sufficient. A new facility and associated land is estimated to cost in the order of \$10 million.
- 6.3.6 The applicant has provided no insight in to how the reasonable expectations of the future residents of this development for access to playing fields and community facilities will be accommodated.

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## **7.0 FORWARD PATH**

- 7.1 Council, in determining this application, may:
- Refuse the application, or
  - Support the application as submitted and forward the application to NSW Planning & Infrastructure for a Gateway determination.
- 7.2 Council is reminded that in circumstances where the Council does not determine an application within 90 days of lodgement or the Council determines not to progress the planning proposal to a Gateway determination, the applicant may make a request a pre-gateway review of the application.

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## **8.0 CONCLUSION**

- 8.1 DFP's assessment of the planning proposal concludes that the application is inconsistent with regional and subregional planning and transport strategies as well as local planning strategies for the area. DFP's assessment has also found that insufficient consideration has been given to the site specific environmental constraints affecting the subject sites.

- 8.2 It is therefore recommended that Council refuse to progress the planning proposal PP0007/13 to a Gateway determination with NSW Planning & Infrastructure for the reasons outline by DFP in their assessment report.

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## **9.0 SUSTAINABILITY ASSESSMENT**

### **9.1 Supporting & Connecting our Community (Social)**

The application proposes a development that will unacceptably increase flood risk to life and property. The application also proposed unacceptable and unsafe access arrangements.

### **9.2 Valuing & Caring for our Natural Environment (Environmental)**

The proposal has not demonstrated that there will be no detrimental impacts on riparian corridors and the range of existing native vegetation communities, which includes Endangered Ecological Communities. The proposal does not appear to have considered the need for any biodiversity corridors.

### **9.3 Enhancing our Working & Learning (Economic)**

In the absence of an Economic Impact Assessment indicating otherwise, Hill PDA predict that there is likely to have detrimental economic impact son all centres in the locality, ranging from insignificant impacts to strong impacts.

### **9.4 Leading an Effective & Collaborative Council (Governance)**

Due to Council's significant interests in the lands adjoining and adjacent to the subject sites, an independent probity advisor was engaged to make arrangements to ensure the probity of the assessment and determination process. As a primary step to address the probity issues, an independent planning consultant was engaged to undertake an assessment of the Planning Proposal.

### **9.5 Integrating our Built Environment (Infrastructure)**

The application will create additional infrastructure demands above what Council has already planned to provide within the release area. The additional infrastructure needs generated by this development would not be able to be accommodated within the release area or in reasonable proximity, or able to be reasonably funded without compromising the contribution rate of \$50,000 (2011/12) per dwelling.

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## **RECOMMENDATION**

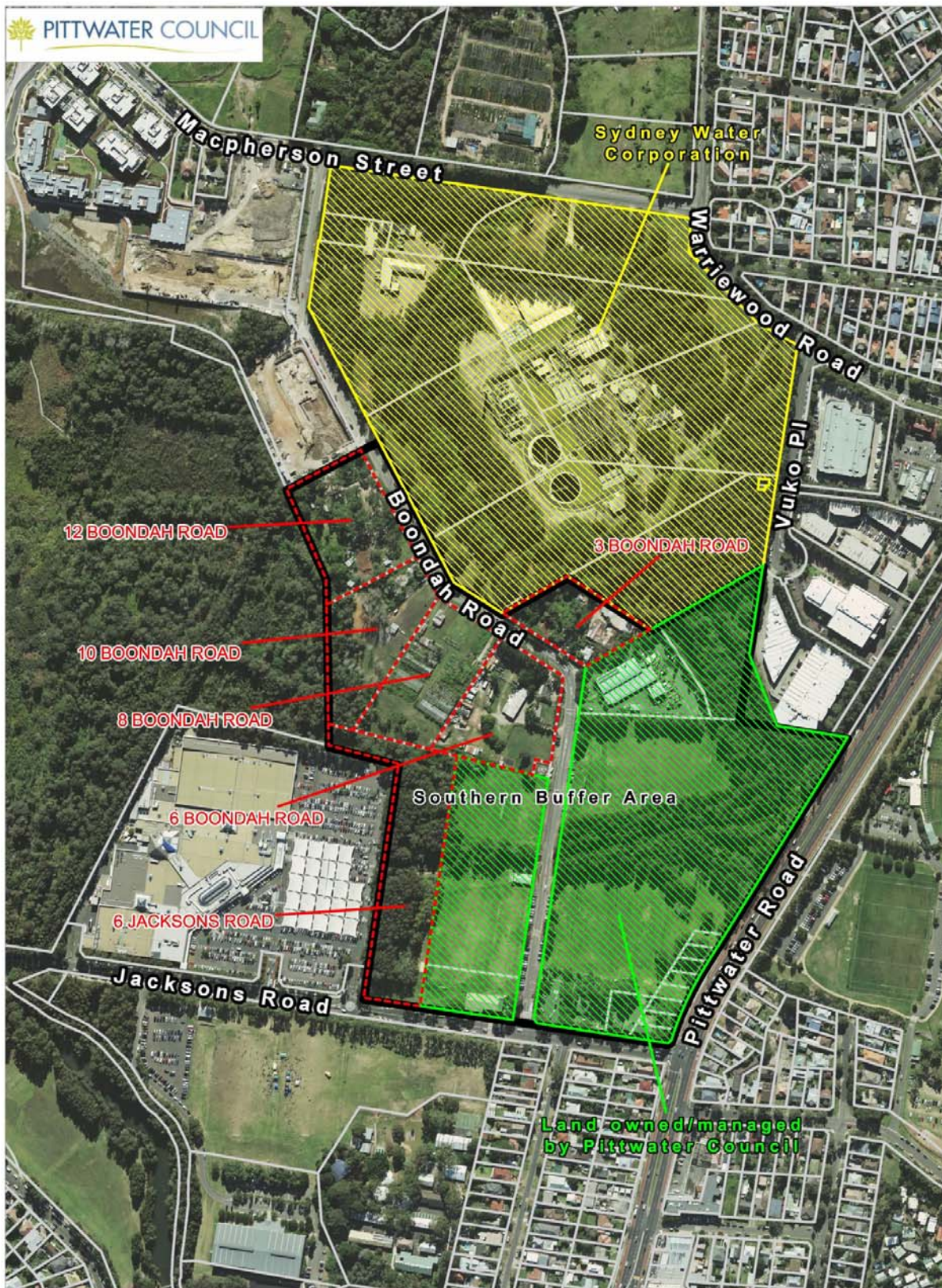
1. That Council note the contents of Don Fox Planning's Assessment of Planning Proposal PP0007/13 for 6 Jacksons Road and 3, 6, 8, 10 and 12 Boondah Road, Warriewood **(as tabled)**.
2. That the Planning Proposal PP0007/13 not be supported for referral to NSW Planning & Infrastructure for Gateway determination based on the reasons provided by Don Fox Planning as outlined below:
  - a. It does not meet the strategic objectives of the Draft North East Subregional Plan, SHOROC Employment Lands Study, Pittwater Local Planning Strategy and Warriewood Valley Strategic Review Report through the expansion of Warriewood Square shopping centre to provide a new town centre;
  - b. It will result in unacceptable adverse outcomes for public open space and recreation areas within the Southern Buffer;

- c. It is inconsistent with Section 117 Direction 4.3 Flood Prone Land;
  - d. The approach to managing flooding constraints to justify an urban zone on flood prone land is not supported;
  - e. It fails to retain and protect high value biodiversity land (including EECs) and provides insufficient justification for their removal or consideration of ecological recommendations;
  - f. It is unable to achieve connectivity between the Site and adjoining commercial areas (including relocated Boondah Road and Vuko Place connection) on the basis of unacceptable ecological and traffic impacts;
  - g. It does not address potential negative economic impacts upon surrounding retail centres, or address the potential oversupply of commercial floor space;
  - h. The urban design outcomes of the Masterplan are not supported; and
  - i. It does not adequately represent the interests of all affected land owners.
3. That any future Planning Proposal for land within the Southern Buffer should incorporate all of the land within the Southern Buffer and also incorporate the Warriewood Square shopping centre site.
4. That, based on the outcomes of the assessment of this Planning Proposal, the recommendations of Don Fox Planning be considered in the future update to the Pittwater Local Planning Strategy and the future review of the Warriewood Valley Planning Framework 2010.

Report prepared by  
Tija Stagni, Senior Planner Land Release

Andrew Pigott  
**MANAGER PLANNING & ASSESSMENT**





Aerial Photography - May 2013  
 Licensed from Vekta  
 This plan is not survey accurate,  
 & aerial photography is indicative only.

**Lands Subject to Planning Proposal PP0007/13**  
**6 Jacksons Road & 3, 6, 8, 10 & 12 Boondah Rd Warriewood**

**NORTH**





## **Pittwater Council**

### **Assessment of a Planning Proposal for Land in the Southern Buffer**

#### **Probity Plan**

**February 2014**

## Background

Pittwater Council (Council) has received a Planning Proposal Application (PP0007/13) (Planning Proposal) seeking to rezone land within the area known as the Southern Buffer of the Warriewood Valley Release Area. The Planning Proposal was lodged with Council on 16 December 2013.

The application, prepared on behalf of the private landowners, seeks to rezone lands at 6 Jacksons Road and 3,6,8,10 and 12 Boondah Rd, Warriewood, NSW, 2102. The masterplan submitted with the Planning Proposal includes lands owned by Pittwater Council and Crown lands under Council's care, control and management. It also includes land owned by the Sydney Water Corporation.

A review of the Warriewood Valley Section 94 Plan (the Section 94 Plan) is being finalised following the adoption of the Warriewood Valley Strategic Review Report. The lands the subject of this application has been identified in the Section 94 Plan, for potential purchase for open space areas (playing fields). The Section 94 Plan will be reported to a Council meeting early in 2014, with the view to placing the Section 94 Plan on public exhibition.

In the circumstances where significant Council land is affected by the Planning Proposal, Council has determined to make arrangements to ensure the probity of the Planning Proposal assessment and determination process.

## Purpose

The purpose of the Probity Plan is to provide a framework to guide the assessment of the Planning Proposal in a manner that is consistent with probity principles.

The assessment process must be conducted in a manner that satisfies the relevant "probity fundamentals" as stated in the NSW Independent Commission against Corruption (ICAC) document *Probity and Probity Advising – Guidelines for Managing Public Sector Projects*. These probity fundamentals are:

- maintaining impartiality
- managing conflicts of interest
- maintaining accountability and transparency
- maintaining confidentiality.

## Assessment of the Planning Proposal

The ICAC in its publication *Corruption Risks in the Development Approval Process* (September 2007) provided guidance to councils on ways in which a conflict of roles can be dealt with if Council owns land within a precinct. Councils are required to implement arrangements which ensure that this conflict of roles is avoided at the Planning Proposal assessment phase.

As the primary step to address this probity issue, Council has engaged a planning consultant, *Don Fox Planning (DFP)* to undertake the assessment of the Planning Proposal application. To assist DFP, Council has commissioned the peer review of technical studies prepared and submitted with the Planning Proposal. It is anticipated that Council will consider the Planning Proposal at a meeting in March 2014. The report and

recommendations to the Council meeting will be prepared by DFP. The only role to be performed by Council officers will be to review the DFP report to ensure the accuracy of information.

The Planning Proposal has been advertised on the Council website and all submissions made in response have been published in accordance with Council practice.

Council has established a Technical Team to handle matters related to the assessment of the Planning Proposal. The members of this team may provide comments to DFP on technical reports related to the assessment process

The members of the Technical Team are – Steve Evans; Chris Hunt; Andrew Pigott and Land Release Unit (Liza Cordoba, Tija Stagni, Anja Ralph and Robbie Platt); Mark Beharrell & Matt Hansen (Natural Environment & Education); Jennifer Pang (Catchment Management); Mark Shaw, Mark Salvaterra, Paul Davies (Urban Infrastructure) ; Jenny Cronan & Joseph Tramonte (Reserves & Recreation) ; Lindsay Godfrey (Community & Library); and Lilian Whiteman (S94 Officer).

Council has established a Property Team to respond to the Planning Proposal on behalf of Council. The Property Team will prepare a formal response to the Planning Proposal on behalf of Council as a landowner.

The members of the Property Team are Paul Reid (Corporate Strategy & Commercial) who will lead the Team. The other members of the team are Glenn Davis (Corporate Strategy & Commercial); Matt Edmonds (Planning & Assessment); Roy Einarsen (Urban Infrastructure); Les Munn and Steve Lawler (Reserves & Recreation).

## **Separation of functions and access to information**

Council had implemented the following internal arrangements to ensure the separation of functions and access to confidential information within Council.

- The application is available on Application Tracking, on Council's website including submissions received and comments from external/state agencies eg Roads and Maritime Services
- Members of the Property team were advised to view the documents associated with this Application using "Application Tracking" via Council's website.
- Access to Council's Records – instructions between Technical Team and any consultants engaged to undertake a peer review have been restricted to a specific classification only able to be viewed by Land Release
- Draft documents prepared for the Assessment of this application are not available in Council Records until such time as they are to be reported to a Council meeting and not until the Council Agenda is prepared. They will have the same restricted classification to only allow viewing and editing by Land Release.
- Commentary from the technical team will be overviewed by Chris Hunt, as the Director of Urban & Environment Assets.
- The Technical Team has been reminded not to speak to members of the Property Team regarding this application, in particular those working in Reserves & Recreation.

- Commentary in regard to future infrastructure provision will need to be provided through the Section 94 Committee, via Lilian Whiteman.

## **Conduct Guidelines**

Each member of the Council teams and any other Council officers involved has a responsibility to ensure that their personal behaviour does not adversely impact on the integrity of the assessment process. Each person is to:

- act in accordance with the Pittwater Council Model Code of Conduct (as applicable), the Probity Plan and other approved processes
- avoid conflicts of interest
- maintain the confidentiality of confidential information
- act at all times in a professional manner
- avoid the acceptance of gifts, hospitality or other benefits that may be perceived to affect the integrity of the assessment process
- avoid contact with landowners that may be perceived to affect the integrity of the assessment process
- not make public comment about the process without appropriate authorisation
- report any breaches of the Probity Protocol, or other probity concerns, to the probity adviser immediately
- maintain appropriate records of decision-making.

Members of the Council teams and any other Council personnel with involvement in the assessment process shall be provided with a copy of the Probity Protocol and requested to sign the attached declaration.



**Probity Plan Declaration**  
**Assessment of Planning Proposal PP0007/13**

Name:.....

Position: .....

I:

**Probity Plan**

- Have read and understood the Probity Plan for the assessment of the Planning Proposal

**Confidentiality**

- Agree to ensure that Confidential Information is kept confidential
- Understand that I can only access information related to my role related to the Planning Proposal
- Understand that improper use or disclosure of Confidential Information may cause harm to Pittwater Council
- Will take all reasonable steps to ensure that any Confidential Information is kept confidential

**Conflicts of Interest**

☐ I am not aware of any related interest, pecuniary or non-pecuniary, that may create, or appear to create, a conflict of interest. I will immediately bring to the attention of \_\_\_\_\_ (Team Leader) any change in circumstances.

**OR**

☐ I have the following related interest/s to declare.

Interest: \_\_\_\_\_

Agreed Management Strategy: \_\_\_\_\_

\_\_\_\_\_  
Team Leader Signature

\_\_\_\_\_  
Date

I hereby declare that I have read and understood the terms of this Probity Declaration.

.....  
Signature

.....  
Date

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## **C12.2 Proposed Reforms to the Aboriginal Cultural Heritage System in NSW**

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**Meeting:** Sustainable Towns & Villages Committee

**Date:** 17 March 2014

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**STRATEGY:** Land Use & Development Strategy

**STRATEGIC INITIATIVE:** To effectively respond to state and regional planning initiatives.

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### **PURPOSE OF THE REPORT**

To advise Council of the NSW Office of Environment and Heritage (OEH) proposed reforms to the management of Aboriginal Cultural Heritage (ACH) in NSW and seek Council's endorsement of the submission prepared in response to the proposed reforms (**Attachment 1**).

### **1.0 BACKGROUND**

1.1 In 2011, the OEH commenced the process for reforming ACH in NSW. The reform process is taking place over a series of phases. The first two phases involved data and information collection and consultation with selected user groups to establish what the reforms needed to consider. Incorporating recommendations from an independent Aboriginal Cultural Heritage Reform Working Group, the OEH then developed a proposal for new stand-alone ACH legislation.

1.2 With the commencement of Phase 3, the OEH has released a paper outlining the proposed model for managing ACH in NSW for public comment. During the exhibition period the public is being invited to review the proposed model and provide submissions by 28 March 2014 to:

Aboriginal Culture and Heritage Reform Secretariat  
NSW Office of Environment and Heritage  
PO Box 1967  
HURSTVILLE BC NSW 1481

1.3 A draft submission has been prepared outlining key matters regarding the reforms to the management of ACH in NSW. The submission was prepared in consultation with the Aboriginal Heritage Office (AHO) and relevant Council Business Units. A copy of the draft submission is provided in **Attachment 1**.

### **2.0 KEY COMPONENTS OF THE PROPOSED ACH REFORM**

Pittwater Council recognises the need for and supports the ACH reform and proposed model.

2.1 **The creation of stand-alone legislation to replace the provisions for ACH currently included in the *National Parks and Wildlife Act 1974***

2.1.1 The OEH has proposed a new Act to replace the provisions for ACH currently included in the *National Parks and Wildlife Act 1974*. The objectives of the new ACH Act are to reflect the intent to celebrate, promote, protect and better manage Aboriginal cultural values in NSW.

The proposed legislation is to retain the current regime of offences, defences, exemptions and penalties for harm to ACH. Proposed provisions for dispute resolution and appeals processes will be included and the Act will specify timeframes that enable fair and transparent decisions.

## 2.2 The establishment of Local ACH Committees

- 2.2.1 ACH Committees will consist of up to ten (10) nominated people with identified connection to Country, “who have knowledge and understanding of cultural heritage practices and priorities in their Country” (OEH). Positions on the Local ACH Committee will be held for a period of five (5) years.

## 2.3 Introduction of tools to support ACH conservation and strategic planning processes. These tools include:

### 2.3.1 ACH maps and Plans of Management (PoM) that show areas of high, low and no ACH value or limited knowledge.

A Plan of Management (PoM) is proposed to be developed to accompany and outline the specific strategies for managing each type of ACH identified within an ACH map. Local ACH maps will visually show areas of high, low or no ACH value, and areas where knowledge of the ACH value is incomplete.

The maps will be placed on public exhibition before the Minister reviews and places them on the ACH Register.

For every ACH map created, a PoM will be developed according to criteria set in the regulations. The purpose of the PoM is to outline the specific strategies for managing each type of ACH value identified on the map. Through a PoM, a Local ACH Committee will identify the key ACH priorities and projects required to continue to practice culture and to protect and manage ACH values. These priorities, if mutually agreed, can be negotiated as ACH management conditions within individual Project Agreements.

### 2.3.2 Project Agreements are proposed to be introduced to provide greater flexibility for proponents and the relevant Local ACH Committee in negotiations leading to more sustainable outcomes.

Project Agreements will be required for certain activities in areas that are mapped as having incomplete or high ACH values. Project Agreements will replace Aboriginal Heritage Impact Permits (AHIPs).

Proponents and the Local ACH Committee will work through the regulatory process together to develop a Project Agreement.

### 2.3.3 The creation of an ACH register in the form of a database to hold known ACH information within NSW.

The proposed creation of an ACH Register will include ACH maps in the form of a statutory database. The ACH Register will ensure accurate and timely ACH information is provided that will assist Aboriginal people, Proponents and the Government to make informed decisions about ACH management in NSW.

### 2.3.4 Clearer, more simple and flexible regulatory processes that will be streamlined into four activity categories:

1. Activities that are exempt;
2. Low-impact activities;
3. Activities that are trivial or negligible; and
4. All other activities that have potential to harm ACH values.



## 2.4 **The need to create stronger links between ACH processes and the planning system**

2.4.1 Proposed changes to ACH legislation aim to create stronger links between the ACH processes and the current planning system.

2.4.2 Proposed ACH maps and POMs are required under the new legislation in the hope that ACH values will be considered much earlier in the development process.

## 2.5 **Clarity and certainty within a new streamlined process**

2.5.1 Consultation requirements and timeframes are aimed to be significantly reduced with a proposed emphasis on clear processes and requirements for assessing ACH.

## 2.6 **Way forward**

2.6.1 Upon the completion of Phase 3, the NSW Government will finalise its recommendations reflecting the submissions received during the public exhibition. If the recommendations of the NSW Government support amendments to the legislation, there will be further opportunity to review detailed provisions during the release of the draft exposure Bill.

## 3.0 **REVIEW OF THE ACH REFORMS**

In consultation with the Aboriginal Heritage Office (AHO), the following matters are raised in relation to the proposed model:

1. Uncertainty and limited information regarding how ACH will link to planning processes
2. Confidentiality of ACH information
3. The need for quality ACH maps
4. The process for determining ACH impact
5. The composition, role and funding of Local ACH Committees

**Important to note:** Pittwater Council is one of eight Councils that together fund and support the invaluable services of the AHO to ensure the effective conservation and protection of Aboriginal heritage in the local area.

The pooling of financial contributions by the group of Councils provides for mutual and shared resources of the AHO, including the employment of an Aboriginal Heritage Manager and the following:

- Site management, including mapping, monitoring and management plans
- Council support, including staff training and referrals for Development Applications that may impact on Aboriginal heritage
- Education, including community presentations, guided walks and presentations to schools facilitated through Council's Coastal Environment Centre

The arrangement between the AHO, Pittwater Council and other member Councils allows and promotes the sharing and exchange of information and experience, to enable and assist each Council to tailor the work being undertaken by the AHO to address local priorities and achieve desired outcomes. The AHO submission on the ACH reform is provided in **Attachment 2**.

### **1. Uncertainty and limited information regarding how ACH will link to planning processes**

Pittwater Council supports the intention of linking ACH management with planning processes, including the consideration of ACH early in the planning process and when developing the Regional Growth Plans and Subregional Delivery Plans.

Whilst it is stated that access to mapping and ACH information within POMs and the ACH Register intends to simplify the regulatory process, clarification and more detailed information regarding how ACH will link to all planning process, including local Development Applications, is sought.

## **2. Confidentiality of ACH information**

As mentioned, Pittwater Council supports the intention of linking ACH management with planning processes, including the initiative to identify the likely level of sensitivity for an area via ACH maps. However, this is with the proviso that sensitive ACH information, including information specific to the location of heritage items, remains confidential.

## **3. The need for quality ACH maps**

In line with the position of the AHO, Pittwater Council reiterates the importance of having quality data, including complete and accurate information, to prepare and maintain the ACH maps.

As a starting point, it is suggested that existing Aboriginal Heritage Information Management System (AHIMS) data be audited and updated, and that an extensive Aboriginal heritage survey be undertaken, including extensive consultation with Aboriginal communities, to ensure the full spectrum of Aboriginal heritage sites and places are incorporated. Further, once prepared, the maps will need to be regularly reviewed and updated in order to maintain their quality for the purpose of reliability.

## **4. The process for determining ACH impact**

In order to ensure that an adequate ACH assessment is undertaken without unnecessary cost or time delays, Pittwater Council supports the proposed 'fit for purpose' approach to determining the potential impact of a proposed development on ACH.

The end model must incorporate the ability for the level of assessment to match the risk of impact on ACH. Pittwater Council supports the proposal for ACH maps to identify the level of sensitivity of an area, however in line with the position of the AHO, an increased number of sensitivity categories (and corresponding assessment requirements) would be supported.

In situations of uncertainty, Pittwater Council would support a similar service to that offered by the AHO, whereby Council can request an assessment to determine whether ACH would potentially be impacted and the sensitivity of the ACH, including whether any further assessment should be carried out. This would ensure that the level of assessment is tailored to the level of potential risk and sensitivity.

## **5. The composition, role and funding of Local ACH Committees**

In line with the position of the AHO, Pittwater Council would support Local ACH Committees being open to non-Aboriginal people, as it is considered that Aboriginal heritage management is greatly assisted by people with expertise in many different areas and there will be many regions where this kind of specialisation is not available within the local Aboriginal community.

It is acknowledged that Local ACH Committees will require significant funding to support their functioning, though concern regarding the capacity of Local ACH Committees is raised. Clarification is sought regarding how the proposed roles and responsibilities of Local ACH Committees will be managed and supported.

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## **4.0 SUSTAINABILITY ASSESSMENT**

### **4.1 Supporting & Connecting our Community (Social)**

- 4.1.1 The ACH reforms consider the needs and requirements of a variety of stakeholder and groups within the community. It actively seeks to balance competing requirements between the preservation and protection of cultural significant values and development pressures in a more open, transparent and timely manner.

### **4.2 Valuing & Caring for our Natural Environment (Environmental)**

- 4.2.1 The ACH reform seeks to protect and preserve the State's ACH values and assets.

### **4.3 Enhancing our Working & Learning (Economic)**

- 4.3.1 The ACH reform proposes to increase a greater understanding of ACH and the need for conservation requirements. Further, the proposed reforms address tangible and non-tangible values contained within ACH and provide new definitions and objectives to increase protection levels. These proposed changes have implications for both environmental and economic outcomes within Pittwater LGA.

### **4.4 Leading an Effective & Collaborative Council (Governance)**

- 4.4.1 The ACH reform provides for the establishment of 'stand-alone' legislation that is proposed to facilitate stronger links between ACH and the planning system to deliver more efficient, effective and sustainable development.
- 4.4.2 The ACH reform provides for a more strategic and upfront planning process for identifying, protecting and managing ACH with the creation of statutory maps and Plans of Management.
- 4.4.3 The ACH reform proposes clearer and more streamlined regulatory processes for all parties involved

### **4.5 Integrating our Built Environment (Infrastructure)**

- 4.5.1 The proposed ACH reforms seek to improve ACH recognition, protection and management throughout NSW.
- 4.5.2 The ACH reforms involved consultation and engagement with representatives of the Aboriginal community via target stakeholder workshops and the Aboriginal Cultural Heritage Reform Working Group.

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## **5.0 EXECUTIVE SUMMARY**

- 5.1 The NSW Office of Heritage and Environment is inviting public comment on the proposed reforms to the management of Aboriginal Cultural Heritage (ACH) in NSW, with an extensive exhibition period encouraging feedback by 28 March 2014.
- 5.2 Pittwater Council supports the ACH reform and proposed model, though it is recommended that the matters raised in the submission in **Attachment 1** be duly considered as part of the process of refining the proposed model. These matters, prepared in consultation with the Aboriginal Heritage Office (AHO) and relevant Council Business Units, include:
  - 1. Uncertainty and limited information regarding how ACH will link to planning processes
  - 2. Confidentiality of ACH information
  - 3. The need for quality ACH maps
  - 4. The process for determining ACH impact
  - 5. The composition, role and funding of Local ACH Committees

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## RECOMMENDATION

1. That Council notes the proposed reforms and model for the management of Aboriginal Cultural Heritage (ACH) in NSW, for information purposes.
2. That Council endorses the submission (**Attachment 1**), and forwards the response to the NSW Office of Environment and Heritage by 28 March 2014.

Report prepared by  
Shannon McCaughey – Strategic Planner

Andrew Pigott  
**MANAGER, PLANNING & ASSESSMENT**

18 March 2014

Aboriginal Cultural Heritage Reform Secretariat  
NSW Office of Environment and Heritage  
PO Box 1967  
HURSTVILLE BC NSW 1481

Dear Sir/Madam

**RE: ABORIGINAL CULTURAL HERITAGE REFORM**

Pittwater Council welcomes the opportunity to comment on Phase 3 of the Aboriginal Cultural Heritage (ACH) reform process. It is our understanding that Phase 3 of the ACH reform process focuses on examining the proposed model for managing ACH in NSW, and it is hoped that our comments will be useful as part of the process of refining the proposed model so that the outcome is a model that prioritises and protects ACH in NSW.

It should be noted that Pittwater Council is one of eight Councils that together fund and support the invaluable services of the Aboriginal Heritage Office (AHO) to ensure the effective conservation and protection of Aboriginal heritage in the local area.

The pooling of financial contributions by the group of Councils provides for mutual and shared resources of the AHO, including the employment of an Aboriginal Heritage Manager and the following:

- Site management, including mapping, monitoring and management plans
- Council support, including staff training and referrals for Development Applications that may impact on Aboriginal heritage
- Education, including community presentations, guided walks and presentations to schools facilitated through Council's Coastal Environment Centre

The arrangement between the AHO, Pittwater Council and other member Councils allows and promotes the sharing and exchange of information and experience, to enable and assist each Council to tailor the work being undertaken by the AHO to address local priorities and achieve desired outcomes.

In preparing this response to the proposed model for managing ACH in NSW, Pittwater Council refers to the submission prepared by the AHO.

First and foremost, it is advised that Pittwater Council supports the ACH reform and proposed model in principal. It is acknowledged that the approach to the reform process and the proposed model has been well deliberated.

Particular components of the proposed model that are supported by Pittwater Council are:

- New stand-alone legislation that focuses on ACH, and the objectives and definition of ACH, which includes tangible and intangible values
- The creation of Local ACH Committees for consultation and decision making associated with ACH matters, and to create and maintain ACH maps and associated Plans of Management (POM)
- Linking ACH management with planning processes, and aligning the subject ACH reform with the current NSW planning reform, including the consideration of ACH when developing Regional Growth Plans and Subregional Delivery Plans

- The tools and processes proposed to support ACH management and link to planning processes, including local ACH maps and associated POMs, the creation of an ACH register, the use of Project Agreements in place of Aboriginal Heritage Impact Permits (AHIP), and the preparation of State of Aboriginal Cultural Heritage Reports
- Making publicly accessible the ACH maps but restricting access to the culturally sensitive information that makes up the maps

In consultation with the Aboriginal Heritage Office (AHO), the following matters are raised in relation to the proposed model:

- Uncertainty and limited information regarding how ACH will link to planning processes
- Confidentiality of ACH information
- The need for quality ACH maps
- The process for determining ACH impact
- The composition, role and funding of Local ACH Committees

### **Uncertainty and limited information regarding how ACH will link to planning processes**

Pittwater Council supports the intention of linking ACH management with planning processes, including the consideration of ACH early in the planning process and when developing the Regional Growth Plans and Subregional Delivery Plans.

Whilst it is stated that access to mapping and ACH information within POMs and the ACH Register intends to simplify the regulatory process, clarification and more detailed information regarding how ACH will link to all planning process, including local Development Applications, is sought.

### **Confidentiality of ACH information**

As mentioned, Pittwater Council supports the intention of linking ACH management with planning processes, including the initiative to identify the likely level of sensitivity for an area via ACH maps. However, this is with the proviso that sensitive ACH information, including information specific to the location of heritage items, remains confidential.

### **The need for quality ACH maps**

In line with the position of the AHO, Pittwater Council reiterates the importance of having quality data, including complete and accurate information, to prepare and maintain the ACH maps.

As a starting point, it is suggested that existing Aboriginal Heritage Information Management System (AHIMS) data be audited and updated, and that an extensive Aboriginal heritage survey be undertaken, including extensive consultation with Aboriginal communities, to ensure the full spectrum of Aboriginal heritage sites and places are incorporated. Further, once prepared, the maps will need to be regularly reviewed and updated in order to maintain their quality for the purpose of reliability.

### **The process for determining ACH impact**

In order to ensure that an adequate ACH assessment is undertaken without unnecessary cost or time delays, Pittwater Council supports the proposed 'fit for purpose' approach to determining the potential impact of a proposed development on ACH.

The end model must incorporate the ability for the level of assessment to match the risk of impact on ACH. Pittwater Council supports the proposal for ACH maps to identify the level of sensitivity of an area, however in line with the position of the AHO, an increased number of sensitivity categories (and corresponding assessment requirements) would be supported.

In situations of uncertainty, Pittwater Council would support a similar service to that offered by the AHO, whereby Council can request an assessment to determine whether ACH would potentially be impacted and the sensitivity of the ACH, including whether any further assessment should be carried out. This would ensure that the level of assessment is tailored to the level of potential risk and sensitivity.

### **The composition, role and funding of Local ACH Committees**

In line with the position of the AHO, Pittwater Council would support Local ACH Committees being open to non-Aboriginal people, as it is considered that Aboriginal heritage management is greatly assisted by people with expertise in many different areas and there will be many regions where this kind of specialisation is not available within the local Aboriginal community.

It is acknowledged that Local ACH Committees will require significant funding to support their functioning, though concern regarding the capacity of Local ACH Committees is raised. Clarification is sought regarding how the proposed roles and responsibilities of Local ACH Committees will be managed and supported.

In relation to Council's position on the options for funding Local ACH Committees and boundaries of Local ACH Committees, unfortunately there is insufficient detailed data and information to form an opinion at this point.

### **Conclusion**

Pittwater Council welcomes the proposed ACH reform in order to facilitate a model that prioritises and protects ACH in NSW. A more localised approach to ACH management, greater input and involvement from Aboriginal people, and a higher profile for AHC is supported.

Whilst it is acknowledged that the reform process and the proposed model has been well deliberated, Pittwater recommends that the matters raised in this submission be duly considered as part of the process of refining the proposed model.

Pittwater Council would welcome the opportunity to comment on the next phase of the reform process and when more detail about each component of the proposed model is available.

Should you have any queries regarding any of the matters raised in this submission, please don't hesitate to contact Kelly Wilkinson.

Yours sincerely

Mark Ferguson  
**GENERAL MANAGER**



### Aboriginal Heritage Office

Ku-ring-gai, Lane Cove, Manly, North Sydney, Pittwater, Warringah, Willoughby and City of Ryde Councils

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Tuesday, 18 February 2014

### Aboriginal Heritage Office – Aboriginal cultural heritage legislation reform Phase 3 February 2014

The Aboriginal Heritage Office<sup>1</sup> (AHO) welcomes the NSW Government's proposal to reform the legislation and management of Aboriginal heritage in NSW. It appears a great deal of thought and effort has gone into the proposal and this should be acknowledged.

The AHO supports in principal stand-alone legislation as this will hopefully give Aboriginal heritage both a greater profile and priority level that has been lacking within the Office of Environment and Heritage (OEH) and equivalent structures. The AHO also supports greater input from Aboriginal people and a more local approach to Aboriginal heritage management. In terms of the proposed model, the AHO has some reservations in relation to its practicality. The following information has been provided to highlight areas that the AHO considers to be in need of reconsideration to ensure the proper protection of Aboriginal heritage. The main areas of concern that the AHO is able to comment on are:

1. Poor data source to develop mapping, modelling and for planning purposes.
2. Over burdened Local Aboriginal Cultural Heritage (ACH) Committees.
3. Over emphasis on 'Traditional' in areas where Traditional knowledge is limited.
4. Confidentiality and use of site data.
5. Over emphasis on development process over site management.

#### Poor data source to develop mapping, modelling and for planning purposes

##### Current Data Problems

Currently the data held by the Aboriginal Heritage Information Management System (AHIMS) of OEH, contains many errors. In northern Sydney the AHO carried out a sample review of the accuracy of the location of sites as given by AHIMS and found between 20% and 40% of sites are incorrectly referenced by over 50m (with a proportion over 500m and 1000m). The error rate increases dramatically if the margin of error is taken to 20m (over 75% in one Council).

The AHO has been slowly correcting the errors in partner Councils in northern Sydney. However, it has been noted that sometimes the corrections are not entered into AHIMS or they are entered incorrectly. There is no standardised update form to help eliminate errors and to provide explanations to other users of the reason for the update.

The AHO suggests that it will take a minimum of 5-10 years to achieve even a basic level of accurate information and mapping. This process will be further protracted without serious resource commitment across the state. Current OEH modelling is based on data that has not been fully audited and much of the information is erroneous. Getting conservation management plans for most sites will be an incredibly lengthy process for the tens of thousands of registered sites.

<sup>1</sup> The AHO is a unique partnership of eight local Councils in northern Sydney working to protect and promote Aboriginal heritage and history. The local government Aboriginal heritage position created in 2000 and shared by four Councils was a first for Australia and has steadily grown to a strong collaboration of eight Councils and includes an Aboriginal Heritage Manager, Education Officer, archaeologist and a Museum and Keeping Place.



Another issue is that not all areas of NSW have been subject to the same (or any) level of Aboriginal heritage assessment and survey. For example, much of the most noticeable pressure on Aboriginal heritage in NSW is through new Greenfield developments and large environmental impacts such as coalmines, subdivision and new roads. These developments are more likely to receive full 'up-front' Aboriginal heritage assessments and negotiations over conservation zones. It is also a more cost-effective method than at the DA level. In contrast, there are many Aboriginal heritage issues that will not have had the benefit of such comprehensive pre-development assessment. In established residential areas in Sydney hundreds of surviving sites are relatively small in size and very fragile (rock art, rock engravings, axe grinding grooves, shell middens and scarred/canoe trees). They survive in residential yards, next to houses and footpaths and roads, in Council reserves and on the edges of sports fields. The community values these sites highly, yet they are often incorrectly mapped, the information is poorly understood and to individually assess single developments is very costly and time-consuming.

The AHO would therefore foresee a number of steps that would need to be carried out if the planning system was to become fully digital and effective at managing the balance between protecting heritage and minimising red-tape and costs. The recommended steps are:

1. The full audit and update of AHIMS data, particularly in relation to location accuracy.
2. Extensive consultation with Aboriginal communities and extensive Aboriginal heritage survey to ensure the full spectrum of Aboriginal heritage sites and places is incorporated into the planning system.
3. The adoption of regional and local models to planning frameworks to incorporate these variations (eg northern Sydney has many discrete and fragile sites like rock art and rock engravings that can survive in backyards and planning triggers are required for exempt and complying developments).
4. A mechanism to ensure private certifiers and homeowner-builders will be able to access Aboriginal heritage site information easily and habitually without breaching important confidentiality issues with site data.

In terms of point 4, the AHO would suggest something along the lines of the 'Dial Before You Dig' system. As there is still a big risk of malicious destruction of Aboriginal heritage items, the confidentiality of site data is likely to remain in force. This, however, results in many developments going ahead without proper Aboriginal heritage assessment, despite its requirement under the *National Parks and Wildlife Act 1974*. Providing that the AHIMS data is more accurate, then a buffer can be given over the exact location of a site and when a developer/homeowner seeks to find out if there are any Aboriginal heritage issues in their activity area, a notice can come up alerting the user to contact the appropriate body for further information. In northern Sydney this could be referred to the AHO via the Council. The AHO would be able to do a desk-top assessment and advise if any known site would be potentially affected and what further assessment, if any, should be carried out. This would reduce blanket assessments and unnecessary costs and would provide better protection for sites.

The AHO would like to take this opportunity to remind policy makers that a 'one size fits all' approach to Aboriginal heritage management is unlikely to work and that there still needs to be steps in place to allow flexibility in different regions. The issues are complex and finding a balance between ensuring Aboriginal heritage is properly assessed without unnecessary additional costs will require good data and expertise in interpreting it. This is the situation that many Sydney Councils face and the reason why eight Councils formed a partnership to create the AHO.

#### Over burdened Local Aboriginal Cultural Heritage (ACH) Committees

Regarding the proposed Local Aboriginal Cultural Heritage (ACH) Committees that would be *"responsible for all consultation and decision making associated with local ACH matters, including determining the significance of cultural heritage values... and mapping local cultural heritage...developing Plans of Management..."* etc., this is an enormous task given the poor quality of current data. Each region needs to have a complete audit and updating site

information takes considerable time, funds and expertise, let alone determining significance, mapping, and development of Plans of Management.

The proposal for the Heritage Division to audit information to 'monitor cumulative impacts to inform local decision-making and planning authorities' also needs to include fixing the errors in the data (see comments above). Otherwise the Local ACH's have an immense task of having to do this in their local areas on top of the other requirements of the new proposal.

If 'Project Agreements' replace AHIPs (Aboriginal Heritage Impact Permit), what will happen for the significant number of areas where insufficient prior assessment has been undertaken and where sites are unlikely but are still known to sometimes occur, eg burials in sandy areas, rock shelters and rock engravings in sandstone country in urban areas? There is a great risk that trying to force the mapping to facilitate a broad-brush development scenario will overreach the known or achievable ACH assessment processes and result in the destruction of heritage. The AHO would recommend an increased number of categories of sensitivity (and corresponding assessment requirements) to allow a more flexible approach. Time and resources will need to be set aside to allow Local ACH Committees to gather the required information and put together the mapping and PoMs.

#### Over emphasis on 'traditional' in areas where Traditional knowledge is limited

*-“committees will include Aboriginal people with local cultural knowledge and recognised authority to ‘speak for Country’.”*

This is a vexed and highly contentious issue. Who is an authority? Aboriginal people across Australia are following traditions of caring for country and trying to maintain and rebuild culture, which is 'continuity' of a kind but not always recognised under Native Title legislation or similar policies. What are 'cultural connections' to an area? To limit committees to those with specific local 'cultural knowledge' may also disenfranchise the many Aboriginal people who are working to protect heritage but are not in their traditional lands or who are unsure of their traditional country due to past removals. Conversely people who have recognised 'traditional' ties to an area on paper may not have cultural or heritage experience and may not be qualified to provide detailed input on heritage matters. Being Aboriginal or being a Traditional Owner doesn't necessarily equate to possessing experience and knowledge in such a specialised industry.

There should be an acknowledgement that many important heritage places no longer have surviving stories and customs associated with them but they are still important to Indigenous survivors, whether from that area or not, and increasingly to the wider Australian community. The process of formalising positions on a local ACH committee based on someone's knowledge of 'tradition' may unintentionally draw parallels to the problems of Governments in the past creating policies for 'full-bloods' and others. Who becomes the arbiter of someone's 'traditional-ness' or authority to 'speak for Country'? This kind of emphasis can also lead to false claims, invented stories and so on.

Will the local committees be open to non-Aboriginal people? Aboriginal heritage management is greatly assisted by people with expertise in different areas and there will be many regions where this kind of specialisation is not available within the local Aboriginal community. The AHO has found that Aboriginal managers can get excellent results leading teams composed of a wide range of experts, both Indigenous and non-Indigenous. If the local committees are expected to have all the tools necessary for the excellence in cultural heritage management that the community expects and desires, then this is setting many up to fail in the short term and undermine confidence in heritage management over the long term.

How will Local ACHs be funded and supported? If the proposed system of Plans of Management is rolled out across the state at one time how will individual ACHs get sufficiently qualified people to do the work? Are individual committee members supposed to do the review, historical documentation and investigation, consultation, survey and assessment and other strategic work or does the committee oversee paid consultants and experts? As

mentioned above, there is an enormous amount of work to be done and time, resources and expertise will be required.

#### Confidentiality and use of site data

The AHO supports the aims of integrating Aboriginal heritage management with other planning processes. The initiative to identify those areas where no or only low potential for Aboriginal heritage issues can help to reduce unnecessary costs and red tape to home owners and businesses (and therefore minimises a negative view towards ACH by those developing and building) but the mapping needs to be good. The AHO also supports the 'fit for purpose' over 'one-size-fits-all' aspiration as it recognises that defining what is low potential may not rule out the presence and survival of important and irreplaceable heritage that can be picked up in a proper, locally developed planning process.

The proposed process includes public gazettal of maps and plans. Will this include individual heritage places? How will confidentiality be included in the mapping given that most Aboriginal heritage managers and communities do not want site locations to be made public (not just because many sites have poor site location information)?

In attempting to improve linking of ACH to the planning process a major concern is how to keep sensitive heritage information confidential as there is an increasing interest by the public in visiting sites and there are also signs of increasing graffiti attacks. If the ACH register has poor quality data and the proposed Plans of Management have not been adequately done, users of the data need to know its limitations and the confidentiality issues. The main obstacles with linking ACH with other planning systems are the same that have existed for some time:

- Poor site register data
- Confidentiality of site locations
- Emphasis on Greenfield new developments vs established suburbs where fragile sites survive

Until the quality of the data is improved and the risk of malicious destruction of sites from landowners/developers and the public is reduced, the integration with other planning reforms will be delayed.

In terms of the mapping of *low or no ACH value* mapped areas mapping limitations are discussed above, however, the main risk of this approach is for areas like Sydney where fragile sites such as rock art survive in the urban landscape and can be severely damaged or destroyed with exempt or complying development.

The AHO supports the *access and maintenance* of heritage places by custodians where there are suitably qualified Elders and members of the community or where there is a majority of community and heritage manager support for particular access and actions. The AHO does not support activities whereby underskilled, underqualified or unauthorised people access heritage places and attempt to carry out cultural or management works that may permanently damage the heritage features.

In terms of the use of the *ACH Register* for audits and a *State of Aboriginal Cultural Heritage Report*, this is still dependent on current data quality. The proposal for the Heritage Division to audit information to '*monitor cumulative impacts to inform local decision-making and planning authorities*' also needs to include fixing the errors in the data (see comments above). Otherwise the Local ACH's have an immense task of having to do this in their local areas on top of the other requirements of the new proposal. If minimum standards are to be set to control what goes into the register (such as the case in other states), the emphasis needs to be not just on being database friendly but on information meaningful to the local area and to the specific site. The current data collection card system provides a way to tabulate information that is not well defined or meaningful for many site types or conservation needs.

The *State of Aboriginal Cultural Heritage Report* is a worthy proposal and would be a valuable monitoring tool. It would need good resource backing and the information collated needs to be measured against the quality of the local report base and the outcomes relevant to a local

area (rather than criteria based on a different area). Funding considerations would need to be made that recognised unfinished priority actions from previous action plans versus new priorities arising from the *State of Aboriginal Cultural Heritage Report*.

#### **Overemphasis on development process over site management**

Identifying ACH values *early in the planning process* is essential to good conservation outcomes and is supported. However, there needs to be recognition that many areas have not had sufficient early assessment and important Aboriginal heritage sites survive in areas that would otherwise be mapped as no or low potential for ACH. Resources need to be directed to these areas to avoid the loss of irreplaceable heritage or the frustrations of unnecessary assessments.

In terms of *assessment requirements*, the AHO supports a review of the requirements for assessments to ensure there is adequate assessment without creating unnecessary costs and time delays for smaller development activities and site management projects. For example, in Sydney there is sometimes a requirement for a brief inspection of a suburban backyard that has landscape features that could contain an unrecorded site or to check for the presence of a recorded site that is mapped in an incorrect location. Consultant archaeologists can charge very high prices for a full report for what is in effect a 5-10 minute inspection. Under the current due diligence arrangements the archaeologist can do the inspection and not involve the Aboriginal community. The result is high costs to the home-owner, high remuneration to the consultant and no notable benefit to the Aboriginal community. A better outcome would be a lower fee for smaller 'preliminary' inspections and an Aboriginal community involvement.

The AHO recognises that *government* has an essential role to play in the effective regulation, management and protection of Aboriginal heritage and also responsibilities (as regulator, land owner, developer, land manager and community educator). Under the present system the AHO considers far too much emphasis is given to processing permits resulting in the destruction of Aboriginal heritage through the development process and not enough emphasis is given to **supporting site protection and management and to community education**. It seems even if an Aboriginal site is identified and protected through a protracted assessment process, once the development is finished little attention will be given to it again even if the site is suffering severe degradation. The NSW Government's Heritage Division would need more resources around the state and clear policies dedicated to assisting the Aboriginal community and land owners, such as local government, in protecting Aboriginal heritage sites with advice and support. This would be a substantial funding commitment. The state government role of oversight should not be seen merely as 'review and critic' but more as 'review, advise, support'. If the recognised conservation experts in the state cannot provide this expertise beyond requesting permit applications and demanding paper-based compliance, then red tape, costs and time delays will continue to bog down site conservation efforts.

Aboriginal Heritage Office  
Ku-ring-gai, Lane Cove, Manly, North Sydney, Pittwater, Ryde, Warringah and Willoughby Councils



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<b>C12.3</b>	<b>Minutes of the Sustainable Towns and Villages Reference Group Meeting held on 19 February 2014</b>
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**Meeting:** Sustainable Towns and Villages Committee

**Date:** 17 March 2014

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**STRATEGY:** Corporate Management

**ACTION:** Maintain and Service Council's Range of Committees

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**PURPOSE OF REPORT**

To present to Council for consideration, the Minutes of Leading & Learning Reference Group Meeting held on 19 February 2014 (**Attachment 1**).

**1.0 BACKGROUND**

- 1.1 The Sustainable Towns and Villages Reference Group was established by Council to consider matters involving goals and initiatives contained in the key direction of Council's Strategic Plan – Integrating Our Built Environment.
- 1.2 The strategic objectives within the associated key direction are:
- Asset Management Coordination Strategy
  - Energy Efficiency Strategy
  - Land Use & Development Strategy
  - Town & Village Strategy
  - Transport & Traffic Strategy
- 1.3 To fulfil its role, the Sustainable Towns and Villages Reference Group provides:
- a link between Council and the community which enhances communication about the strategic direction of Council initiatives,
  - input from Council and the community (historical, social and environmental) when considering possible solutions,
  - consideration of implications from strategic initiatives and their likely impact on the local community; and feedback to Council on behalf of the community.

**2.0 ISSUES**

**2.1 STV4.1 - Update on Local Government Reforms**

**Reference points**

1. *That the update on the NSW Independent Local Government Review Panel be noted.*
2. *That the Reference Group encourages Council to make the outcomes of the Councillors survey made a public document.*

**2.2 STV4.2 - Priorities for Reference Group Discussion**

**Reference points**

*That the Reference Group review of the three strategies as outlined in Key Direction 4 – Pittwater 2025: Our Community Strategic Plan be noted.*

### **2.3 STV4.3 - Update on Ingleside Precinct Planning**

#### **Reference points**

- 1. That the update on the progress of the Ingleside Precinct Planning process be noted.*
- 2. That Reference Group members encourage feedback from their respective associations and groups, and provide feedback to the visioning exercise through the various tools on the Ingleside website.*
- 3. That the Ingleside Precinct Planning be an item on the next Reference Group agenda*

### **2.4 STV4.4 - Update on the Draft Pittwater Local Environmental Plan (LEP) 2013**

#### **Reference points**

- 1. That the report be noted.*
- 2. That the Sustainable Towns and Villages Reference Group be kept updated regarding the status of the draft Pittwater LEP 2013.*
- 3. That the Reference Group congratulates staff of Council on continuing to ensure the second exhibition occurred and was against the recommendation of the Department of Planning.*

### **2.5 STV4.5 - Steps to a Sustainable Home: Principles and Checklist Update**

#### **Reference points**

*That the update on the Sustainable Home; Principles and Checklist update be noted.*

### **2.6 General Business**

#### **Tree Planting – Elanora**

#### **Reference points**

*That this item be included on the next Sustainable Towns and Villages Reference Group meeting for May 2014.*

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## **3.0 SUSTAINABILITY ASSESSMENT**

This report does not require a sustainability assessment.

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## **4.0 EXECUTIVE SUMMARY**

- 4.1** To present to Council the outcome of discussion papers on Strategic issues and to present Reference Points of the Sustainable Towns and Villages Reference Group contained in the minutes of the meeting of 19 February 2014.

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## **RECOMMENDATION**

That the Minutes of the Sustainable Towns and Villages Reference Group meeting of 19 February 2014 be noted.

Report prepared by

Steve Evans

**DIRECTOR, ENVIRONMENTAL PLANNING & COMMUNITY**

# **Minutes**

## **Sustainable Towns and Villages Reference Group**

held in the Training Room at the Coastal Environment Centre,  
Lake Park Road, North Narrabeen on

### **19 February 2014**

Commencing at 4.00pm



**Attendance:**

Cr Grace, Chairperson

**And one representative from the following organisations:**

Avalon Preservation Association, Mr Peter Mayman  
Clareville and Bilgola Plateau Residents Association, Mr Ray Mills  
Friends of Narrabeen Lagoon Catchment Committee, Ms Jacqui Marlow  
Newport Residents Association, Ms Selena Webber  
Palm Beach & Whale Beach Association, Ms Merinda Rose  
Scotland Island Residents Association, Mr Greg Roberts  
Pittwater Resident Representative, Mr Geoff Sheppard  
Pittwater Resident Representative, Mr Steven Koolloos  
Pittwater Resident Representative, Mr James Vosper

**and the following Council Advisors**

Mr Andrew Pigott, Manager - Planning & Assessment  
Ms Anja Ralph, Planner – Land Release  
Ms Jane Mulroney, Principal Officer - Community Engagement  
Ms Sherryn McPherson, Administration Officer/Minute Secretary

## **Sustainable Towns and Villages Reference Group Meeting**

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## 1.0 Apologies

1. Apologies were received from

- Ms Jennifer Knox, West Pittwater Community Association
- Mr Stephen Richmond, Bayview - Church Point Residents Association
- Mr Dick Clarke, Elanora Heights Residents Association
- Ms Linda Haefeli, Climate Action Pittwater
- Ms Kim Jones, Pittwater Business Limited
- Ms Ruth Gaines, SIRA / Pittwater Resident
- Mr Peter Cotton, Pittwater Resident

and leave of absence was granted from the Sustainable Towns and Villages Reference Group Meeting held on 19 February 2014.

2. The Reference Group members accepted the apologies.

(Mr Peter Mayman / Mr Ray Mills)

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## 2.0 Declarations of Pecuniary Interest

Nil.

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## 3.0 Confirmation of Minutes

### REFERENCE GROUP RECOMMENDATION

That the Minutes of the Sustainable Towns and Villages Reference Group Meeting held on 20 November 2013, be confirmed as a true and accurate record of that meeting.

(Ms Selena Griffith / Mr Peter Mayman)

### Note:

**Q:** In relation to the Minutes dated 20 November 2013, Item STV4.4 – A New Planning System for NSW – NSW Planning Bill 201, a question was asked “*When will the Department be executing an extensive consultation process in relation to the creation of the Sub Regional Strategy?*”, the answer provided to the Reference Group was that the Department will be providing instructions on how to proceed with the New Sub Regional Strategy was in the near future. Can Council provide a more accurate timeframe or define when this will be?

**A:** The timeframe is yet to be released but is expected to be in 2015.

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## 4.0 Discussion Topics

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## **STV4.1      Update on Local Government Reforms**

### **Proceedings in Brief**

Ms Jane Mulroney - Principal Officer, Community Engagement addressed and provided a brief update on this item. A survey has been circulated to Councillors for their feedback regarding the Final Report recommendations.

### **Matters arising from the discussion**

**Q:** Will the survey that the Councillors complete regarding the latest recommendations from the Final Panel Report “Revitalising Local Government” be made a public document?

**A:** It is yet to be identified if this will be a public document. Council's submission regarding the final report is likely to be made a public document.

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### **REFERENCE POINT**

1. That the update on the NSW Independent Local Government Review Panel be noted.
2. That the Reference Group encourages Council to make the outcomes of the Councillors survey made a public document.

(Mr Peter Mayman / Ms Selena Webber)

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## **STV4.2      Priorities for Reference Group Discussion**

Ms Jane Mulroney - Principal Officer, Community Engagement addressed the meeting on this item.

Ms Mulroney divided the reference group members into groups of 3 and distributed pages from the Land Use and Development Strategy, Towns and Villages Strategy and Economic Development Strategy (which are attached to the minutes at **Attachment 1**). The Groups were to review and discuss the documents and place dots against the Key Objectives, Opportunities and Challenges that were most important to them.

The results of the discussions are as follows:

➤ **The most important to least important “Key Objectives” were identified as:**

### **Towns and Villages Strategy**

1. To promote sustainable development in Pittwater's town and village centres.
2. To connect our towns and villages with our natural environment.
3. To enhance access to our village centres through improved public transport, parking, cycling and walking opportunities.
4. To ensure that Pittwater's villages remain vibrant as social, cultural and economic hubs

#### Economic Development Strategy

1. To support new and existing businesses compatible with Pittwater's values, vision and community aspirations.
2. To encourage diverse retail and commercial opportunities within town and village centres.
3. To promote sustainability principles within the Pittwater business community.
4. To work with other councils and authorities to increase sub-regional employment opportunities.
5. To promote opportunities for sustainable tourism.

#### Land use and Development Strategy

1. To establish land uses that respond to environmental, cultural, social and economic needs in a sustainable manner.
2. To deliver a comprehensive suite of development controls that improves the liveability of the area.
3. To establish sustainability initiatives inland use development.
4. To protect environmentally sensitive areas and support the quality of beach, bush and water.

#### ➤ **The most important to least important "Key Challenges" identified as:**

#### Towns and Villages Strategy

1. Maintaining the character and unique atmosphere of our villages as well as encouraging vibrancy and economic activity.
2. Planning villages due to flooding requirements and traffic management issues.
3. Village centres become ghost towns at night due to lack of activities leading to anti-social behaviour.
4. Providing pedestrian connectivity around villages and along main roads.

#### Economic Development Strategy

1. Attracting new businesses and supporting existing local businesses so they expand and create local employment opportunities.
2. Achieving a balance between tourism and its impact on the local area.
3. Helping local businesses to compete effectively in the global economy and improve the quality and value of work.
4. Connectivity for village centres both in terms of transport and access.

#### Land use and Development Strategy

1. Ensuring development controls are adhered to despite State Government precedent set for increased density ratios.
2. Ensuring provision of adequate infrastructure and services to meet the demand of new dwellings.
3. A new Planning Act and subsequent changes to planning legislation.
4. Effective land-use planning that meets the needs of a growing population and changing demographic.
5. Developing an attitude of sustainability in Pittwater in terms of land use development.

#### ➤ **The most important to least important "Key Opportunities" of the were identified as:**

#### Towns and Villages Strategy

1. Village centre master planning developed with the community to ensure our villages meet expectations and are pedestrian safe, attractive and accessible to all.
2. Urban design strategies for creating neighbourhoods, streets and outdoor spaces that encourage a range of leisure and transport options between town and villages.
3. Support upgrading public space to activate village economies and enhance villages as places to shop, relax and do business.
4. Utilise community transport to get people to and from villages, town and major centres

### Land use and Development Strategy

1. Ensuring increased infrastructure provision, such as widening of Mona Vale Road, with the Ingleside land release development.
2. Going beyond BASIX to enhance sustainability initiatives
3. Respond to changes in State Government planning initiatives to ensure appropriate development and growth.
4. Utilise the increasing supply of sustainable housing choices.

### Economic Development Strategy

1. Celebrate bush, beach and water through increased opportunity for eco / sustainable tourism.
2. Investigate incentives for appropriate businesses into the area especially State and Federal government assistance.
3. Continuing to support the growth of the home business sector to maintain Pittwater's high level of employment containment.
4. Build the Profile of Pittwater businesses, local lifestyle and amenities unique to Pittwater.
5. Support business and government networks and help support connectivity between these networks.

### **Matters arising from the discussion:**

**Q:** How can Reference Group members have input regarding the actions that arise from the Community Strategic Plan?

**A:** Reference Group members have the opportunity to provide feedback on the priorities within the delivery program. Emails will be distributed about consultation with the community when the Delivery Program & Budget are on public exhibition. In addition we will ensure there is an opportunity for discussion and comments in the May Reference Group meeting.

**Q:** Is it possible for Reference Group members to receive all documentation (agendas and minutes) in relation to the four (4) Reference Group meetings?

**A:** The Council website contains links to all Agendas and Minutes and encourages Reference Group members to review these documents online.

**Q:** What procedures / strategies are in place to communicate the outcome of the Reference Group meetings to the community?

**A:** Council informs the community through the Community Strategic Plan, reports to Council and the Delivery Program.

Council is currently creating a monthly online E-Newsletter which will include information regarding events, major works updates, progress reports and all news relevant to the Pittwater LGA. Council will be running an extensive campaign to promote the E-Newsletter which will be a great tool to inform the community of what is happening in the area.

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### **REFERENCE POINT**

That the Reference Group review of the three strategies as outlined in Key Direction 4 – Pittwater 2025: Our Community Strategic Plan be noted.

(Mr Greg Roberts / Mr Tony Edye)

## STV4.3 Update on Ingleside Precinct Planning

### Proceedings in Brief

Ms Anja Ralph, Planner Land Release and Mr Andrew Pigott, Manager Planning and Assessment addressed the meeting on this item.

### Matters arising from the discussion:

**Q:** Is the invitation to the workshops open to Pittwater Residents only or can anyone in the broader community attend?

**A:** The workshops are available to anyone whom wishes to attend and Council has received RSVPs from stakeholders that reside outside the LGA and are land owners, business opportunists and members from Government. There are only spaces available for 65 people per workshop and it is recommended that Reference Group members attend at least 1 of the workshops.

**Q:** I have not heard about these workshops before. In what ways has Council been communicating the upcoming workshops?

**A:** Council has exhausted many avenues of communication to the public in advertising the workshops through forms of the E-newsletter, emails to all Registered Community Groups, Manly Daily and invites were sent in the mail to Ingleside residents. Flyers were distributed to all Reference Group members as a further notification of the upcoming workshops.

The Department of Planning has set up an extensive website and residents can register for further information and regular updates regarding the Ingleside Precinct. The web address is: <http://www.inglesideplanning.com.au/>. You can also find the link via the Pittwater Council Website: <http://www.pittwater.nsw.gov.au/>



**Q:** The advertising of the workshops through emails and websites are not easily accessible for our older demographic and the workshops will also be difficult for them to attend. Is it possible to have a few permanent Pop Up stores located throughout the Pittwater LGA providing additional opportunities for residents to visualize what is being proposed?

**A:** The workshops will be highly recommended for these residents as it will be very visual and informative plus some consultants will be attending to facilitate the workshops. All members will receive information and dialogue, mapping and a great overview of what is happening in the area from the consultants.

Council will be holding temporary Pop Up stalls at Elanora Heights shopping village on 22 February 2014 and outside Mona Vale Memorial Hall on Saturday 1 March 2014 providing opportunities for residents to visualise the project and ask questions to Council staff.

**Q:** What will happen if the workshop I want to attend is full? Will I be able to observe?

**A:** If the workshop you wish to attend is full we would encourage you to attend another workshop. We are not allowing observers as the aim of the workshops is to seek feedback from the community.

**Q:** Could Council implement and utilise additional noticeboard signs in various locations within Pittwater as another form of communication?

**A:** Council has utilized public noticeboards through the Manly Daily and Pittwater Life. Council will review additional ways to inform residents.

**Q:** Is it true that the Department of Planning is aiming to complete this process by November?

**A:** The Department has set a timeframe for the execution of this project and information regarding timelines it is on their website: <http://www.inglesideplanning.com.au/>

**Q:** Has there been any interest from the younger generations in regards to this project and has there been interaction between Council and local schools?

**A:** At this stage the information sessions have been dominated by people in the 45 - 60 age brackets.

The Principal of Mona Vale Public School is working with Council and planning to include information regarding the LGA into their newsletters to further engage and involve the local community.

**Q:** Can the Ingleside Community Reference Group (IRCG) distribute information to the other Reference Group members in regards to their input into this process and also provide further information as to what is happening in Ingleside?

**A:** Yes the ICRG can distribute information to Reference Group members. The Ingleside Reference Group agenda and minutes will be available for viewing on the Council website.



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#### REFERENCE POINT

1. That the update on the progress of the Ingleside Precinct Planning process be noted.
2. That Reference Group members encourage feedback from their respective associations and groups, and provide feedback to the visioning exercise through the various tools on the Ingleside website.
3. That the Ingleside Precinct Planning be an item on the next Reference Group agenda

(Ms Roberta Conroy / Mr Peter Mayman)

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#### **STV4.4 Update on the Draft Pittwater Local Environmental Plan (LEP) 2013**

##### **Proceedings in Brief**

Mr Andrew Pigott – Manager Planning and Assessment addressed the meeting on this item.

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#### REFERENCE POINT

1. That the report be noted.
2. That the Sustainable Towns and Villages Reference Group be kept updated regarding the status of the draft Pittwater LEP 2013.
3. That the Reference Group congratulates staff of Council on continuing to ensure the second exhibition occurred and was against the recommendation of the Department of Planning.

(Mr Peter Mayman / Mr Ray Mills)

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#### **STV4.5 Steps to a Sustainable Home: Principles and Checklist Update**

##### **Proceedings in Brief:**

Mr Greg Roberts, Scotland Island Residents Association addressed the reference group on this item.

The Steps to a Sustainable Home document is 90% complete and is almost ready for a final design format which will then be distributed to key council staff. The document will be distributed to all Sustainable Towns and Villages Reference Group members for a final review / comment prior to the final publication.

##### **Matters arising from the discussion:**

- Q:** Can the Steps to a Sustainable Home document be presented to the Ingleside Community Reference Group meeting along with a discussion about the importance of incorporating sustainability principles into the new Ingleside development precinct?
- A:** There are members from the Sustainable Towns and Villages Reference Group (Climate Action Pittwater and Elanora Residents Association) who are members of the Ingleside Community Reference Group (ICRG). They have the opportunity to raise matters at the ICRG meetings.

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#### REFERENCE POINT

That the update on the Sustainable Home; Principles and Checklist update be noted.

(Mr Greg Roberts / Mr Tony Edye)

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### **5.0      Emerging Business**

#### **Tree Planting – Elanora**

Residents are concerned with the amount of trees being removed in the Elanora area with no replacement planting. Bushcare groups are working hard in other areas of the LGA but the diminishing number of trees in Elanora will be an issue in the future. It is predicted in the future that our climate will change significantly by 2050 and will possibly reach 40° every day during the summer months. Houses that are situated in either an extremely hot or cold climate utilise a substantial amount of energy. Pittwater needs to aim to have at least 70% of ground cover with trees around houses and streets to provide the necessary shade to assist with keeping our houses sustainable and reducing energy uses.

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#### REFERENCE POINT

That this item be included on the next Sustainable Towns and Villages Reference Group meeting for May 2014.

(Ms Jacqui Marlow / Ms Selena Webber)

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### **6.0      Next Meeting**

The next meeting of the Sustainable Towns and Villages Reference Group meeting will be held on 21 May 2014 at the Coastal Environment Centre commencing at 4.00pm.

**THERE BEING NO FURTHER BUSINESS  
THE MEETING CONCLUDED AT 6.20PM  
ON WEDNESDAY, 19 FEBRUARY 2014.**

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**Council Meeting**

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**13.0      Adoption of Leading and Learning Committee  
Recommendations**

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**14.0      Adoption of Sustainable Towns and Villages Committee  
Recommendations**

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