

AGENDA

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

Thursday 7 July 2016

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



Mark Ferguson
General Manager

Issued: 04/07/2016

OUR VALUES

Respect

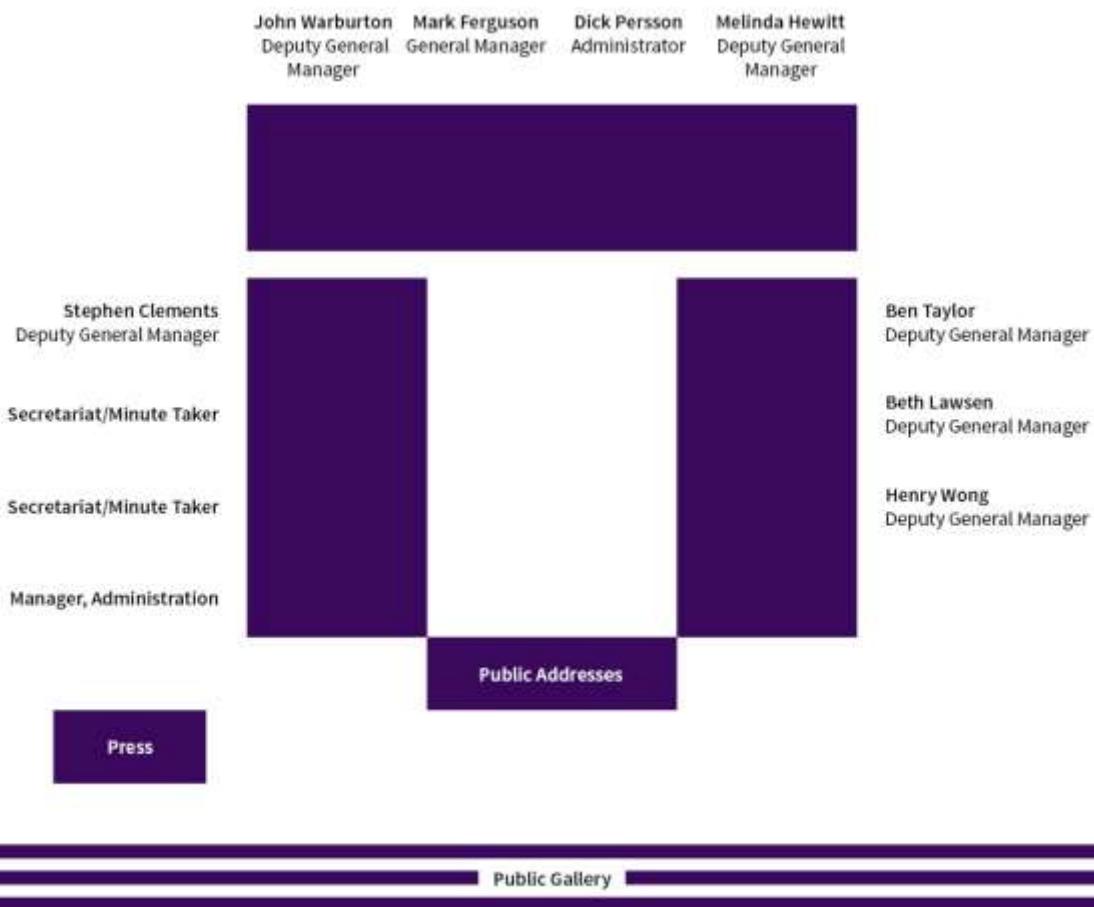
Empowerment

Service

Wellbeing

Equity

SEATING ARRANGEMENTS



**Agenda for an Extraordinary Meeting of Council
to be held on Thursday 7 July 2016
at Manly Chambers
Commencing at 6:30pm**

OPENING PRAYER / ACKNOWLEDGEMENT OF COUNTRY

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2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 Minutes of Extraordinary Council Meeting held on 16 June 2016

RECOMMENDATION

That the Minutes of the Extraordinary Meeting held on 16 June 2016 are hereby confirmed as a true and correct record of the proceedings of that meeting.

6.0 GENERAL MANAGER'S REPORTS

ITEM 6.1	REVIEW OF MANLY OVAL AND WHISTLER STREET CARPARKS PROJECT - STATUS UPDATE
REPORTING MANAGER	DEPUTY GENERAL MANAGER CORPORATE SERVICES
TRIM FILE REF	2016/217409
ATTACHMENTS	1 Office of Local Government - Correspondence Former Manly Council Extraordinary Council Meeting

EXECUTIVE SUMMARY

PURPOSE

To provide an update on (a) the progress of the independent review of the Manly Oval and Whistler Street Carparks project, and (b) feedback received in relation to the 12 April 2016 Council Meeting held by the former Manly Council.

SUMMARY

On 12 April 2016, at an Extraordinary Meeting of Council, the former Manly Council met in closed session to award the letting of contracts for (a) the construction of a carpark beneath Manly Oval (Abergeldie Constructions), and (b) a 99 year lease of the Whistler Street Carpark and Library site (Athas and Built Group). Subsequent to this, several community members wrote to the Office of Local Government (OLG) to raise concerns about the manner in which the Meeting was held – in particular, the procedures followed to close the Meeting to the public.

At the first Council Meeting of the newly formed Northern Beaches Council on 19 May 2016, the Administrator gave an undertaking to conduct a review of the Manly Oval and Whistler Street Carparks project. This undertaking was given in response to several adverse community comments in relation to this project – that is, the project itself, its viability, and also their concerns (mentioned above) in relation to procedures followed in facilitating the 12 April Council Meeting.

Deputy General Manager Corporate Services was asked to facilitate an independent review of the project. The following firms have subsequently been engaged to conduct the review in a collaborative manner – Value Network, and Ernst & Young. This report sets out the review scope, and the roles and responsibilities of each firm.

At the time of writing of this Report (4 July), both firms are proceeding with their respective reviews. It is anticipated they will be completed within the coming weeks.

On 20 June 2016, the Chief Executive of the OLG wrote to the General Manager Northern Beaches Council outlining that the former Many Council had not followed correct procedure in the way that the Council Meeting of 12 April 2016 was conducted.

RECOMMENDATION OF GENERAL MANAGER

That Council note the update on the Manly Oval and Whistler Street Carpark provided in this report.

REPORT

BACKGROUND

On 12 April 2016, at an Extraordinary Meeting of Council, the former Manly Council met in closed session to award the letting of contracts for (a) the construction of a carpark beneath Manly Oval (Abergeldie Constructions), and (b) a 99 year lease of the Whistler Street Carpark and Library site (Athas and Built Group). These two undertakings were identified in the Manly 2015 Masterplan, and are linked as one project in that the Whistler St site lease will (retrospectively) fund the construction of the Manly Oval underground carpark.

Subsequent to this, several community members wrote to the Office of Local Government (OLG) to raise concerns about the manner in which the Meeting was held – in particular, the procedures followed to close the Meeting to the public. A number of these community members have since raised these concerns with the Administrator.

The former Manly Council signed Deeds of Agreement with the successful contractors – 26 April with Abergeldie Contractors Pty Ltd, and 27 April with Built Development (Manly) Pty Ltd (Athas Holdings Pty Ltd as trustee). These Deeds contemplate detailed contracts being drawn up in the near future.

At the first Council Meeting of the newly formed Northern Beaches Council on 19 May 2016, the Administrator gave an undertaking to conduct a review of the Manly Oval and Whistler Street Carparks project. This undertaking was given in response to several adverse community comments in relation to this project – that is, the project itself, its viability, and also their concerns (mentioned above) in relation to procedures followed in facilitating the 12 April Council Meeting.

Deputy General Manager Corporate Services was asked to facilitate an independent review of the project. The following firms have subsequently been engaged to conduct the review in a collaborative manner:

- Value Network (VN)
- Ernst & Young (EY).

Value Network is a specialist Sydney-based consultancy providing innovative value adding business improvement solutions and strategies to clients. Their principal partners have extensive executive NSW public sector experience in the design, feasibility, management and review of major infrastructure projects; and also in the tendering and contract management of public works activities.

Ernst & Young are an international multi-services firm, providing advisory, assurance, tax and transaction services. The partner commissioned for this review has extensive experience in feasibility studies into large infrastructure projects, and in particular car parks.

Key documents relating to the project were made available by staff from the Southern (former Manly) office in May 2016.

Scope of Review

On 10 June 2016, staff convened a meeting with VN and EY to determine the review scope, and to determine roles and responsibilities. Table 1 below sets out the overall scope of the review, and provides an indication of each firm's role.

As can be seen in Table 1, significant effort will be put into robustly testing the overall business case for the project, in order to give Council a level of assurance that the project is viable, represents good value for money, and overall is in the public interest to proceed.

Table 1: Manly Oval and Whistler Street Carparks Project – Review Scope

Review Area	VN Coverage	EY Coverage
Business Case	<p>Linkage to Manly 2015 Masterplan, and to original principles/objectives</p> <p>Review overall project feasibility and viability, including:</p> <ul style="list-style-type: none"> • alternate options considered • risks and their impacts on financial modeling • Concepts, and their development • all relevant approvals (e.g. OLG Capital Works Guidelines) • Financial feasibility and modeling, including linkage with EY's review. <p>Linkage between Business Case and Procurement Strategy.</p>	<p>Financial feasibility, including:</p> <ul style="list-style-type: none"> • Financial and economic modeling • Assumptions • Cost methodology • Revenue projections. <p>Work collaboratively with VN to share results and help inform overall project viability.</p>
Procurement Strategy	The preferred procurement and contracting strategy is clearly articulated, including the case for and against, and adequately mitigates risks identified.	Nil
Tender Evaluation	<p>This will consider:</p> <ul style="list-style-type: none"> • Adequacy of the tender documentation, including allocation of risk • Adequacy of the tender processes, including the extent to which the tender evaluation approached reflected the key value for money criteria • Selection of the preferred tenderer(s), including negotiation, financial closure and deed / contract award 	Nil
Project Delivery	<p>Review of:</p> <ul style="list-style-type: none"> • The delivery of the project is underpinned by a robust Risk Management Framework that remains current through all phases of project delivery • Project scope change management i.e. the existence and management of a project change process • How departures from the Business Case rationale are considered, assessed and decided. • How planning approvals are 	Nil

Review Area	VN Coverage	EY Coverage
Project Status	<p>proceeding, and how changes required are being linked back to the Business Case and overall project viability.</p> <p>Confirmation of current contractual status (deeds, pending contract formation, liabilities).</p> <p>Confirmation of other key legal considerations – e.g. does the project constitute a PPP (public private partnership)</p>	Nil

Status of Review

At the time of writing of this Report (4 July), both firms are proceeding with their respective reviews. Additional documentation has been requested to help inform their enquiries, and these have been provided. Preliminary findings will be made in late July, and clarifications with relevant staff will be sought.

Correspondence from Office of Local Government

On 20 June 2016, the Chief Executive of the OLG wrote to the General Manager Northern Beaches Council outlining that the former Manly Council had not followed correct procedure in the way that the Council Meeting of 12 April 2016 was conducted. A copy of this correspondence is attached to this report.

Changes to the Code of Meeting Practice to clarify this will be reported to the August Council Meeting.

CONSULTATION

The purpose of this report is to provide an update to Council on the progress of this review, and on the update from the OLG regarding the 12 April 2016 Manly Council Extraordinary Council Meeting. Further updates will be provided to Council as the review proceeds and is finalised.

TIMING

It is anticipated that the independent review of the Manly Oval and Whistler St Carparks project will be completed in late July.

FINANCIAL IMPACT

The costs associated with the independent reviews of the Manly Oval and Whistler St Carparks Project are being funded from existing internal audit budgets.

SOCIAL IMPACT

In the interests of transparency with our community, the purpose of this report is to provide an update to Council on the progress of this review and on the update from the OLG.

ENVIRONMENTAL IMPACT

The review has minimal environmental impact, and by design is reviewing the adequacy of the environmental assessments undertaken as part of the business case for the Manly Oval and



Office of
Local Government

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Our Reference:
A489457
Your Reference:
Contact:
Dylan Reynolds
Phone:
02 4428 4100

Mr Mark Ferguson
Interim General Manager
Northern Beaches Council
PO Box 882
MONA VALE NSW 1660



Dear Mr Ferguson

I am writing about the former Manly Council's extraordinary meeting of 12 April 2016, which was held in the absence of the public to consider tenders concerning the Manly2015 Masterplan.

In response to concerns raised by members of the community, the Office of Local Government wrote to the then General Manager of the former Manly Council, Mr Henry Wong, on 5 May 2016 requesting information about the meeting of 12 April. Based on the information provided, the Office has identified a number of concerns about the manner in which that meeting was conducted.

I have raised these for your information and any necessary corrective action. In particular, you may wish to consider seeking external legal advice on the implications of any statutory non-compliance on the validity of the decisions made at the relevant meeting. The matters of concern are outlined below.

No public notice of the meeting

It has been alleged that while councillors were given notice of the extraordinary meeting no public notice was given of the meeting including on Council's website.

Council has suggested in its response to the Office's letter of 5 May that no public notice was required for the meeting under clause 232 of the *Local Government (General) Regulation 2005*.

This is not the case. Section 9(1) of the *Local Government Act 1993* requires councils to give public notice of all meetings of the council and its committees comprising wholly of councilors. This includes extraordinary meetings. Clause 232 simply excuses councils from the requirement to publish a notice of an extraordinary meeting in a local newspaper. At the very least, notice of the meeting should have been published on Council's website.

Public Availability of the Meeting Agenda

It has also been alleged that no agenda for the meeting was made available at the council's offices and that members of the community were advised that they were not entitled to this because the meeting would be closed to the public.



Section 9 of the Act requires councils to make the agenda and associated business papers for meetings available for the public at its offices and at each meeting. In the case of a meeting whose agenda includes the receipt of information or discussion of matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the agenda (but not the business papers) must still be made available to the public but must indicate the relevant confidential items of business without giving details of the items.

Closure of the Meeting

It has also been alleged that members of the public were prevented from attending the extraordinary meeting and were barred entry by security guards.

There are two sets of minutes for the meeting in question, one for a meeting of the committee of the whole and another for an extraordinary meeting that appeared to follow. These appear to suggest that Council initially met as "closed committee of the whole" without first resolving into committee as required under section 373 and failed to resolve to close the meeting to the public as required under section 10A of the Act.

In an opinion provided to another member of Council staff, Council's general counsel advised that he was not aware of a requirement for a meeting to be held in the presence of the public prior to it being closed. He also questioned whether the requirements for closure of council meetings applied to extraordinary meetings that were "*intended to be wholly closed*".

Clearly this is not the case. The Act requires all meetings of a council (including extraordinary meetings) and committees of a council (where all members are councillors) to be open to the public. Under the Act a council is required to first resolve to close the meeting to the public in accordance with section 10A, in order to exclude the public. The decision to close a meeting to the public is one that must necessarily be made in the presence of the public.

Minutes of the meeting

Where a council resolves to close a meeting to the public, the minutes must specify:

- the grounds relied on under section 10A(2) to close the meeting;
- the matter that is to be discussed during the closed part of the meeting; and
- the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

A review of the minutes of the relevant meeting indicate that while the first two items are addressed, they do not explain why discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Outstanding concerns about Manly Council's Code of Meeting Practice

I note that the Proclamation establishing the new Northern Beaches Council identifies the code of meeting practice of the former Manly Council as the code of meeting practice for the new Council.

I would like to draw your attention to previous concerns that were raised by the Office in relation to the former Manly Council's code of meeting practice. Please find attached our previous correspondence to the former Manly Council dated 18 June 2014 (A379843) and 25 July 2014 (A384983).

Should you wish to discuss any matter raised in this letter, please do not hesitate to contact Mr John Davies, Manager, Council Governance, on 02 4428 4139.

Yours sincerely

Tim Hurst
Acting Chief Executive
Office of Local Government

10/6/16

enc



Office of
Local Government

5 O'Keele Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

COPY

Our Reference: A379843
Your Reference:
Contact: Doug Friend
Phone: 02 4428 4201

Mr Henry Wong
General Manager
Manly Council
PO Box 82
MANLY NSW 1655

Henry

Dear Mr Wong

The Office of Local Government has become aware of clause 6.9(2) of Manly Council's Code of Meeting Practice (the Meeting Code). The Office understands that this provides as follows:

The General Manager, may exclude from the business paper any Notice of Motion which in his or her opinion is out of order, or the General Manager may on his or her own initiative make such alterations, corrections or amendments as will put such Notice of Motion into appropriate form (without changing its substance). In either such event the General Manager shall, as soon as is practicable, inform the author of the Notice of Motion of the action which the General Manager has taken and the reasons for that action.

This clause would appear to give you as General Manager a broad discretion to exclude Notices of Motions by councillors from the agenda of the Council's meetings and an extraordinary level of control over what business the Council may or may not consider.

As you would be aware, section 360(2) of the *Local Government Act 1993* (the Act) provides:

A council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.

It would seem that clause 6.9(2) of the Council's Code may be inconsistent with clause 240(2) of the Regulation. This provides that:

The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is (or the implementation of the business would be) unlawful. The general manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council.

2

Under clause 240(2), a General Manager's power to exclude a councillor's notice of motion from the agenda is limited to motions which are, or the implementation of which are unlawful. The power to exclude matters which are "out of order" gives you, as General Manager, a much broader power to exclude the notices of motions of councillors.

Also, where clause 6.9(2) of the Council's code simply requires the General Manager to notify a councillor when their notice of motion has not been included on the agenda, clause 240(2) of the Regulation requires the non-inclusion to be reported to the next meeting of the Council.

The Council should take immediate steps to review its Meeting Code to ensure compliance and consistency with statutory requirements.

Your assistance in this matter is appreciated.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Ross Woodward". To the right of the signature is the date "18/6/14".

Ross Woodward
Chief Executive
Office of Local Government



Office of
Local Government

5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

COPY

Our Reference: A384983
Your Reference:
Contact:
Phone: Doug Friend
02 4428 4201

Mr Henry Wong
General Manager
Manly Council
PO Box 82
MANLY NSW 1655

Henry

Dear Mr Wong

Thank you for your letter of 26 June 2014 about clause 6.9(2) of Manly Council's Code of Meeting Practice (Council's Meeting Code) dated November 2010.

I have noted your comments. The Office does not agree with your view that the expressions "out of order" and "unlawful" are synonymous or that they are used interchangeably in clause 238 of the Local Government (General) Regulation 2005 (the Regulation).

As you would be aware, the Regulations override the Council's Meeting Code to the extent of any inconsistency.

Council should take steps to ensure its Meeting Code complies with and is consistent with the statutory requirements when it is next reviewed.

Your assistance in this matter is appreciated.

Yours sincerely

Ross Woodward 25/7/14

Ross Woodward
Chief Executive
Office of Local Government

ITEM 6.2	ADOPTION OF OPERATIONAL PLAN 2016/17
REPORTING MANAGER	CHIEF FINANCIAL OFFICER'S (NORTH, CENTRAL & SOUTH) & GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2016/178000
ATTACHMENTS	1 Summary of Submissions

EXECUTIVE SUMMARY

PURPOSE

To consider submissions received during the public exhibition of the Draft Operational Plan 2016/17 (the Plan) and seek Council's adoption of the final Plan. The Proclamation requires Council to adopt an Operational Plan for 2016/17 by 1 August 2016.

SUMMARY

At its meeting on 2 June 2016, Council approved exhibition of the Plan and it was placed on public exhibition for 28 days, from 3 June to 1 July.

Community members were encouraged to make submissions through a combination of face-to-face consultation events; written notifications in the Manly Daily and on Council's website; and direct notifications to community members with an expressed interest in Council business generally or in the operational plan specifically.

In total 57 submissions were received and the recommended response is provided at **Attachment 1**. As a result of items raised in submissions as well as new and updated information being available since the draft Plan was placed on exhibition, a range of amendments are proposed to the Operational Plan 2016/17.

RECOMMENDATION OF GENERAL MANAGER

That:

- A. Council adopts the Draft Operational Plan 2016/17, including Draft Fees and Charges subject to:
 - a. the amendment to the Operational Plan detailed in Table 11 in section 5 of this report.
 - b. the amendments to the Fees detailed in Tables 10 and 11 in section 4 of this report
- B. The adopted Fees apply from 1 August 2016 with the exception of the Fees for Business Waste Management which apply from 1 July 2016.
- C. Council make the following rates and charges:
 - a. In accordance with Sections 494 and 495 of the *Local Government Act 1993* (the Act), Ordinary and Special Rates are made as shown in Tables 2 to 4 in Section 4 of this report;
 - b. In accordance with section 496 of the Act, Domestic Waste Management Charges are made as shown in Tables 5 to 7 in Section 4 of this report;
 - c. In accordance with section 496A of the Act, Stormwater Service Management

Charges are made as shown in Tables 8 and 9 in Section 4 of this report;

- d. Works on private land carried out by Council to be charged at the appropriate commercial rate (cost of the works and standard oncosts to provide full cost recovery plus a return to Council); and
 - e. In accordance with Section 611 of the Act 1993 a charge on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.
- D. Council adopts an interest rate of 8.0% to be charged on overdue rates and charges.
- E. Council may carry out work on private land, either on request or by agreement with the owner of the land, or under relevant legislation.
-

REPORT

1. BACKGROUND

The Northern Beaches Council was proclaimed 12 May 2016, hereby dissolving Manly, Pittwater and Warringah Councils on that day.

A range of statutory instruments and guidelines provide direction for the amalgamation process: namely the *Local Government (Council Amalgamations) Proclamation 2016* (the Proclamation); the *Local Government Act 1993*; and two Guidelines published by the NSW Department of Premier and Cabinet (May 2016) which provide direction on the preparation of the new Council's Operational Plan 2016/17. Council must have an Operational Plan in place by 1 August 2016.

Council approved the exhibition of the draft Operational Plan 2016/17 at its meeting 2 June 2016.

In accordance with the Guidelines, the Plan presents an overarching structure as well as consolidated financial information which brings together the budgets and financials of each of the three former Councils. This is a first step towards integrating planning and reporting within the new Council. Council will prepare a fully integrated operational plan for 2017/18 financial year in accordance with statutory requirements.

Northern Beaches Council is required to adopt a new Community Strategic Plan (CSP) and Delivery Program (four year budget) by 30 June 2018, during the first term of the newly elected Council. In the meantime Council will continue to be directed by the Community Strategic Plans and Delivery Programs of each of the former Councils, Manly, Pittwater and Warringah.

2. CONSULTATION

The draft Operational Plan 2016/17 was on public exhibition for 28 days, from 3 June to 1 July 2016.

Consultation activities and events included:

- Notices in the Manly Daily on 4 June and 18 June 2016
- Direct notifications to community members who had made submissions on the previously exhibited operational plans of each of the former Councils, or who subscribe to Council's email notifications
- Promotion of the Plan and links to online documents on Council's website
- Hardcopies of the document available for viewing at each of Northern Beaches Council main offices (Manly, Mona Vale, Avalon and Dee Why) as well as at all Council libraries
- Drop-in sessions in each of the former local government areas:
 - Manly Library, on Monday 20 June from 5.30-7.30pm
 - Mona Vale Library, on Tuesday 21 June from 5.30-7.30pm
 - Dee Why Library on Thursday 23 June from 5.30-7.30pm

The individual components of the Plan (i.e. Draft Operational Plans 2016/17 of Manly, Pittwater and Warringah Councils) were publicly exhibited during March and April 2016 and a total of 37 submissions received on these plans. At commencement of public exhibition for this Plan, submission writers were informed that their original submission would be considered for this Plan along with any subsequent submission they may have wished to provide.

3. CONSIDERATION OF SUBMISSIONS

A total of 57 submissions were made during the public exhibition. An overview of the submissions and the key items raised is provided in the table below. A full summary of submissions and recommended response is provided at **Attachment 1**.

Table 1: Overview of submissions

Key items (number of submissions that raise each item in brackets)	Fees – Manly “Boy” Charlton Swim Centre (19) Fees – childcare (7) Fees - community facilities (3) Fees – other/general comments (5) Upgrade of sport and recreation facilities – (7) Support for transport infrastructure (7) Dog exercise areas (2) Budget format and transparency (3) Major capex projects (4) Environmental quality (3)
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The fee schedule for the Swim Centre has been reviewed. A simplified fee is supported for the season passes for the pool as well as a reduced fee for the Swim Centre crèche.

In relation to the other submissions on fees, the increase reflects the increased cost to Council of providing the service and/or the increase in the consumer price index. There was also a suggestion fees across the new local government area be harmonised. This will take time and a review will be undertaken over coming months in order to provide an integrated fee structure in 2017/18 for the community.

The Plan provides a works program of \$152.4 million in 2016/17 for new and improved infrastructure for the community. Submissions supported the planned works on Redman Road Plaza, Dee Why, tree planting in John Fisher Park and upgrades of sportsfield lighting

There were also requests for additional investment in the arts, sporting infrastructure (synthetic sportsfield, indoor sports facility, lighting, cricket nets/wickets) and active transport (footpaths, cycleways, trails). A change to the Plan is not supported as funds are not available. However projects may be eligible for funding from NSW government’s Stronger Communities Fund. Up to \$14 million is available for community infrastructure under this program and the allocation of these funds will be determined over coming months.

Council is also responding to a number of issues operationally. These include improvements to Harbord Heath at Freshwater and providing information and support for seniors and the roll out of the National Disability Insurance Scheme.

4. BUDGET 2016/17

4.1. Budget Overview

The Northern Beaches Council budget for 2016/17 projects total expenditure of \$520.4 million, including a capital works program of \$152.4 million. It shows that our financial position is sound, with a projected Surplus before Capital Grants and Contributions of \$17.7 million.

4.2. IPART approved General Revenue Increase

4.2.1 IPART have allowed a maximum rate increase to the total general-purpose rate income for 2016/17 of:

- Manly related properties – 1.8%
- Pittwater related properties - 1.8%
- Warringah related properties – 3.0%

4.2.2 Consistent with the Local Government (Council Amalgamations) Proclamation 2016 the rating structure and categorisation of land for rating purposes remains unchanged from the 2015/16 rating year.

4.2.3 It is recommended that Council adopt the maximum rate increase and in accordance with Sections 494 and 495 of the Local Government Act 1993, makes the following Ordinary and Special Rates for 2016/17:

Table 2: Ordinary and Special Rates 2016/17 – former Manly related Properties

Rate Name	Rate in \$	Minimum Rate
Ordinary		
Residential	0.00157876	\$802.20
Business – Manly CBD	0.00724213	\$1,047.50
Business – other	0.00430116	\$1,047.50
Special		
Manly Business Centre Improvement	0.00241471	-
Balgowlah Business Centre Improvement	0.00162325	-

Table 3: Ordinary Rates 2016/17 – former Pittwater related Properties

Ordinary Rate Name	Rate in \$	Minimum Rate
Residential	0.0016304	\$851.92
Farmland	0.0011065	\$851.92
Business	0.0035588	\$1,087.68
Business - Warriewood Square	0.0039657	-

Table 4: Ordinary Rates 2016/17 – former Warringah related Properties

Ordinary Rate Name	Rate in \$	Minimum Rate
Residential	0.00150217	\$867.55
Business	0.00551861	\$1,113.83
Business – Warringah Mall	0.00999512	-

Business – Strata Storage Units	0.00640841	\$510.88
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Note: Supplementary land valuations received during the exhibition of the original Operational Plans has resulted in minor changes to the rate in the dollar

4.3. Domestic Waste Management Charges

4.3.1 Domestic Waste Management Charges for 2016/17 have been increased to reflect the proposed cost of the service.

4.3.2 In accordance with Section 496 of the Local Government Act 1993, it is recommended Council makes and levies the following Domestic Waste Management Charges for 2016/17:

Table 5: Domestic Waste Management Charges: Manly related properties

Service	Total Charge
Domestic Waste Management Service	\$660

Table 6: Domestic Waste Management Charges: Pittwater related properties

Service	Total Charge
Availability Charge	\$145
Domestic (Residential) Usage Charge	\$598
Special Charge (some retirement villages)	\$468

Table 7: Domestic Waste Management Charges: Warringah related properties

Service	Total Charge
Availability Charges - Vacant Land	\$93
Per 80 litre garbage bin (first or additional garbage bins)	\$382
Per 120 litre garbage bin (first or additional garbage bins)	\$570
Service Increase Fee - applies when delivering a larger capacity or additional bin, compared to base 80 litre service or existing service level	\$26
Supply of additional vegetation bin	\$100

4.4. Interest Charges on Overdue Rates and Charges

4.4.1 The Minister for Local Government has determined that the maximum rate of interest that may be charged on overdue rates and charges for 2016/17 will be 8%.

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

4.5. Stormwater Management Service Charges

- 4.5.1 In accordance with Section 496A of the Local Government Act 1993, it is recommended that Council makes and levies the following Stormwater Management Service Charges for 2016/17:

Table 8:Stormwater Management Service Charges: Manly related properties

Stormwater Management Service Charge	Total Charge
Residential – single dwelling	\$25.00
Residential - strata lots	\$12.50
Residential flats, community title, tenants-in-common residential units	\$12.50
Business	\$25.00 per 350 square metres (or part thereof) for land categorised as business (excluding strata lots)
Business strata lots, business company title	\$5.00 or the relevant portion of the maximum annual charge that would apply to the strata scheme if it were a parcel of land subject to the land categorised as business charge of \$200

Table 9: Stormwater Management Service Charges: Pittwater related properties

Stormwater Management Service Charge	Total Charge
Residential Dwelling	\$25.00
Residential Strata	\$12.50
Business	\$25 per 350 sqm (or part thereof) subject to a min. of \$5

4.6. Section 611 Charges

- 4.6.1 That an annual charge under Section 611 of the Local Government Act 1993 be made and levied for the year commencing 1 July 2016 on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.

4.7. Fees

- 4.7.1 That the draft Fees 2016/17 reflect the fees exhibited by the former Manly, Pittwater and Warringah Councils.
- 4.7.2 A small number of submissions requested fees across the new local government area be harmonised. This will take time and a review will be undertaken over coming months in order to provide an integrated fee structure in 2017/18 for the community.
- 4.7.3 Minor changes are proposed for some administrative transactions to establish consistent fee across the area. Changes are also proposed in relation to the season passes for the Manly Andrew "Boy" Charlton Swim Centre as a result of submissions. The two-tiered fee structure for season passes for indoor or outdoor pools is proposed to be simplified with a single fee structure for accessing both indoor and outdoor pools. A reduced fee is also proposed for the Swim Centre's crèche. These changes are detailed in the tables below.

Table 10: Amendments to draft fees

Fee type	Descriptions	Fee
Dishonoured payment fee	Dishonoured Payment fee	Bank fee
Tender documents	Charge to recover Tender documents - \$150-\$500k	\$100
	Charge to recover Tender documents - \$500k +	\$150
Subpoena	Subpoena search fee first hour	\$100
	Subpoena search fee subsequent hours	\$100
Overdue library item	Overdue item - per day per item	\$0.25
Replacement library card	Replacement membership cards	\$1.00
Photocopying - self-service – library and customer service	Photocopy Charges - B&W - A4	\$0.20
	Photocopy charges - B&W - A3	\$0.40
	Photocopy Charges - Colour A4	\$1.50
	Photocopy Charges - Colour A3	\$3.00
Photocopying by Council staff	A4 black & white (per copy)	\$0.75
	A3 black & white (per copy)	\$1.50
	A4 colour (per copy)	\$1.60
	A3 colour (per copy)	\$3.50

Table 11: Manly Andrew “Boy” Charlton Swim Centre - Amendment to Fees

Fee type	Descriptions	Fee
Full Season Pass - indoor & outdoor Season Passes	Adults	\$650
	Concession	\$402
	Family	\$975
Half Season Pass - indoor & outdoor Season Passes	Adults	\$375
	Concession	\$222
	Family	\$550
Crèche	Child entry per hour	\$5

4.7.4 The fees are intended to apply from 1 August with the exception of the fees for Business Waste Management Service. It is proposed that the fee increase for Business Waste Management Service apply from 1 July which is the date when increases in the collection contract and disposal costs are passed onto Council

4.7.5 It is recommended that the draft Fees 2016/17 as exhibited, including the amendments detailed in Tables 10 and 11 above be adopted and apply from 1 August. The fees for the Business Waste Management Service be adopted and apply from 1 July.

4.8 Works On Private Land – Former Warringah Only

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

5. AMENDMENTS TO OPERATIONAL PLAN 2016/17

As a result of items raised in submissions as well as new and updated information being available since the draft Plan was placed on exhibition, a range of amendments are proposed to the Operational Plan 2016/17 as outlined in the table below.

Table 11: Amendments to Part A and B – Combined Operations 2016/17

Section	Amendments	Page
Budget 2016/17	<p>Figure total expenditure of \$484.5 million updated to \$520.4 million</p> <p>Figure capital works program of \$129.3 million updated to \$152.4 million reflecting \$4 million for new assets from the Stronger Communities Fund, \$0.177m of additional costs from the storm event in April 2015 for the South Curl Curl seawall and \$18.9m reflecting changes to the timing of expenditure carried forward from the former Councils.</p>	10
Merger costs and funds	<p>Since the draft Operational Plan was released the funding and its associated requirements have been received from the NSW Government for the New Council Implementation Fund and the Stronger Communities Fund. Accordingly, the final Operational Plan has been adjusted to reflect this change.</p>	10
Consolidated Income Statement	<p>Income from Continuing Operations – increased by \$23.248m</p> <ul style="list-style-type: none"> • User Fees & Charges – decrease by \$1.752m due to the introduction of one beach parking system for the Northern Beaches • Capital Grants & Contributions – Operating – increase by \$11m. \$10m from the New Council Implementation Fund Grant and \$1m from the Stronger Communities Fund Grant (being the Community Grants portion) • Capital Grants & Contributions – Capital – increase by \$14m being the remaining \$14m from the Stronger Communities Fund Grant <p>Expenses from Continuing Operations – Increased by \$12.748m</p> <ul style="list-style-type: none"> • Employee Benefits & Oncosts – decrease by \$1.752m due to \$0.834m in savings from two senior staff roles and \$0.918m in savings due to Workers Compensation 	16

Section	Amendments	Page
	<ul style="list-style-type: none"> self-insurance Materials & Contracts – increase by \$14.5m. \$10m due expenditure from the New Council Implementation Fund on transition costs and \$4.5m has been allowed for the 2016 storm event. This does not include the costs and funding for the rock seawall at Collaroy Other Expenses – no change, however there has been an increase of \$1m due to Community Grants under the Stronger Communities Fund initiatives and a corresponding decrease of \$1m as a result of savings in insurances. 	
Consolidated Cash Flow	<p>Cash and Investments of \$152.5m updated to \$161.3m.</p> <p>Additional Cash of \$30.2m. \$10m from the new Council Implementation Fund, \$15m from the Stronger Communities Fund, \$2.5m from car parking contributions from Transport for NSW and \$2.752m from savings.</p> <p>Reductions in cash of \$21.4m. \$1.752m from reduced parking revenue, \$10m for transition costs funded from the New Council Implementation Fund, \$1m for Grants under the Stronger Communities Fund, \$4.5m for the additional costs from the June 2016 storm event, \$0.177m of additional costs from the storm event in April 2015 for the South Curl Curl seawall and \$4m for capital works from the Stronger Communities Fund (the remaining \$10m from this fund has been apportioned after 30 June 2017).</p>	
Cash and Investment Statement	A consolidated Cash and Investment Statement be included in the Operational Plan	N/A
Capital Budget Statement	A consolidated Capital Budget Statement be included in the Operational Plan	N/A
Special Rate: Improvement Program – Former Pittwater Local Government Area	Delete the table Special Rate Variation Improvements Program 2016/17	21

6. FINANCIAL IMPACT

The 2016/17 Northern Beaches Council budget projects a strong financial position with a total expenditure of \$520.4 million, including a capital works program of \$152.4 million; a Surplus from Continuing Operations before Capital Grants and Contributions of \$17.7 million; cash and Investments of \$161.3 million; and Net Assets of \$4.8 billion.

It must be noted that the Surplus from Continuing Operations before Capital Grants and Contributions of \$17.7 million includes the allocation of Rates for the period 13 May 2016 to 30 June 2016. This interpretation of accounting standard AASB 118 – Revenue allows for the matching of revenue and expenses.

7. SOCIAL IMPACT

The Plan allows Northern Beaches Council to continue to deliver community services and capital works in accordance with each of the former Councils' Community Strategic Plans. It is expected that there will be an overall positive social impact as a result of the Plan, with several major projects scheduled for completion in the 2016/17 financial year. Additional social benefits will also be derived from the NSW Government's community infrastructure grant of \$15 million as well as expected improvements in service provision which will be possible through realisation of merger efficiency savings.

Of particular interest this year is the opening of the first dedicated youth facility on the Northern Beaches. The 'Northern Beaches PCYC' in Dee Why will provide much needed recreational and informal leisure space for young people who consistently and for many years have asked for spaces where they can get together. It will also cater for the wider community by providing multipurpose community spaces and sporting facilities.

8. ENVIRONMENTAL IMPACT

The Plan outlines a range of projects which will protect and enhance our natural environment through management of beach and coastal issues, implementing catchment management initiatives, and undertaking comprehensive environmental works in our urban and bushland settings. There will be a net positive benefit as a result of the planned investments into our environment, namely through upgrades of stormwater infrastructure throughout the local government area; bank stabilisation project at both McCarrs Creek & Crystal Bay, Newport which will enhance water quality of the adjacent estuarine ecosystem; and coastal and flood protection works across the local government area.

LGA-wide Programs/Issues

Item description	No.	Summary of community comments	Council Response	Outcome
Fees general	1	Expects the council fees to decrease following creation of the Northern Beaches Council	The draft Fees 2016/17 are based on the pricing policy of each former Council. A new pricing policy will be developed by the Northern Beaches Council to guide the setting of fees and charges into the future.	Change to Plan not supported
Fees sportsfields	1	Requesting a consistent fee structure for seasonal field use for locally based sporting clubs across the Northern Beaches Council area. Suggesting \$7.50 for junior and \$15.00 for senior players per season.	Harmonising fees across the Northern Beaches will take time. Changes to the sportsfield user fee are not supported until a comprehensive review of fees can be undertaken over coming months. This review will provide an integrated fee structure for the community.	Change to Plan not supported
Developing the Arts	1	More arts programs and installations; request further investment of minimum \$1m in visual arts. Range of ideas suggested, along with funding sources.	Council has made recent significant investment in the arts sector. This includes commencing an Arts Development Officer role, opening the Warringah Creative Arts Space, sculpture competition at Glen Street Theatre, an Artist in Residency Program, artists markets, Art Speakers Nights. The recent Aquatic Centre outdoor area renovation includes plinths for sculpture. The Dee Why Town Centre redevelopment and the new PCYC have significant inclusion of public art aspects. Various public art projects include Art in Odd Places, Narrabeen Cubes and Dee Why Beach Art Panels. The Warringah Art Prize has been running for many years and has been improved in its presentation, along with the annual Community and Cultural Grants of up to \$140,000 for projects.	Change to Plan not supported

1

LGA-wide Programs/Issues

Item description	No.	Summary of community comments	Council Response	Outcome
Bicycle infrastructure	1	Increase the annual Council investment in bicycle infrastructure to at least \$5 per capita	Council's budget allocation, together with grant funding, for the implementation of the Bike Plan has averaged \$200,000 per year. A "Bicycle Expenditure Index", as mentioned in the submission, is not always considered reflective of the outcomes achieved nor does it necessarily reflect our community's priorities. Our plans are more aligned to our local community priorities, i.e. our community surveys show there is a higher importance on the construction of footpaths over cycleways. While in principle better bike networks are good for the community, all capital works must compete for funding on a priority basis each year.	Change to Plan not supported
Policy on dog control and recreation	2	An integrated and well-designed dog policy is required as a priority.	The former Councils had varying views regarding this issue. As with many other Council policies and strategies, Council is considering the priorities before determining next steps.	Change to Plan not supported
Aged care	1	Aged care information/education sessions on reforms and support available	Council already operates a range of relevant programs and activities, including <ul style="list-style-type: none"> • Directory for Seniors on local services, accommodation, activities and groups. • Ongoing information and advice to individuals, and targeted presentations to community groups • A series of community forums is planned for later in 2016 on aspects such as Health & Resilience; Housing; Support Services and End of Life Planning. 	Supported - already included in Plan
Support for disabled	1	Expo for National Disability Insurance Scheme and local services	The Federal Government provides a comprehensive information service on its My Aged Care website www.myagedcare.gov.au .	Supported - already included in Plan

LGA-wide Programs/Issues

Item description	No.	Summary of community comments	Council Response	Outcome
Vulnerable persons	1	Vulnerable persons register for storms/ emergencies.	The development and upkeep of a vulnerable persons list is outside the scope of Council. This list is hosted by services on the Local Emergency Management Committee (LEM) e.g. Energy Australia, Department of Human Services. During an emergency the combat agency involved coordinates evacuation and responses, using LEM's resources if required.	Change to Plan not supported
Transport infrastructure	1	Calling for improvements to transport infrastructure, including State Government funding of a Bus Rapid Transit (BRT) from Dee Why and west, integrated into current works in the road corridor.	The Council at its meeting of 6 June 2016 adopted an Administrator Minute in relation to Northern Beaches Transport. As a result, Council will be working more closely with the State Government on the Northern Beaches Transport Action Plan. This includes seeking Government support for a priority BRT or express commuter service between Dee Why and Chatswood; a fast commuter service between Mona Vale and Macquarie Park; extension of the B-line to Newport; and improving limited stop bus services across the LGA.	Supported - already included in Plan
Budget priorities	1	This document merely combines the budget of the three former Councils. There has been no attempt to review contentious projects or change priorities.	The NSW Government's Proclamation, establishing the Northern Beaches Council, requires a one year Operational Plan for 2016/17 to be adopted by 1 August. Councils are expected to operate under their existing plans for now. Extensive consultation with the community will be undertaken over coming months to develop a new Community Strategic Plan (CSP) for the Northern Beaches and priorities for the future.	Change to Plan not supported
Name – Northern Beaches Council	1	The new Council's name, Northern Beaches Council should be changed to something more interesting, not just the area's name	The Proclamation merging the three former Councils also provided the name of the new Council. The name reflects the strong association that the community has with the region.	Change to Plan not supported
Budget – merger cost and savings	1	Requesting an explanation on why the grants and cost of the merge are not included in the budget.	As noted in the draft Operational Plan 2016/17 the guidelines for the New Council Implementation Fund and the Stronger Communities Funds were not released when the Plan was placed on public exhibition and it would not have been appropriate to include them until these details were known.	Support in part – Budget has been adjusted for grants
			Amendments are proposed to the Plan to recognise receipt of \$10m from the Council Implementation Fund Grant and \$15m from the Stronger Communities Fund Grant. As noted in the Plan the cost and savings of the merger will be reported regularly to Council. The first report will be for the period ending September 2016 and then every quarter. This is consistent with the requirements of the Office of Local Government.	

LGA-wide Programs/Issues

Item description	No.	Summary of community comments	Council Response	Outcome
Budget - staffing		Suggesting numbers of employees pre/post amalgamation by budget area be supplied and tracked for comparative purposes. Also seeking terms and conditions of senior and non-senior staff.	<p>The Local Government Act 1993 provides employment protection for non-senior staff affected by the merger. It provides for no forced redundancies for three years. These provisions do not apply to senior staff (the general managers and deputy general managers of the former councils). Council will continue to comply with these and other provisions of the Award in dealing with staff.</p> <p>The Quarterly Budget Review Statement will continue to disclose material items affecting Council's budget including changes to Employees Benefits and On Costs as a result of the merger. This will remain as a high level summary. Details on payments to senior staff will be provided in the Annual Report in accordance with the provisions of the Local Government Act.</p> <p>As part of the transition process, a new salary system will be developed for the organisation. This will be developed in consultation with the consultative committee and unions as per award requirements.</p>	Change to Plan not supported
General Manager – various issues	1		<p>Seeking clarification on the appointment of the General Manager, changes in remuneration and performance measures in the General Managers contract.</p>	<p>Mark Ferguson has been appointed General Manager (interim). The position will be advertised and filled following the Local Government Elections in September 2017. The remuneration paid to the General Manager will be reported in Council's Annual Financial Statements 2016/17.</p> <p>Senior staff are employed under a standard contract from the Office of Local Government. Salaries paid to senior staff is reported in the annual report</p>

LGA-wide Programs/Issues

Item description	No.	Summary of community comments	Council Response	Outcome
Service levels	1	Seeking clarification on the commitment to maintaining service levels	The Operational Plan 2016/17 provides for the continuation of existing service levels to the community. In relation to changes in services levels into the future a decision of this nature would only be made following consultation with the community.	Change to Plan not supported
Key Performance Measures (KPI)	1	Requesting the KPIs in the former Councils operational plans be reinstated in the Northern Beaches Council's Operational Plan	The KPIs were removed as there was no consistency in approach across the three former Councils and didn't provide a coherent set of indicators for the new Northern Beaches Council. The KPIs are currently being reviewed to develop a consistent suite of indicators for reporting organisational performance and achievement outcomes across the area. These indicators will be included in the Annual Report 2016/17.	Support in part – KPIs will be reported in Annual Report 2016/17
Rate increase	1	Requesting clarification on the NSW Government's commitment that rate increases will remain on the "current rate path". Also suggesting the maximum rate increase not apply.	The NSW Government has guaranteed that rate increases over the next four years will be held at the current rate path for new councils formed from a merger. The rate path is determined by the Independent Pricing and Regulatory Tribunal (IPART).	Change to Plan not supported
Merger cost and savings - reporting	1	Suggesting a structure for reporting quarterly on the savings and cost of the merge. Also requesting that the first report be for the period ending June 2016	The rate path of the former Warringah Council in 2016/17 is higher. IPART approved a special rate variation in 2014/15 to maintain the long term financial sustainability of the former Warringah Council. As a result, the approved maximum increase in general rate revenue for Warringah is 3% while Manly and Pittwater maximum increase in general rate revenue is 1.8%.	The maximum increase in general rate revenue is recommended so Council can maintain business as usual services to the community as well as ensuring the long term financial sustainability of the organisation.
			No decision has been made on the increase in general rate revenue for 2017/18.	Change to Plan not supported
			As noted in Amalgamation Guidance documentation provided by the Department of Premier and Cabinet the quarterly reporting process provides an opportunity for new councils to make budgetary adjustments. This is likely to be necessary as councils gain a more detailed understanding of the timing, process and costs of implementation, as well as the way in which the New Council Implementation Fund will be spent. It is particularly important that budgetary adjustments be documented and reported on at a formal council meeting, with the Administrator providing reasons for the adoption of any	Change to Plan not supported

LGA-wide Programs/Issues

Item description	No.	Summary of community comments	Council Response	Outcome
Statements of former Councils	1	Requesting that the former draft Delivery and Operational Plans (including financial projects) of the former Councils be available on Council's website. Also suggesting number of employees for each budget area be supplied	<p>The draft Delivery and Operational Plans 2016/17 prepared by the former Councils as well as the Annual Financial Statements 2015/16 of the former Councils will be available on the Northern Beaches Council website once finalised.</p> <p>As noted earlier councils report on the number of "full time equivalent" employees in the Annual Financial Statements. The annual financial statements of the former Councils are being prepared for the period 1 July 2015 to 12 May 2016. Employee numbers of the Northern Beaches Council will be reported in the annual financial statements for 13 May to 30 June 2016. Any increase in frequency or providing a greater breakdown of the numbers is not supported.</p>	Change to Plan not supported
Financial Statements	1	Requesting consolidated financial statements be prepared for the former Councils for the ten years to 2025 to provide benchmark against which the new Council's figures can be measured.	<p>It is appropriate that a delivery program and long term financial plan be prepared in accordance with the timelines proposed by the Department of Premier and Cabinet. In the mean time Council will operate on the community strategic plans, delivery programs and long term financial plans of the former councils until these documents are reviewed and adopted by the new council following its first ordinary election.</p>	Change to Plan not supported

Manly LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Proposed Manly Oval carpark	3	Request that the project be reviewed and urging for a better focus on financial sustainability and improving public transport connections.	The car park proposed under Manly Oval has been a capital project of the former Manly Council, listed in its Community Strategic Plan since 2011, Delivery Program 2013-2017 and all Operational Plans since that time. Information about the project, its stages and construction are available on the website at www.manly.nsw.gov.au .	Change to Plan not supported
			The Development Application for the Manly Oval car park proposal is currently on exhibition, and the Administrator announced that there was an internal review of the project.	
			The Development Application will be assessed by the Joint Regional Planning Panel and all residents who provided comment will be notified prior to the meeting of the JRPP.	
Swim Centre business case	1	No information on full final costs of the project. Financial burden with huge loan payments and inadequate income.	The former Manly Council's Community Strategic Plan Beyond 2026, Resourcing Strategy, Long Term Financial Plan, and Operational Plan 2016-17 are prepared in accordance with the requirements of the Office of Local Government, and represent the last year of Council's Delivery Program for 2013-2017.	Change to Plan not supported
Lease of Whistler Street development site	1	Credit risk to ratepayers. The 99-year lease has been awarded for this site and beyond, but there seems to be an unexplained credit risk in the Statement of Cashflows - if the tenderer cannot make the upfront payment, based on apartment sales off the plan. Will Council have to absorb the cost? Is there a bank guarantee for Council?	Council's identified capital expenditure and projects are accounted for and modelled over the ten year period across its entire operations, and laid out in these documents.	Change to Plan not supported
			This applies to all projects, including those ones identified in the submission i.e. the proposed lease of the Whistler Street site and development of the Manly Oval car park as an integrated project; and the Andrew Boy Charlton Swim Centre.	

Manly LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome												
Fees and Charges																
Andrew Boy Charlton pool	9	<p>Fee structure is unaffordable and will exclude many from the local community. It is much higher than comparable council and commercial facilities, and fee increases are well above inflation.</p> <p>A simplified pricing arrangement is supported for season passes for the swim centre's indoor and outdoor pools. This would offer users choice year-round on access to either the indoor or outdoor pools at a significant discount. The revised prices would also be consistent with pricing for casual and multi entry passes. The simplified fees are:</p> <p style="text-align: center;">Splash – Swim Only – Indoor & outdoor Season Passes:</p> <table> <thead> <tr> <th></th> <th>Full Season</th> <th>Half Season</th> </tr> </thead> <tbody> <tr> <td>Adults</td> <td>\$650.00</td> <td>\$375.00</td> </tr> <tr> <td>Concession</td> <td>\$442.00</td> <td>\$222.00</td> </tr> <tr> <td>Family</td> <td>\$975.00</td> <td>\$550.00</td> </tr> </tbody> </table> <p>Reduced Crèche fees will also be introduced of \$5/hr.</p> <p>However, changes to the fees for casual swim only and multi-visit passes are not supported. The redevelopment of the aquatic centre has delivered a modern facility with three additional pools. The facility will now open all year round with trading hours extended to 9.00pm weekdays (previously 7.00pm).</p>		Full Season	Half Season	Adults	\$650.00	\$375.00	Concession	\$442.00	\$222.00	Family	\$975.00	\$550.00	<p>Support in part - reduced fees for crèche at the Swim Centre</p> <p>Support revised fees for season passes to pool</p>	
	Full Season	Half Season														
Adults	\$650.00	\$375.00														
Concession	\$442.00	\$222.00														
Family	\$975.00	\$550.00														
Andrew Boy Charlton pool	6	Object to the two-tiered fee structure for season passes for indoor or outdoor pools.														
Andrew Boy Charlton pool	1	Lane availability in the outdoor pool for non-squad swimmers	The facility is managed primarily cater to the needs of the community with additional space (a total of 21 lanes) now available for lap swimming and recreational use. The remaining water space is for programmed activities (swim school, aqua aerobics etc.), and use by interest groups, schools, clubs and associations. In addition the community will have access to a new indoor leisure pool suited to families.	Change to Plan not supported												

Manly LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Andrew Boy Charlton pool	4	Fitness Centre Membership fees are higher than other commercial fitness centres	The Fitness Centre Membership fees allow users access to all the facilities in the centre. This is a combined membership that includes gym, fitness classes, sauna, steam room, childcare services plus the outdoor 25 and 50 metre pools and indoor 25 metre pool and leisure pool. Changes to the Fitness Centre Membership fees are not supported. The fees are comparable to new commercial centres (Gym plus pool membership) that offer a similar range of services.	Change to Plan not supported
Commercial dog walking	1	Concerned about the system and fees for regulating commercial dog walking	<p>An introductory Fitness Centre Membership offer is also available. The introductory offer provides a discount on the membership fee for people that join by 31 January 2017. This introductory membership offer will be closely monitored over the coming months.</p> <p>Dog Walking Permits were introduced for commercial dog walking businesses in the former Manly Local Government Area, to better manage competing priorities at popular parks and reserves in the area. The permit system ensures that the local sporting groups and local dog owners get priority access to these areas. Under the scheme, commercial dog walking businesses will be limited to one designated area, with a maximum of three permits allowed in any one of the following reserves:</p> <ul style="list-style-type: none"> • Manly Lagoon Reserve • Seaforth Oval • Tania Park 	Change to Plan not supported

Manly LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Fee for community centres/ halls	3	Requests fees be reduced and fairer under Northern Beaches Council, to support community use and classes	Halls hire fees have increased by \$1 from 2015/16. This increase is less than CPI and reflects the fee structure of the former Manly Council. Harmonising fees across the Northern Beaches will take time. Changes to the hall hire fees are not supported until a comprehensive review of fees can be undertaken over coming months. This review will provide an integrated fee structure for the community in 2017/18.	Change to Plan not supported

Pittwater LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Footpath extension - Hudson Parade Clareville	1	Request transfer of funds from a lower priority path (Eloura Road/Ruskin Rowe) to extend Hudson Parade by 816m to improve pedestrian safety and connectivity.	The footpath projects in Avalon referred to is no longer in the Operational Plan 2016/17, due to a Council resolution following release of the draft Pittwater plan. The funding for these lower priority footpath projects had to be reallocated to the Palm Beach walkway for 2016/17.	Change to Plan not supported.

Warringah LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Financial presentation of Delivery Program/ Operational Plan	2	Suggesting improvements to the presentation of financial information including Corporate Services, stormwater, Kimbriki, budget comparisons to prior years and setting productivity targets	The comments provided by the writer relate to the presentation of financial information in the Draft Delivery Program 2016-2020 of the former Warringah Council. The Draft Delivery Program contained Warringah's one year operational plan, consolidated financial information over four years as well as detailed financial information based on 17 key service areas. The Proclamation establishing the Northern Beaches Council requires a one year Operational Plan for 2016/17 to be adopted by 1 August that combines the operational plans of the three former councils. The draft Operational Plan contained consolidated financial information for the Northern Beaches Council. However, the complexities of integrating three councils into one and the timeframes for producing the draft Plan means it is not possible to provide more detailed financial information. These issues will be considered further in the preparation of a fully integrated operational plan for 2017/18.	Change to Plan not supported.
Place planning			In relation to setting productivity savings Council maximises savings by both productivity and cost containment, though it's not appropriate to set discrete targets for each saving. Costs continue to grow, resulting from population growth and significant new assets (and their depreciation, operation and maintenance). Productivity savings as well as savings from the merger will be reported through the quarterly budget review as they are identified.	Supported - already included in Plan
Dee Why Revitalisation	1	Commence the planned plaza creation of Redman Road (east) during 2016/17	Detailed design of Redman Road Plaza (Moorambla Road to Pittwater Road) is in progress. Construction of Stage 1, the eastern section of the Plaza, is scheduled to start in 2016/2017.	Change to Plan not supported
Dee Why Revitalisation	1	The merger is an opportunity to review the proposed plans and development of Dee Why	Council is committed to delivering Dee Why as a highly liveable town centre. The Dee Why Town Centre Masterplan was developed in consultation with business and the community and provides a vision for transforming Dee Why into the Northern Beaches' premier commercial and residential district. The draft Operational Plan 2016/17 provides for the continuation of these works.	

Warringah LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Dee Why Revitalisation	1	Sale of land at Site A - this site should be leased rather than sold for development.	After extensive community consultation and adoption of the Dee Why Masterplan, this site is allocated for sale. A previous Council resolution approved the sale, which is considered to be the best outcome in light of the Masterplan, which provides many elements for community use and connectivity throughout the Dee Why Town Centre.	Change to Plan not supported
Improvements in Freshwater	1	Dissatisfaction with lack of projects in the Freshwater area given the development being undertaken in the suburb.	The projects proposed by the writer are not included in Plan for 2016/17 but will be considered for future years. While they are consistent with the Open Space Strategy, a more focussed Masterplan will be developed for the Freshwater Beach area to look at integrated solutions. This will help set priorities and timing for a range of projects in the area, and a funding plan for the next ten years.	Change to Plan not supported
Pedestrian plaza – Glenrose Shopping Centre	1	Requesting Glen Street, Belrose be closed to traffic between Lockwood Avenue and the Shopping Centre, to create a pedestrian plaza and village centre.	Council has no plans to close part of Glen Street or create a plaza in this location. Glen Street needs to remain open as a key corridor for local traffic, public buses, shopping centre patrons and deliveries, and visitors to the Glen St cultural hub. Pedestrian access has been better provided for with recent works in consultation with the Local Traffic Committee. Once development works are completed there will be a noticeable improvement for pedestrians.	Change to Plan not supported
TRANSPORT				
More footpaths funding	1	Annual funding of \$350,000 for new footpaths is inadequate and would take 70 years to complete the \$25 million priority works.	Council places a high priority on footpath infrastructure, previously allocating surplus funding. As with all capital improvement projects, the funding of new footpaths must compete with all other high capital priority works. Warringah's Footpath and Bike programs complement each other as shared pathways for walkers and cyclists. Whilst the Pedestrian Access and Mobility Plan is due for review in 2016/17, and the Bike Plan review for 2017/18, the priority for the review of these strategic plans will be reconsidered during the year.	Supported in part
				Additional State funding has also been obtained to meet such needs - Transport for NSW provided over \$500,000 for footpaths in the 2015/16 for Active Transport projects including links with B-line stops, with a further \$600,000 for 2016/17.

Warringah LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
More footpaths funding	1	Fund of \$750,000 for new footpaths is inadequate. Funds allocated to Dee Why Town Centre should be redirected	Council places a high priority on footpath infrastructure, previously allocating surplus funding. As with all capital improvement projects, the funding of new footpaths must compete with all other capital priority works unless grant funding is provided. In relation to allocation of funds to individual footpath projects this is guided by the Pedestrian Access and Mobility Plan (the Plan). This identifies Warringah's pedestrian network and establishes a framework to ensure that Council is better placed to prioritise future footpath construction works in order of greatest need. The redirecting of funds from Dee Why is not supported. The NSW Government's metropolitan plan 'A Plan for Growing Sydney' identifies Brookvale-Dee Why as a Strategic Centre for our region. Council is committed to delivering Dee Why as a highly liveable residential and commercial centre	Change to Plan not supported
Funding of the parking facility at Dee Why	1	Will B-line funding from the Government help cover Council's costs for constructing the Dee Why Parking and Community Facility	Yes, there is an agreement with the State Government that it will contribute funds towards the parking component of the facility.	Supported
HEALTHY ENVIRONMENT				
Jahn Fisher Park - trees	1	Need more trees for the park, including replacing those lost in storms, as part of Curl Curl Lagoon habitat	Following consultation with user and community groups, Council has developed an active tree planting program for John Fisher Park for the coming year. This will include replacing trees damaged by storms.	Supported - already included in Plan
Sale of land	1	Concerned about the sale of land next to Burnt Bridge Creek	The land on Bangaroo Street has been allocated for sale since 2003, as it is suitable for residential land and has occupied buildings on it. It is not considered environmentally sensitive. The section of land adjacent to the creek has been excised off to remain as riparian land and will be managed in line with riparian land controls.	Change to Plan not supported.

Warringah LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Improve Harbord Heath	1	<p>Address environment and safety issues:</p> <ol style="list-style-type: none"> 1. Erect a barrier for safety of school students and reduce damage from parked cars 2. Clear rubbish 3. Remove exotic plants/ weeds 	<p>1. Safety barrier: Corella Street consists of a 20m wide road reserve, with parking on the eastern side restricted by 'no stopping' signage.. Without a kerb along this section, parents park on the bushland edge and rocks, presenting a safety issue for school children walking through this corridor to Harbord Public School. Council is exploring a range of solutions from a safety barrier, to kerbing, enforcement and communication with the school.</p> <p>2. Council has recently removed rubbish in the reserve and undertaken weed control on road and track edges.</p> <p>3. As Harbord Health has a 'moderate' conservation rating under the Warringah Biodiversity Conservation Study, it is not part of the most recent bush regeneration program. It is ideal for a 'Friends of the Bush' volunteer group. Local residents will be sent information on creating a new group, and if there is enough interest funds will be committed for volunteer bush regeneration for the next financial year.</p>	Supported in part
Extend Narrabeen Lagoon Trail	1	Proposes lagoon path extension along eastern shore - from Woolworths in Narrabeen to the Bridge at Ocean Street to complete circuit around both sides of lagoon circumnavigation.	<p>The Narrabeen Lagoon State Park Advisory Committee considered the matter and supported a preliminary assessment of the trail; however, recognised that there are significant constraints in locating it on the eastern shoreline.</p> <p>While it is expected that there will be a range of benefits for residents and visitors, it is not supported at this time. Initial investigations reveal that there is a lack of public land along the foreshore, and significant social and environmental constraints. Adequate access along this section of the lagoon is currently available on the western shoreline.</p>	Change to Plan not supported.

SPORTS AND RECREATION

Warringah LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Cricket - more sporting infrastructure	1	1. New nets at Nolan's Reserve 2. Additional Nets at Lionel Watts Reserve 3. Upgrades to nets at other locations 4. Additional turf wickets, including turf wicket nets at John Fisher Park 5. Upgrade Weldon Oval	1. The 2015 District Park Plan of Management (POM) envisaged new nets at Nolan Reserve. Funds have not been allocated to the project due to uncertainty on final design of a new amenities complex 2. Council proposes to renew the existing six nets at Lionel Watts in 2016, but there is no scope to increase the number of nets. 3. Council will review the Sportsground POM, including cricket's needs such as turf wickets and nets. In the interim Council and cricket bodies can prioritise nets needing upgrades. While there is no Council funding for additional nets, the cricket sporting bodies may help clubs fund additional cricket nets. Council currently maintains three turf wickets. Developing and maintaining new turf wickets is cost-prohibitive with current resources. A planned review of the Sportsground POM will consider the future needs. 4. Weldon Oval was last renewed in 2011. Other significant sportsfield sites are higher priority before more upgrades here.	Change to Plan not supported.
Cricket - new indoor training facility	2	Seeking an indoor training facility for cricket	An indoor training facility for cricket and other sports may have a strong benefit for the northern beaches. However the business case has not been established and it is not consistent with the level of service provided to any other sport on the northern beaches, nor is there strong evidence that cricket participation rates require such a high quality and costly facility. Council could work with Cricket NSW to identify suitable sites and aid in any planning process for the sporting body, however contributing financially at this point is premature given the level of the facility proposed.	Change to Plan not supported.
Cricket and Soccer - New synthetic field	2	Requesting a synthetic sportsfield at Lionel Watts	Council budget covers renewal of Lionel Watts sportsfield as natural turf, not synthetic. To ensure existing users are not disenfranchised, any synthetic turf conversion would be needed in fields 3 and 4 for multi-sports use. This would cost \$4 million to construct as well as \$120,000/year for depreciation and 30,000/year for maintenance. The cost is not justified currently, though there would be marked recreational and social benefits.	Change to Plan not supported.

Warringah LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Soccer - more sporting infrastructure at multiple sites	1	1. New synthetic surface on Cromer field 2 2. Upgrade lighting to meet Australian Standards	1. The installation of a synthetic surface on Cromer 2 could be achieved as the ancillary infrastructure is already in place, but funds for such a significant project have not been budgeted for, and a change to the Plan is not supported. The cost of works is in the order of \$1.3 million capital, plus depreciation of \$40,000/year and maintenance \$25,000/year. 2. Council plans to renew the following lighting systems over the next four years - Lionel Watts, St Matthews Farm, Reub Hudson/Denzil Joyce, Hens Parade, and Plateau Park.	Supported in part
Soccer and others - Amenities upgrade at David Thomas Reserve	2	Club requests an update on Council's plans to proceed in 2018/19 as shown in the draft Delivery Program. The Manly Vale Football Club has firm commitment to this work and fund-raising.	This project is in the forward works program for 2018/19. Additional funding would also be needed from sporting groups to proceed. While there are no current concept or design plans on this work, the sporting group would need to discuss this with Council in a year or two.	Supported in part
AFL - More sporting lighting	1	New lights on Frank Gray Reserve, John Fisher Park	The likely cost is around \$300,000 for lighting to AFL standard, based on the recent cost at Weidon Oval. Another \$100,000 would be needed in response to further demand to light the adjoining Mike Pawley sportsfield. Outcomes of required geotech and contaminated land analyses would further increase costs. This has not been budgeted for and it is also not expressly supported by the John Fisher Park POM. Apart from budget constraints, community engagement would also be needed to address resident issues (eg. increased light, noise and traffic), and amend the POM.	Change to Plan not supported.
Fees and Charges				Change to Plan not supported.
Childcare fees - oppose increase	4	The increase is an additional strain on family budgets and is difficult for a single parent to fund. Also seeking clarification on why the increase is not reflected in improved services (extended open hours)	Council understands that the cost of child care is significant for parents and tries to keep fees as low as possible. The fee increase this year is \$3 a day and just covers the CPI and increase in staff wages. The service has surveyed parents in the past in regards to longer hours but this would involve more staffing costs and a higher fee increase to operate longer hours.	

Warringah LGA - Operational Plan

Item description	No.	Summary of community comments	Council Response	Outcome
Childcare fees	1	Supports the continuation of high quality affordable childcare. Also requests that in harmonising fees in future the fees for the former Warringah service be retained rather than increased to the fees of the former Manly service	Council will continue to deliver quality affordable childcare services. The draft fees 2016/17 are based on the pricing policy of each former Council. A new pricing policy will be developed by the Northern Beaches Council to guide the setting of fees for 2017/18.	Change to Plan not supported
Vacation care fees - support increase	1	Increase is reasonable for service provided	Noted	Supported - already included in Plan
Lighting fees Beverley Job Field	1	Objects to scale of fee increase	Lighting was upgraded to accepted standards in 2013, but fees since then have not reflected the upgrade or cost of the extra service. The 2016/17 fee of \$9.80 reflects this lighting upgrade and is based on the cost of electricity, amount of power used per hour plus a contribution to maintenance based on the number of light fittings.	Change to Plan not supported.

7.0 CORPORATE SERVICES DIVISION REPORTS

ITEM 7.1	MONTHLY INVESTMENT REPORT
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2016/207053
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

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

SUMMARY

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

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

The Investment Report shows that Council has total cash and Investments of \$216,461,707 comprising:

- Trading Accounts \$19,034,431
- Investments \$197,427,276

Performance over the period 12 May to 31 May 2016, is strong having exceeded the benchmark: 2.89%pa vs. 2.25%pa.

CERTIFICATION – RESPONSIBLE ACCOUNTING OFFICER

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

FINANCIAL IMPACT

Investment income over the period 12 May to 31 May 2016 was \$304,220 compared to budgeted income of \$211,904, a positive variance of \$92,316. It should be noted that this report covers from the date of amalgamation on 12 May 2016 and therefore the investment returns reported are not for the full month.

POLICY IMPACT

Investments are currently managed in accordance with the Investment Policies for the former Manly, Pittwater and Warringah local government areas. A consolidated Investment Policy has been drafted for exhibition during July.

RECOMMENDATION OF DEPUTY GENERAL MANAGER CORPORATE SERVICES

That the Investment Report as at 31 May 2016 including the certification by the Responsible Accounting Officer be received and noted.

REPORT

INVESTMENT BALANCES

INVESTMENT BALANCES - NORTH				
As at 31 May 2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
National Australia Bank Ltd	A1+	10,456,536		1.00%
Commonwealth Bank of Australia Ltd	A1+	93,658		0.40%
		10,550,193		
At Call Accounts				
National Australia Bank Ltd	A1+	1,700,000	At Call	2.25%
		1,700,000		
Term Deposits				
New castle Permanent	A2	1,000,000	06-Jun-16	3.00%
New castle Permanent	A2	1,000,000	06-Jun-16	3.00%
National Australia Bank Ltd	A1+	500,000	06-Jun-16	3.00%
New castle Permanent	A2	1,000,000	14-Jun-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	14-Jun-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	14-Jun-16	3.02%
Suncorp-Metway Ltd	A1	1,000,000	20-Jun-16	3.10%
Westpac	A1+	1,000,000	20-Jun-16	2.99%
Westpac	A1+	1,000,000	27-Jun-16	3.00%
Westpac	A1+	1,000,000	27-Jun-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	27-Jun-16	3.10%
Suncorp-Metway Ltd	A1	500,000	04-Jul-16	2.93%
Suncorp-Metway Ltd	A1	1,000,000	04-Jul-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	11-Jul-16	3.08%
National Australia Bank Ltd	A1+	1,000,000	11-Jul-16	3.09%
Suncorp-Metway Ltd	A1	750,000	18-Jul-16	2.95%
Bankwest	A1+	1,000,000	18-Jul-16	3.00%
Bankwest	A1+	1,000,000	25-Jul-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	25-Jul-16	3.09%
Bankwest	A1+	1,000,000	02-Aug-16	3.00%
New castle Permanent	A2	1,000,000	02-Aug-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	02-Aug-16	3.05%
Bankwest	A1+	1,000,000	08-Aug-16	3.00%
New castle Permanent	A2	1,000,000	08-Aug-16	3.00%
Suncorp-Metway Ltd	A1	1,000,000	15-Aug-16	3.10%
Bankwest	A1+	1,000,000	15-Aug-16	2.95%
New castle Permanent	A2	1,000,000	15-Aug-16	3.00%
New castle Permanent	A2	1,000,000	22-Aug-16	3.00%
New castle Permanent	A2	750,000	22-Aug-16	2.85%
ING Bank Australia Limited	A2	1,000,000	29-Aug-16	2.97%
ING Bank Australia Limited	A2	1,000,000	05-Sep-16	3.00%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	12-Sep-16	2.72%
IMB Society	A2	1,000,000	26-Sep-16	3.00%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	04-Oct-16	2.72%
IMB Society	A2	1,000,000	24-Oct-16	2.90%
Suncorp-Metway Ltd	A1	1,000,000	31-Oct-16	2.95%
Suncorp-Metway Ltd	A1	1,000,000	28-Nov-16	3.00%
		35,500,000		
TOTAL Cash and INVESTMENTS			47,750,193	

INVESTMENT BALANCES - <u>CENTRAL</u>				
As at 31 May 2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	4,016,701		1.60%
		4,016,701		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	4,916,926	At Call	1.55%
		4,916,926		
Mortgage Backed Securities				
Weighted Avg Life *				
Emerald Series 2006-1 Class A	AAA	1,066,421	22-Aug-22	2.445%
		1,066,421		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Jun-16	2.77%
Suncorp-Metway Ltd	A1	1,000,000	07-Jun-16	3.00%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Jun-16	2.86%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Jun-16	2.95%
Suncorp-Metway Ltd	A1	1,000,000	24-Jun-16	3.10%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Jun-16	2.78%
Bank of Queensland Ltd	A2	1,000,000	04-Jul-16	2.80%
Bank of Queensland Ltd	A2	1,000,000	07-Jul-16	3.00%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	11-Jul-16	3.00%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	13-Jul-16	2.92%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	19-Jul-16	2.95%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	21-Jul-16	3.00%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	25-Jul-16	3.00%
Bank of Queensland Ltd	A2	1,000,000	26-Jul-16	3.10%
Members Equity Bank Ltd	A2	1,000,000	01-Aug-16	3.00%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	03-Aug-16	2.95%
Members Equity Bank Ltd	A2	500,000	09-Aug-16	3.07%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	10-Aug-16	2.90%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	12-Aug-16	2.92%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	12-Aug-16	2.95%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Aug-16	2.95%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Sep-16	2.85%
Bank of Queensland Ltd	A2	1,000,000	06-Sep-16	2.95%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	12-Sep-16	2.91%
Bank of Queensland Ltd	A2	1,000,000	19-Sep-16	3.00%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Sep-16	2.95%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	22-Sep-16	2.94%
Bank of Queensland Ltd	A2	1,000,000	26-Sep-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	3.00%
Bank of Queensland Ltd	A2	1,000,000	04-Oct-16	2.80%
Bank of Queensland Ltd	A2	1,000,000	07-Oct-16	3.10%
National Australia Bank Ltd	A1+	1,000,000	10-Oct-16	3.08%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	18-Oct-16	2.94%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	25-Oct-16	2.95%
Members Equity Bank Ltd	A2	1,000,000	28-Oct-16	3.10%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Nov-16	2.91%
National Australia Bank Ltd	A1+	1,000,000	04-Nov-16	3.10%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	09-Nov-16	3.00%

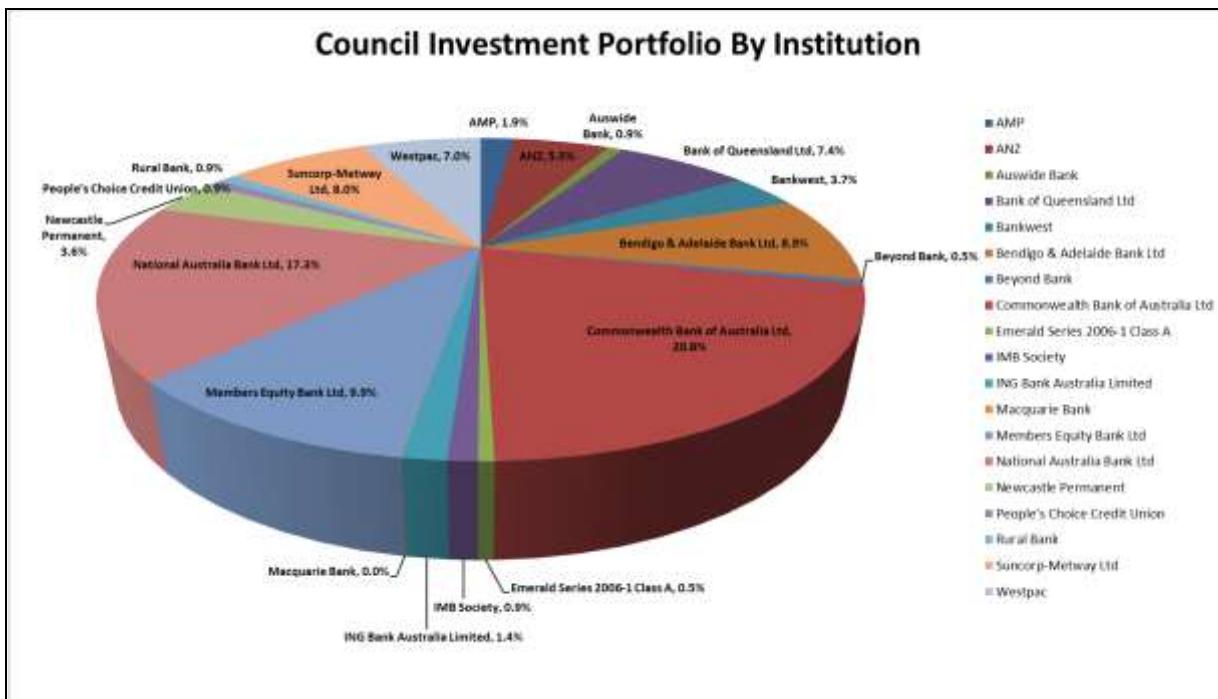
INVESTMENT BALANCES - <u>CENTRAL (continued)</u>				
As at 31 May 2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	15-Nov-16	2.93%
Bank of Queensland Ltd	A2	1,000,000	18-Nov-16	3.00%
Bank of Queensland Ltd	A2	1,000,000	28-Nov-16	3.00%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	30-Nov-16	3.00%
Bank of Queensland Ltd	A2	2,000,000	05-Dec-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	09-Dec-16	3.06%
National Australia Bank Ltd	A1+	1,000,000	13-Dec-16	2.95%
National Australia Bank Ltd	A1+	1,000,000	16-Dec-16	3.08%
Members Equity Bank Ltd	A2	1,000,000	19-Dec-16	3.00%
Members Equity Bank Ltd	A2	1,000,000	20-Dec-16	2.90%
National Australia Bank Ltd	A1+	1,000,000	05-Jan-17	3.08%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	16-Jan-17	3.09%
Bank of Queensland Ltd	A2	1,000,000	20-Jan-17	3.00%
Suncorp-Metway Ltd	A1	3,000,000	24-Jan-17	3.00%
Members Equity Bank Ltd	A2	1,000,000	24-Jan-17	3.10%
Members Equity Bank Ltd	A2	1,000,000	30-Jan-17	3.00%
Members Equity Bank Ltd	A2	2,000,000	07-Feb-17	3.05%
Members Equity Bank Ltd	A2	2,000,000	13-Feb-17	3.10%
Members Equity Bank Ltd	A2	1,000,000	21-Feb-17	3.10%
ING Bank Australia Limited	A2	1,000,000	27-Feb-17	3.10%
Suncorp-Metway Ltd	A1	2,000,000	28-Feb-17	2.95%
Members Equity Bank Ltd	A2	1,000,000	07-Mar-17	3.12%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	21-Mar-17	3.10%
Members Equity Bank Ltd	A2	1,000,000	31-Mar-17	3.12%
Members Equity Bank Ltd	A2	1,000,000	12-Apr-17	3.12%
Suncorp-Metway Ltd	A1	1,000,000	28-Apr-17	2.90%
Members Equity Bank Ltd	A2	2,000,000	02-May-17	3.20%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	16-May-17	3.00%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	30-May-17	3.00%
		83,500,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,144,655		1.55%
		1,144,655		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	4,124,568	At Call	1.35%
		4,124,568		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	17-Jun-16	2.75%
Westpac	A1+	8,121,960	10-Aug-16	2.75%
		9,121,960		
TOTAL Cash and INVESTMENTS				
		107,891,230		

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

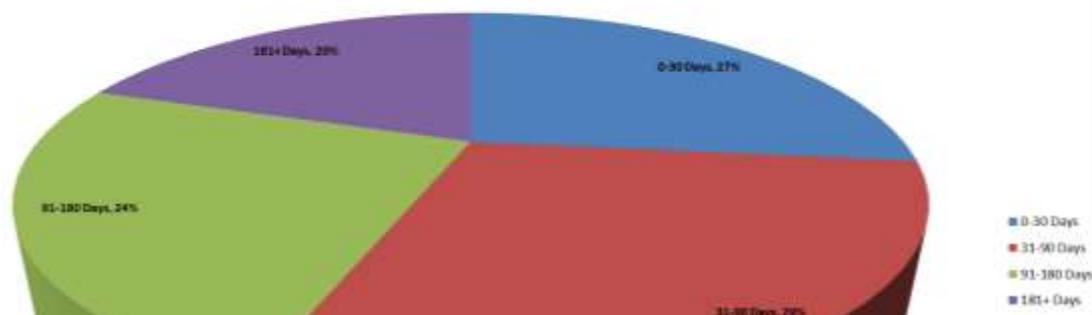
INVESTMENT BALANCES - <u>SOUTH</u>				
As at 31 May 2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	3,322,882		1.85%
		3,322,882		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	5,370,248	At Call	1.80%
AMP	A1	2,109,464	At Call	2.55%
Macquarie Bank	A1	62,477	At Call	1.90%
		7,542,189		
Term Deposits				
National Australia Bank Ltd	A1+	1,000,000	01-Jun-16	2.92%
National Australia Bank Ltd	A1+	719,877	07-Jul-16	3.00%
Members Equity Bank Ltd	A2	1,000,000	28-Jul-16	3.06%
Bankwest	A1+	1,000,000	03-Aug-16	2.95%
Bankwest	A1+	1,000,000	03-Aug-16	2.85%
Bankwest	A1+	1,000,000	03-Aug-16	2.85%
ANZ	A1+	1,000,000	04-Aug-16	2.80%
ANZ	A1+	1,000,000	04-Aug-16	2.80%
ANZ	A1+	1,000,000	04-Aug-16	2.80%
ANZ	A1+	1,000,000	04-Aug-16	2.80%
Beyond Bank	A2	1,000,000	04-Aug-16	3.10%
Bendigo & Adelaide Bank Ltd	A2	235,335	09-Aug-16	2.85%
Bank of Queensland Ltd	A2	1,000,000	16-Aug-16	3.05%
AMP	A1	1,000,000	17-Aug-16	3.00%
AMP	A1	1,000,000	17-Aug-16	3.00%
Westpac	A1+	1,000,000	18-Aug-16	3.04%
Westpac	A1+	1,000,000	18-Aug-16	3.04%
Westpac	A1+	1,000,000	18-Aug-16	3.04%
Members Equity Bank Ltd	A2	1,000,000	22-Aug-16	3.05%
Members Equity Bank Ltd	A2	1,000,000	22-Aug-16	3.05%
Suncorp-Metway Ltd	A1	1,000,000	22-Aug-16	3.03%
Suncorp-Metway Ltd	A1	1,000,000	22-Aug-16	3.03%
Rural Bank	A2	1,000,000	30-Aug-16	3.05%
Rural Bank	A2	1,000,000	30-Aug-16	3.05%
ANZ	A1+	1,000,000	02-Sep-16	2.80%
ANZ	A1+	1,000,000	02-Sep-16	2.80%
ANZ	A1+	1,000,000	02-Sep-16	2.80%
ANZ	A1+	1,000,000	02-Sep-16	2.80%
Suncorp-Metway Ltd	A1	1,000,000	05-Sep-16	3.10%
ANZ	A1+	1,000,000	03-Oct-16	2.80%
ANZ	A1+	1,000,000	03-Oct-16	2.80%
ANZ	A1+	1,000,000	03-Oct-16	2.80%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	04-Oct-16	3.00%
Auswide Bank	A2	1,000,000	31-Oct-16	3.12%
National Australia Bank Ltd	A1+	1,000,000	01-Nov-16	3.00%

INVESTMENT BALANCES - <u>SOUTH (continued)</u>				
As at 31 May 2016				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits				
National Australia Bank Ltd	A1+	1,000,000	01-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	01-Nov-16	3.00%
Bank of Queensland Ltd	A2	1,000,000	02-Nov-16	2.95%
Bank of Queensland Ltd	A2	1,000,000	02-Nov-16	2.95%
Westpac	A1+	1,000,000	04-Nov-16	2.74%
National Australia Bank Ltd	A1+	1,000,000	21-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	21-Nov-16	3.00%
National Australia Bank Ltd	A1+	1,000,000	21-Nov-16	3.00%
Auswide Bank	A2	1,000,000	04-May-17	3.12%
Members Equity Bank Ltd	A2	1,000,000	05-May-17	3.00%
Members Equity Bank Ltd	A2	1,000,000	05-May-17	3.00%
People's Choice Credit Union	A2	1,000,000	05-May-17	3.10%
People's Choice Credit Union	A2	1,000,000	05-May-17	3.10%
		49,955,212		
TOTAL Cash and INVESTMENTS		60,820,283		

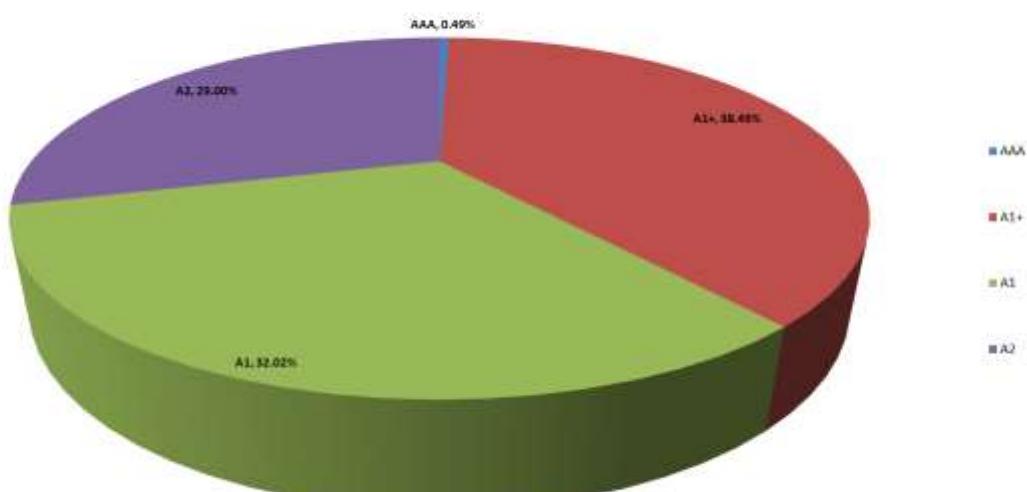
PORTRFOOL ANALYSIS



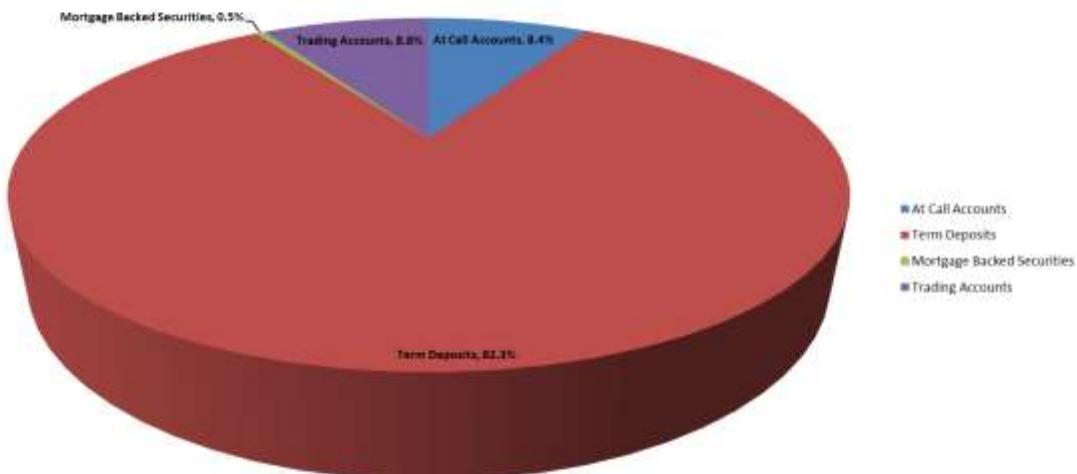
Council Investment Portfolio By Term to Maturity



Council Investment Portfolio By Institution Rating



Council Investment Portfolio By Type of Investment



INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	2.89%	2.25%	1.75%
3 Months	N/A	N/A	N/A
6 Months	N/A	N/A	N/A
FYTD	2.89%	2.25%	1.75%
12 Months	N/A	N/A	N/A

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

MONTHLY INVESTMENT INCOME* VS. BUDGET

	31 May 16 \$	Year to Date \$
Investment Income	300,681	300,681
Adjustment for Fair Value	3,539	3,539
Total Investment Income	304,220	304,220
Budgeted Income	211,904	211,904

*Includes all cash and investment holdings

ECONOMIC NOTES

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

Signs of moderate improvement in US economic activity through May have been sufficient for the Federal Reserve to hint at resumption of their slow rate-hiking process in June. Elsewhere, the opposite has been the case with indications that economic growth is struggling and policymakers are considering easing policy settings. In Australia, a much lower than expected Quarter 1 inflation report paved the way for the RBA to revise downwards its annual inflation forecasts and cut its cash rate at its May policy meeting by 25bps to 1.75%. The extent of the downward revisions to the RBA's inflation forecasts hints at more cash rate cuts later this year.

In the United States, economic growth softened in Q1 to 0.8% annualised pace from 1.4% in Quarter 4 2015, but April economic readings point to accelerating growth in Quarter 2. Indicators related to home building activity in particular lifted strongly in April. New home sales lifted by 16.6% month-on-month to the strongest level since early 2008. Pending home sales jumped by 5.1% month-on-month, pointing to more strong sales in the months ahead. April housing starts lifted by 6.6% month-on-month and housing permits by 3.6%. Apart from new housing activity, April readings of retail sales, +1.3% month-on-month and up 0.8% excluding automobile sales and industrial production, up 0.7% month-on-month were stronger too.

In China, the promise of stronger growth ahead contained in better-than-expected March economic readings was dashed in mostly softer-than-expected April readings. April fixed asset investment spending slipped to +10.5% year-on-year from +10.7% in March. Most analysts expected acceleration given a variety of fiscal spending initiatives announced over recent months. April industrial production slipped to +6.0% year-on-year from +6.8% in March and April retail sales were up 10.1% year-on-year decelerating from 10.5% in March. Policymakers in China have been well positioned in the past to respond to softer economic conditions by easing policy settings. They may be less able to respond this time as there are some signs that earlier policy easing has been counter-productive, reigniting residential property price inflation and fostering unacceptably high risk lending by banks in China to those borrowers chasing asset price inflation.

In Europe, economic readings remain consistent with annual GDP growth running at mid-1% annual pace. After easing monetary policy further at its early March policy meeting, the ECB left policy unchanged at its April meeting, much as expected, and seems unlikely to change policy at its June meeting even though it will be revisiting its economic forecasts at that meeting. In Europe, the two biggest economic problems are high unemployment and price deflation. Both problems continue to moderate – the unemployment rate was down to 10.2% in March and the headline CPI showed annual change of -0.2% year-on-year in April, but is expected to improve slightly in May to -0.1% year-on-year.

In Australia, the first part of May was dominated by the RBA's decision cutting the cash rate 25bps to a new record low 1.75%, the Government's budget that essentially left the overall stance of budgetary policy unchanged – although with a range of potential winners and losers from budget announcements – closely followed by the announcement that the Federal election would be held on 2nd July. Ahead of these various announcements the economy was showing signs of gathering a touch of momentum according to March economic readings, although with the labour market losing momentum and with continuing very low growth in wages. Turning to the key March readings, home building approvals lifted by 3.7% month-on-month, retail sales rose by 0.4% month-on-month, and the international trade deficit narrowed sharply to \$A2.2 billion from \$A3.0 billion, the improvement mostly driven by a 4% lift in exports in the month.

The investment portfolio return over the period 12 May to 31 May was 2.89% versus the Ausbond bank bill index return of 2.25%.

ITEM 7.2	INVESTMENT AND RATES AND ANNUAL CHARGES HARSHIP POLICIES
REPORTING MANAGER	DEPUTY GENERAL MANAGER CORPORATE SERVICES
TRIM FILE REF	2016/204057
ATTACHMENTS	1 Draft Investment Policy (Included In Attachments Booklet) 2 Draft Rates and Annual Charges Hardship Policy (Included In Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To approve for exhibition draft Investment and Rates and Annual Charges Hardship Policies.

SUMMARY

An Investment Policy and a Rates and Annual Charges Hardship Policy are key financial policies which provide comprehensive guidelines for Council's staff and management to ensure best practice financial management and that appropriate fiscal responsibility is exercised.

The draft Investment Policy ensures that Council complies with the Local Government Act 1993 (the Act), the Local Government (General) Regulation 2005 (LGGR) and the Ministerial Investment Orders and provides a framework to ensure it, or its representatives, exercise care, diligence and skill that a prudent person would exercise in investing council funds.

The draft Rates and Annual Charges Hardship Policy recognises Council has a responsibility to recover monies owing to it in a timely, efficient and effective manner to finance its operations and ensure effective financial management. However it also recognises that there are cases of genuine financial hardship requiring respect and compassion in special circumstances and therefore the need for a policy that establishes guidelines for assessment of a hardship application applying the principles of fairness, integrity, confidentiality and compliance with statutory requirements.

RECOMMENDATION OF DEPUTY GENERAL MANAGER CORPORATE SERVICES

That Council:

- A. Endorse the Draft Investment Policy for public exhibition for a period of 28 days.
 - B. Endorse the Draft Rates and Annual Charges Hardship Policy for public exhibition for a period of 28 days.
-

REPORT

BACKGROUND

Investment Policy

The Local Government Code of Accounting Practice and Financial Reporting Guidelines require a council to maintain an investment policy. The Code recommends that Councils establish an investment strategy as part of its overall plan and have a process to regularly review the strategy which should be undertaken at least annually.

Council's strategy will be to work exclusively within the Minister's guidelines, minimising risk and following rigorous contemporary standards of investment practice to review market conditions, and protect Council's interest and the assets of our ratepayers and residents.

The Investment Policy primarily sets out to:

- Establish a clear understanding of investment goals and objectives.
- Define and assign responsibilities for investing activities.
- Offer guidance and define limitations regarding the investment of assets.
- Manage assets in accordance with the relevant legislation, prudential standards and regulations.
- Establish the relevant investment horizon for which the assets will be managed.
- Establish a basis of evaluating and monitoring investment performance.

From Council's perspective we are seeking to implement a policy that will:

- Ensure the security of Council funds by setting parameters for exposure to credit risk and duration risk within the investment portfolio;
- Subject to those constraints and Council's liquidity requirements, maximise the earnings from the portfolio; and
- Establish a framework for monitoring the investments and comparing performance to appropriate benchmarks.

There are a number of important components to be aware of in the development of an investment policy. Typically these would include:

- **Legislation** – all Councils have specific legislative and/or statutory regulations that prescribe a certain amount of information relating to investments. An investment policy must be drafted with these prescribed regulations in mind.
- **Approved Investments** – typically guidance is given in the applicable legislation as to the types of securities that can be invested in. The investment policy is used to clarify what types of investments we can make.
- **Diversification Limits/Investment Restrictions** – typically these are used to establish an appropriate level of diversification within investment portfolios. Generally there are two main components relating to diversification of the portfolio. Firstly, asset allocation is the process of setting overall portfolio guidelines as to the exposure to different asset classes to optimise the risk/reward trade-off based on our specific situation and goals. Secondly, diversification guidelines relating to exposure within each asset class, that is, the maximum allocation to a particular security/institution. In many cases, a maximum term of investment is also specified.

Council's draft Investment Policy has been prepared in accordance with the Office of Local Government's Investment Guidelines with the underlying purpose to ensure Council maintains an investment policy that complies with the Local Government Act 1993, the Local Government (General) Regulation 2005 (LGR) and the Ministerial Investment Order and ensures it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds.

The principal elements of the proposed Investment Policy are as follows:

Investment Strategy

An Investment Strategy will run in conjunction with the Investment Policy. The Investment Strategy will be reviewed once a year. The Strategy will outline:

- Council's cash flow expectations;
- Optimal target allocation of investment types, credit rating exposure and term to maturity exposure; and
- Appropriateness of overall investment types for Council's portfolio.

Investment Advisor

Council's investment advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy.

Approved Investments

Investments are limited to those allowed by the Ministerial Investment Order.

Prohibited Investments

The investment policy prohibits but is not limited to any investment carried out for speculative purposes, including;

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

Prudent Person Standard

The investment will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager.

Independent advisors are also required to declare that they have no actual or perceived conflicts of interest.

Guidelines

The following Guidelines are key elements of the Policy:

- **Risk Management Guidelines** - Investments are expected to achieve a market average rate of return in line with Council's risk tolerance including Preservation of Capital, Diversification, Market Risk, Liquidity Risk, Maturity Risk and Leveraging Risk.
- **Credit and Maturity Guidelines** - Investments are to comply with three key criteria relating to the Overall Portfolio Credit Framework (*to limit overall credit exposure of the portfolio*), Institutional Credit Framework (*limit exposure to individual institutions based on their credit ratings*) and Term to Maturity Framework (*limits based upon maturity of securities*).

Reporting Requirements

The following reporting requirements are key elements of the Policy:

- **Reporting and Reviewing of Investments** - All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis. A monthly report will be provided to Council. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value. This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes. The Investment Policy may also be changed as a result of other amendments that are to the advantage of the Council and in the spirit of this policy. Any amendment to the Investment Policy must be by way of Council resolution.
- **Measurement** - The investment return for the portfolio is to be regularly reviewed by an independent financial advisor by assessing the market value of the portfolio. The market value is to be assessed at least once a month to coincide with monthly reporting. Any changes to the market value that has not been accounted for will be brought to account on a mark-to-market basis.
- **Performance Benchmarks** - The performance of the investment portfolio shall be measured against the industry standard AusBond Bank Bill Index and/or the Official Cash Rate.

Rates and Annual Charges Policy

Council acknowledges that ratepayers will, for various reasons from time to time, fail to pay rates when they become due and payable to Council. It is not the intention to cause hardship to any ratepayer through Council's recovery procedures and consideration will be given to acceptable arrangements to clear the debt prior to the end of the current financial year, where possible.

The proposed policy recognises that due to exceptional circumstances, owners may at times encounter difficulty in paying rates and charges as they fall due, or adhere to a regular payment arrangement. This policy provides the framework to be followed to provide assistance to those owners who are suffering genuine financial hardship.

The Act provides Council with the following options for providing assistance to ratepayers who are finding it difficult to pay their rates and charges because of financial hardship:

1. Assistance by Periodical Payment Arrangements (Section 564)
2. Assistance by writing off accrued interest and costs (Section 567)
3. Assistance to extend pensioner concession to avoid hardship (Section 577)
4. Abandonment of Pensioners' Rates and Charges (Section 582)
5. Assistance due to General Revaluation of the Local Government Area (Section 601)
6. Deferral of Recovery Proceedings against Eligible Pensioners (Section 712)

The draft policy is in line with the guidelines recommended by the Local Government & Shires Association in August 2011.

CONSULTATION

That Council endorse the draft policies to go on public exhibition for a period of 28 days.

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

The Rates and Annual Charges Hardship Policy will ensure Council has clear guidelines for assessment of a hardship application applying the principles of fairness, integrity, confidentiality and compliance with statutory requirements.

ENVIRONMENTAL IMPACT

Nil

ITEM 7.3	NORTHERN BEACHES PARKING PERMIT SCHEME
REPORTING MANAGER	DEPUTY GENERAL MANAGER CORPORATE SERVICES
TRIM FILE REF	2016/194401
ATTACHMENTS	1 Draft Beach Parking Permit Scheme Policy

EXECUTIVE SUMMARY

PURPOSE

To seek Council approval to publicly exhibit the draft Northern Beaches Beach Parking Permit Scheme Policy (NBBPPSP).

SUMMARY

At the Extraordinary Council meeting on 19 May 2016 the Administrator resolved to implement one beach parking permit across the Northern Beaches.

The beach parking permits allow for free parking in designated council operated pay and display car parks. The policy provides a framework for council staff to determine eligibility for the allocation of parking permits including the provision of additional permits, the replacement of permits and the locations where permits are valid.

This policy will replace the three former council's beach parking permit policies, which will be rescinded once this policy is adopted.

RECOMMENDATION OF DEPUTY GENERAL MANAGER CORPORATE SERVICES

That Council place the draft Northern Beaches Beach Parking Permit Policy on public exhibition for 28 days and report the results back to Council.

REPORT

BACKGROUND

At the Extraordinary Council Meeting on 19 May 2016 the Administrator resolved to provide one beach parking permit for the northern beaches community. Pursuant to this, there is a requirement to harmonise the existing beach parking policies, which in general were all very similar. Residents displaying a beach parking permit will have free parking at over 40 locations on the northern beaches.

The NBBPPS primarily sets out to:

- Establish equitable allocation consistent with the needs of the community
- Provide guidelines for additional and replacement permits
- Identify eligibility of volunteer community groups
- Notify locations where permits are valid.

Council is seeking to implement a policy that will determine the criteria and eligibility in which beach parking permits are issued across the whole of the northern beaches.

CONSULTATION

The relevant staff from the three former councils were consulted to harmonise the existing policies into this draft NBBPPSP. This policy will replace the three former Council's beach parking permit policies, which will be rescinded once this policy is adopted.

- Former Warringah Council Policy No. CS - PL 01 - Parking Permits
- Former Pittwater Council No 18 – Parking - Issue Of Annual Permits - Waiving Of Parking Fees.
- Former Manly Council MC 13 119756 Terms and Conditions - Digital Parking Permits

This draft policy will be exhibited to the public for a period of 28 days and the results reported back to Council.

FINANCIAL IMPACT

Changes to the Parking Permit Scheme have been budgeted for in the 2016/17 Operational Plan.

SOCIAL IMPACT

The NBBPPSP will ensure Council staff have a framework for determining the criteria and eligibility for the allocation of parking permits.

ENVIRONMENTAL IMPACT

Nil

Northern Beaches Council Policy

Number

Beach Parking Permits

1 Purpose of Policy

- This policy relates to the allocation of annual Beach Parking Permits which allow free parking in designated Council operated Pay and Display reserve carparks.
- This policy also provides specific locations where Beach Parking Permits are valid.
- To establish that no parking fees apply at Manly Dam on ANZAC Day (25 April) and Remembrance Day (11 November).

2 Principles

This policy provides Council with a framework for determining the criteria and eligibility in which Beach Parking Permits are issued.

The principles for the allocation and distribution of Beach Parking Permits by Council are to ensure;

- Equitable allocation, consistent with the needs of our ratepayers, residents and community groups.
- The issue and distribution of these permits is transparent and meets auditing as well as probity requirements.
- Applicants who do not meet the eligibility requirements for a free permit can purchase permits in accordance with Council's Fees and Charges schedule.
- Beach Parking Permit owners must comply with the conditions of use as outlined on the reverse side of the permit sticker.

3 Criteria for Eligibility for Allocation of Parking Permits

The criteria used to determine the eligibility for the allocation of Beach Parking Permits is as follows;

3.1 Ratepayers

Two (2) Beach Parking Permits will be issued on the back of the first instalment of the Rates notice to all Northern Beaches ratepayers.

Purchasers of property within Council's Local Government Area (LGA) will be issued with two (2) Beach Parking Permits upon notification of the property transfer from the Office of Land & Property Information.

3.2 Northern Beaches Residents

Residents are entitled to purchase Beach Parking Permits in accordance with the current Fees and Charges schedule. Proof of residence is required.

3.3 Residents outside the Northern Beaches LGA

Residents outside the Northern Beaches LGA are entitled to purchase Beach Parking Permits in accordance with the current Fees and Charges schedule.

3.4 Additional Permits

Ratepayers and residents can each purchase up to two (2) additional Beach Parking Permits per property, in accordance with the current Fees and Charges schedule. Proof of residence is required.

3.5 Community Groups (including Surf Life Saving Clubs, Rural Fire Service and State Emergency Service)

Community groups who demonstrate a community and/or volunteer service activity requiring parking at Pay and Display reserve carparks are entitled to one (1) Beach Parking Permit per operational vehicle owned by the organisation.

Individual active members (who are not also existing ratepayers) of the organisation may also apply for permits if a community and/or volunteer service activity requiring parking at Pay and Display reserve carparks is demonstrated.

Application forms must be completed and signed by the applicant and authorised by a responsible Officer of the organisation and returned to Council in order for applications to be considered.

To comply with Council's audit controls the number of Parking Permits distributed to each organisation will be monitored and Council expects the distribution to reflect active membership. Should Council perceive that an organisation has breached what is "reasonably expected", Council may conduct an audit.

3.6 Tenants in Common and rateable Retirement Villages

Tenants in Common and residents of rateable retirement villages who do not receive individual rates notices on application are entitled to two (2) Beach Parking Permit per household.

3.7 Schools

Local schools are entitled to one (1) Beach Parking Permit per school vehicle used to transport pupils to and from Pay and Display reserve carparks for the education of children in the Northern Beaches community. Permits will be distributed to each school upon application.

If private vehicles are used for regular transporting of pupils to and from these reserve carparks, then authorisation from the Principal will be required prior to Beach Parking Permits being issued.

The application form needs to be completed and signed by the Principal in order for applications to be considered.

Note: School buses with a valid Beach Parking Permit are not permitted to park in the designated tourist bus zone clearly marked "Bus Taxi Only" or "Tourist Bus".

3.8 Council Owned Vehicles

One (1) Beach Parking Permit will be issued for all Council-owned / leased vehicles.

Council employees that use their personal vehicle for Council related activities at Pay and Display reserve carparks are entitled to one (1) Parking Permit upon justification of an operational need and authorisation by the employee's Executive Manager.

3.9 Council "Contract" Service Providers

Council "contract" service providers are not entitled to a free Beach Parking Permit. These groups are defined as commercial enterprises and are entitled to purchase permits under Council's current Fees and Charges schedule.

3.10 Temporary Parking Permits for Events

Fixed term permits may be issued for special circumstances or approved event bookings on Council managed land.

Through the Council booking process, temporary event parking permits will be considered and assessed on a case by case basis under the appropriate events policy.

3.11 Discretionary applications

Subject to the discretion of the Deputy General Manager Corporate Services and eligibility requirements. Applications will be considered from other community based, not for profit organisations, and individuals whose work with these organisations necessitates parking at a Pay and Display reserve carparks.

4 Mobility Parking Scheme Permit

Issued by Roads & Maritime Service (RMS), vehicles displaying a valid mobility parking scheme permit in the correct manner do not require a Beach Parking Permit and are exempt from payment of fees at Pay and Display meters.

5 Replacements of Parking Permits

Council will issue a replacement Beach Parking Permit free of charge in cases where:

- The faulty permit is returned in some form to substantiate a legitimate request for replacement.
- A vehicle has been written off or the windscreen has been damaged. Documentary evidence is required to support requests of this nature.
- A vehicle has been sold and the permit is returned in some form.

In other circumstances, a fee is payable for the replacement of permits as in accordance with the current Fees and Charges schedule.

In order to receive a replacement at the rate listed in the current Fees and Charges schedule, documentary evidence or a completed Statutory Declaration is required.

Replacement fee is applicable when:

- Permits have been lost, misplaced or disposed of.
- A vehicle has been sold and the Beach Parking Permit has not been returned to Council.

7 Locations where Parking Permits are Valid

Parking Permits are only valid at Councils' Pay and Display reserve carparks (refer to Attachment 1).

8 Designated areas excluded from Beach Parking Permit scheme

- Church Point Reserve
- Woorak Reserve / Iluka Park Boat Trailer Parking area
- Rowland Reserve
- Council operated parking stations
- Designated residential parking precincts and 1 hour meter / ticket parking zones (as sign posted)
- Designated tourist bus zone clearly marked "Bus Taxi Only" or "Tourist Bus",

9 Authorisation

This interim policy was adopted by Council on 7 July 2016

It is effective from [insert date].

It is due for review on [insert date].

10 Amendments

This is the initial Policy for the new Northern Beaches Council

11 Who is responsible for implementing this policy?

Executive Manager Customer Support Services

12 Document owner

Corporate Services

13 Related Council Operational Management Standards

a) Central: *Distribution of Beach Parking Permits to Community Groups, Tenants in Common and retirement Villages*

b)

14 Legislation and references

a) Central: *Sustainable Events Policy – PL-530*

b)

15 Definitions

Active member: Defined as a current member or volunteer that is carrying out essential duties, such as a surf club member undertaking patrols.

Attachment 1 sample

ALL DAY PARKING

- Birdwood Park
- North Narrabeen Beach
- Mid Narrabeen
- Narrabeen St Beach Carpark
- Robertson St Beach Carpark
- Devitt St Beach Carpark
- Collaroy Beach North
- Collaroy Beach South
- Fisherman's Beach
- Long Reef Beach
- Dee Why Beach
- Dee Why Headland
- North Curl Curl
- Mid Curl Curl
- South Curl Curl
- McKillop Park Reserve
- Freshwater Beach
- Moore Road, Freshwater (beach end)
- Gore Street, Freshwater
- Jamieson Park
- Middle Creek Reserve
- Manly Dam
- Avalon Beach
- Bilgola Beach
- Clareville Beach
- Governor Phillip Park, Palm Beach
- Mona Vale Beach
- Newport Beach
- North Narrabeen Rockpool
- Ocean Road, Palm Beach
- Warriewood Beach
- Bayview Baths
- Bilarong Reserve
- Pittwater Park, Palm Beach
- Winererremy Bay Reserve
- Whale Beach
- Shelly Beach
- Clontarf
- Sandy Bay
- Spit Bridge

RESTRICTIONS

4 HOUR PARKING ONLY

- Manly beachfront metered parking spaces

PARKING PERMITS ARE NOT VALID

- Church Point Reserve
- Woorak Reserve
- Iluka Park
- Rowland Reserve

8.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

ITEM 8.1	FIRE SERVICES TENDER
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE
TRIM FILE REF	2016/211184
ATTACHMENTS	NIL

REPORT

PURPOSE

To agree Council's position on the provision of Fire Services for Council properties across the whole of the Northern Beaches Council area.

REPORT

Fire services to Northern Beaches Council facilities are currently provided under three separate contracts, all with Grosvenor Fire. Contracts at the former Pittwater and Manly Councils expired at the end of June 2016 and these councils were participating in a SHOROC tender to select new contractors. This process was progressed but not finalised at the time of the amalgamation. The former Warringah Council was not a party to this tender.

There is now an opportunity to combine the contracts for the three former Councils into a single contract, providing a more stream-lined operation and providing opportunities for cost savings.

FINANCIAL IMPACT

Fire Services equipment maintenance funding is contained within existing budgets. Tendering for the whole of the Northern Beaches Council will create a larger contract likely to produce savings.

SOCIAL IMPACT

This tender will provide for the continued safety of local residents and visitors to the Northern beaches who use Council facilities.

ENVIRONMENTAL IMPACT

Tender documents will include a section on aspects of environmental sustainability and social equity.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Advise SHOROC that it declines to accept any of the tenders.
- B. Conduct a new tender for the provision of Fire Services for all of the Northern Beaches Council facilities where such services are required.
- C. Engage Grosvenor Fire to continue to provide their service to Council on a month by month basis until the new tender let.

ITEM 8.2	CONTRACT APPROVAL FOR TELSTRA ASSET RELOCATION IN OAKS AVENUE, DEE WHY
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2016/198535
ATTACHMENTS	NIL

REPORT

PURPOSE

To approve the alternative procurement and contract with Telstra valued at \$144,983.04 ex GST to relocate their communication assets in Oaks Avenue, Dee Why in support of the Dee Why stormwater drainage upgrades.

REPORT

Council has been undertaking the Dee Why Stormwater Drainage Upgrade Works since early March 2016. This contract is the outcome of investigations into methods to mitigate flooding in the Dene Why Town Centre, undertaken as part of the Dee Why South Floodplain Risk Management Study and Plan. The design includes constructing stormwater infrastructure in Pittwater Road and Oaks Avenue, Dee Why.

The design process identified a number of existing service authority assets which require relocation. A component of these works is the relocation of Telstra communication assets. Approval to undertake the works including Telstra asset relocations was provided by the former Warringah Council General Manager in a memo signed 21 December 2015.

Telstra's original design involved relocating the Telstra communication asset over the new stormwater line and was priced at \$72,156.84. Telstra have subsequently discovered their asset must be placed below the stormwater line which will increase the cost to \$144,983.04 (ex GST) triggering tendering requirements.

In accordance with Section 55 of the Local Government Act, Council is exempt from undertaking a competitive tender process if there are extenuating circumstances such as the unavailability of competitive or reliable tenders. As Telstra is the sole supplier of services to relocate its assets, Council cannot go through a competitive tender process. Under the Telecommunications Act 1997 Telstra is accorded the provision to charge a fee for third party impacts that require relocation. Telstra have undertaken their own internal procurement process for these works prior to providing a quotation to Council.

FINANCIAL IMPACT

The cost of the Telstra asset relocation works have been included in the stormwater renewal 2016/17 budget, the fee proposed by Telstra is within the overall costs budgeted for service asset relocation works.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Exercise its authority under Section 55 (3) of the Local Government Act and approve an alternative procurement process for the provision of Telstra asset relocation services in Oaks Avenue, Dee Why as it believes a satisfactory result would not be achieved by inviting tenders. The proposed alternative procurement is based on the following "*extenuating circumstances*":
 - Telstra is the sole supplier of services to relocate communication assets, a competitive tender process was not feasible due to the unavailability of multiple competitive tenders.
 - B. Delegate authority to the General Manager to execute all necessary documentation to give effect to this resolution.
-

ITEM 8.3	WARRINGAH AQUATIC CENTRE REFURBISHMENT
REPORTING MANAGER	GROUP MANAGER BUILDINGS, PROPERTY AND SPATIAL INFORMATION
TRIM FILE REF	2016/217859
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To obtain approval for the funding of children's water playground and related refurbishment works at the Warringah Aquatic Centre (CR6244).

SUMMARY

Council has been working to revitalise the Warringah Aquatic Centre (WAC) over recent years, recently using a creative/innovative approach to deliver an activated outdoor area to the north comprising of attractive landscaped gardens with BBQ facilities and children's play areas. Further, Council officers are in the process of changing the existing kiosk to an integrated café that will service the garden area, the indoor pool area and the adjacent reserve.

These strategies are part of an overall plan developed by the former Council aiming to improve visitation numbers and customer experience, thereby increasing income and average length of stay at the centre.

However, the revitalisation is not complete and as it stands the improvements so far are mostly attractive to adult visitors. In previous studies it was identified that "leisure water" activities for children and families are a driver of visitation in modern aquatic centres, and these facilities are not present at the WAC. As such the priority is to further maximise the work done so far through including an interactive children's water playground in the toddler pool area, consisting of features which could include water slides, water cannons, water dumping buckets and sprays.

These works were proposed to be delivered in 2016/17 to be ready for summer and funding is available from Council's working capital identified from the former Warringah Council.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Proceed with the planned works to revitalise the Warringah Aquatic Centre.
 - B. Allocate \$600,000 from Council's working capital to the planned children's water playground and related refurbishment works at the Warringah Aquatic Centre (CR6244).
-

REPORT

BACKGROUND

Council has been considering multiple options over the last decade to revitalise the Warringah Aquatic Centre (WAC). The revitalisation of both internal & external area have been considered through various masterplans to try to address low visitation, the aging infrastructure, cost efficiencies and future desired levels of service to the community however, due to the high costs involved, no significant works have been completed in recent years.

In March 2011 Council approved the implementation of community consultation and needs assessment to inform a Site Development Strategy which would determine the future direction for the WAC given the ongoing level of operational subsidy was potentially unsustainable.

The Site Development Strategy process for the WAC has evaluated four options for the Warringah Aquatic Centre on the basis that the future use of the centre fully reflects stakeholder and community needs and values, and also balances this with financial sustainability.

Council supported the option which included retaining the 50m pool but introduced leisure water, adventure slides, more learn to swim facilities and an upgraded café. This option was to be substantially funded with the \$10 million sought by Council through the Special Rate Variation (SRV) process that was considered by the Independent Pricing and Regulatory Tribunal (IPART). When the SRV was not approved in September 2014 the project was resolved not to proceed.

Proposed Works

In line with the recommendation in the September 2014 Council resolution to “*Further investigate options to provide a more sustainable development for the Warringah Aquatic Centre site such as; investigation of potential partnerships, additional funding sources and opportunities presented by the Frenchs Forest Hospital development.*” Council commenced minor works to try to meet some of the desired objectives.

Council’s project team used a creative/innovative approach to deliver an activated outdoor area to the north of the WAC comprising of attractive landscaped gardens with BBQ facilities and children’s play areas. The landscape has been designed so as to attract patrons due to its unique character, comprising of a large amount of salvaged, second-hand materials and using sustainable building strategies. Further, Council officers are in the process of changing the existing kiosk to an integrated café that will service the garden area, the indoor pool area and the adjacent reserve.

These strategies aim to improve visitation numbers and customer experience in line with the Site Development Strategy, thereby increasing income and average length of stay at the centre.

However, the revitalisation is not complete and as it stands the improvements so far are mostly attractive to adult visitors. In previous studies it was identified that “leisure water” activities for children and families are a driver of visitation in modern aquatic centres, and these facilities are not present at the WAC. As such the priority is to further maximise the work done so far through including an interactive children’s water playground in the toddler pool area, consisting of features which could include water slides, water cannons, water dumping buckets and sprays.

The project to undertake these works as the next stage of the refurbishment is estimated at \$600,000.

FINANCIAL IMPACT

These works are proposed to be funded from Council’s working capital from funds identified under the former Warringah Council.

This ongoing project CR6244 was included in Council's adopted Capital Works Program 2015/16 with a current budget of \$429,000. The total additional amount required to undertake the full refurbishment is \$600,000, bringing the total budget for the project to \$1,029,000.

SOCIAL IMPACT

These works provide additional recreational facilities and therefore provide a positive social impact to the Northern Beaches community.

ENVIRONMENTAL IMPACT

Nil

ITEM 8.4	RFT 2016/011 - SOUTH CURL CURL SEAWALL WORKS
REPORTING MANAGER	GROUP MANAGER PARKS RESERVES & FORESHORES
TRIM FILE REF	2016/199189
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To seek additional funding for the South Curl Curl Seawall Construction project due to latent subsurface site conditions, increasing the scope of the works.

SUMMARY

Consistent high tidal conditions at South Curl Curl beach following the April 2015 storm resulted in significant erosion of the beach and collapse of a large section of the car park. Subsequent coastal engineering advice identified that the existing seawall was inadequate for significant coastal erosion and inundation events without subsurface protection.

Silver Raven Pty Ltd was engaged to undertake the construction works as designed by Royal Haskoning DHV. The scope of the project included the construction of the wall, installation of a rock blanket and repairs to the damaged section of car park.

During the construction an additional depth of piling of one - two metres across the length of the site was required. As a result the scope and cost of the work varied significantly. Due to large portions of the works being already completed and the potential impact of winter storms, the piling had to continue as per the design to ensure the satisfactory performance of the seawall. The lower than expected level of bed rock and the amended design resulted in significant increases in the total length of piling required.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Increase the 2016-2017 budget for CN6562 South Curl Curl Seawall as per the confidential confidential report for Environment and Infrastructure, Report No 15.1.
 - B. Delegate authority to the General Manager to execute all necessary documentation to give effect to this resolution and to approve contract payments to Silver Raven Pty. Ltd. as per the confidential report for Environment and Infrastructure, Report No 15.1.
-

REPORT

BACKGROUND

This project arose as a result of a critical seawall asset being compromised by consistently high swells in the months following the April 2015 storm, which had removed a large volume of sand from South Curl Curl beach. The high swells caused significant erosion of South Curl Curl beach that lowered the sand level by two metres. The toe of the seawall that retains the South Curl Curl beach car park was exposed and undermined by the high swells, washing out material from behind the wall and creating a void, which resulted in the formation of a hole in the car park surface.

These works were deemed as necessary by the previous Council due to the potential physical and economic impact on foreshore infrastructure in the event of significant future erosion events and danger to the public and public property. The existing compromised seawall and carpark at South Curl Curl were vulnerable to further erosion, with the potential for extensive structural damage to occur to both the wall and car park and subsequently threatening Carrington Ave if works were not undertaken to ensure their protection. The ramp access to the beach for safety equipment and a section of the car park had been closed since October 2015.

Council engaged Royal HaskoningDHV in October 2015 to design an erosion protection solution for South Curl Curl beach to prevent undermining of the existing seawall from reoccurring. This design was completed in January 2016, with the chosen protection solution being a secant pile wall and rock blanket that would extend from the wall constructed in 2005 in front of the South Curl Curl Surf Life Saving Club. After a public tender process, Silver Raven Pty Ltd was engaged on 6th May 2016 to undertake the construction works as designed. The scope of the project included the construction of the wall, installation of a rock blanket and repairs to the damaged section of car park.

The geotechnical investigation conducted as part of the works identified that the ground conditions were significantly different to the estimates made in previous geotechnical investigations. Due to these differences, the design of the wall was revised by Royal HaskoningDHV to ensure that it could provide structurally sound protection to the South Curl Curl foreshore. This redesign included additional piling, additional ground anchors and an extension to the capping beam of the wall. These additional design changes occurred at the southern end of the seawall, due to the initial assumptions during design being that the rock level would not be so deep at this section of the beach. This redesign absorbed the remaining budget for the project including the contingency.

The piling component of the project commenced after restoration of the carpark, installation of the existing seawall footing and laying of approximately half the rock blanket. As the piling occurred it was apparent that the depth to rock was greater than expected across the whole site to a larger extent than first realised. Due to the projects current progression and the possibility of winter storms, it was acknowledged that piling needed to occur to ensure the protection of already completed works and existing foreshore infrastructure.

Due to the subsurface nature of this project, the scope of works could not be defined with complete certainty until the contractors were on site and commenced excavation.

During the construction the additional depth of piling of 1-2 metres across the length of the site was required. As a result the scope and cost of the work varied significantly. Due to large portions of the works being already completed and the potential impact of winter storms, the piling had to continue as per the design to ensure the satisfactory performance of the seawall. The lower than expected level of bed rock and the amended design resulted in significant increases in the total length of piling required.

Without the proposed variation to design and contract the secant wall cannot fulfill its required function and protect foreshore assets at South Curl Curl. Therefore it is recommended that the proposed variation be approved to enable the successful completion of this project.

TIMING

The contract commenced on the 6th May 2016. The expected finish date at this stage of the project is end of July 2016, weather permitting.

FINANCIAL IMPACT

Additional funding is required to cover the estimated final construction costs of the seawall as per the confidential report. Council maintains sufficient working capital levels to provide against unforeseen and unbudgeted expenditures such as these emergency works.

SOCIAL IMPACT

The wall will retain parking and access to the beach for the community and for lifesaving equipment.

ENVIRONMENTAL IMPACT

Nil

ITEM 8.5	RFT2016/039 - NARRABEEN LAGOON ENTRANCE CLEARANCE WORKS
REPORTING MANAGER	GROUP MANAGER NATURAL ENVIRONMENT
TRIM FILE REF	2016/197969
ATTACHMENTS	NIL

REPORT

PURPOSE

To report on the assessment of tenders for the Narrabeen Lagoon Entrance Clearance Works and recommend the award of a contract for the works.

REPORT

The Narrabeen Lagoon Entrance Clearance works are undertaken on a 3 to 5 year cycle with the last works undertaken in 2011. These works provide for the removal of deposited marine sands from the entrance to Narrabeen Lagoon and the replenishment of the South Narrabeen and Collaroy beaches. The removal of sediment from the lagoon assists the entrance in remaining open and provides a flood mitigation effect for the Narrabeen Lagoon Catchment. The work also benefits the ecology and water quality of the lagoon.

The entrance to the lagoon closed in November 2015 and since that time, staff have been undertaking all the preparatory work required for the appointment of contracts and obtaining regulatory approval for the works. A request for tender was issued for the Narrabeen Lagoon Entrance Clearance Works in April 2016, and 4 tender responses were received and assessed by the evaluation committee. One tender is recommended for contract award.

FINANCIAL IMPACT

The total estimated cost of the project including works, contingency and project management is \$1,155,000 (ex GST). This is \$165,000 above the current budget for the project and this will be met through allocation of working capital and reported through the Quarterly Budget Review process. An additional grant amount of \$110,000 has been requested from OEH, with OEH giving strong indication that the additional funds will be approved which if successful would reduce Council's contribution to \$55,000.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

The works will improve tidal flushing through the entrance of the lagoon which will enhance recreational water quality in that vicinity.

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council resolve to accept the recommendation contained in the confidential report for Environment and Infrastructure, Report No 15.2.

ITEM 8.6	TENDER T03/16 - PROVISION OF CONSULTANCY SERVICES FOR THE NEWPORT FLOOD STUDY
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE
TRIM FILE REF	2016/206732
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To consider in accordance with Clause 177 of the Local Government (General) Regulation, the Tender Evaluation Panel's (TEP) recommendations following its assessment of the tenders received for Tender T03/16 - Provision of Consultancy Services for the Newport Flood Study.

SUMMARY

Pittwater Council prepared a Request for Tender, Four (4) Tender submissions were received from:

- WMA Water
- NSW Department of Finance and Services (MHL)
- Cardno (NSW/ACT) Pty Ltd
- Catchment Simulation Solutions

The Tender Evaluation is presented to Council for consideration in the confidential section of this Agenda.

Note: Reports to Council for Tenders 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

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That the recommendation contained in the Confidential Tender Assessments for T03/16 (Provision of Consultancy Services for the Newport Flood Study) – confidential report for Environment and Infrastructure, Report No 15.3, be adopted.

REPORT

BACKGROUND

Council is undertaking the Newport Flood Study for all flood affected land in the suburb of Newport. The NSW Office of Environment and Heritage (OEH) are also involved through the provision of technical and financial assistance.

In the past, major flood events have resulted in extensive damage to public and private property, restricted access and been significant cause of concern to residents. Above floor flooding in the lower reaches of the study area caused extensive damage in March 1977, October 1987 and May 1988. In February 2012 flooding inundated ground floor units and damaged many cars in the lower reaches of the Newport catchment. Previous studies have identified approximately 800 properties to be flood affected.

The Newport Beach Flood Study was adopted by Council in 2002. The Newport Beach Floodplain Risk Management Study and Plan was adopted by Council in 2004.

Council has since completed the Pittwater Foreshore Floodplain Mapping of Sea Level Rise Impacts (public exhibition 2015) and a Pittwater LGA wide Overland Flow Mapping and Flood Study (adopted 2013) which provides limited information on some flooding aspects within the Newport study areas. These have highlighted the incompleteness of the 2002 Newport Beach Flood study and the need to undertake an update to the Flood Study to ensure overland flow paths entering the mainstream catchment are appropriately identified and mapped.

In addition the 2013 Pittwater LGA Overland Flow Study was a broad overarching preliminary study that identified priority areas for more detailed overland flow studies - the Newport catchment was one of the priority sites.

The suburb of Newport is bounded to the west by the Pittwater estuary and to the east by Newport Beach. The areas surrounding the estuary and ocean are relatively low lying. The area around the beach has a very urbanised town centre with residential and commercial areas within close proximity to the creek system. The creek systems within the study area have been heavily modified with redirected and piped watercourses, as well as lagoon systems being filled.

The catchment is impacted by ocean, estuarine, creek and overland flow flooding which poses risk to life and property damage issues. It is proposed to undertake the flood study looking at both the interactions of the mainstream flooding and the many overland flow paths within the study area.

CONSULTATION

Tender Process and Assessment

The tender process was facilitated by the former Pittwater Council and was via an open invitation. Tenders were called in accordance with Section 55 of the Local Government Act and Clauses 168 and 177 of the Local Government Regulation. Tender documentation included the Conditions of Tender, Schedules, the Product Specification, General Conditions of Contract and Special Conditions of Contract.

Tender Advertising and Closing Date

The Tender was released via the Council Tenderlink website on the 27 April 2016. The closing date was 11am, 25 May 2016.

Receipt of Tenders

As per the call for tenders, the tenders could be received via Council's Tender Box located at Mona Vale or via Council's Tenderlink portal prior to the specified tender closing time/date of 11am, 25 May 2016.

Tender Opening & List of Tenders Received

At the specified tender opening time, four (4) tenders were received via Tenderlink and were duly registered by Council. Tenderers are listed in no particular order, as follows:

Tenderers

- WMA Water
- NSW Department of Finance and Services (MHL)
- Cardno (NSW/ACT) Pty Ltd
- Catchment Simulation Solutions

Outline of Tender Evaluation Process

Tenders contain commercial in confidence information. As such under Section 10A(2) of the Local Government Act the detailed assessment of tenders is included in the confidential section of this Agenda.

A tender Evaluation Panel (TEP) was specifically formed to confidentially assess the tenders received. The TEP has provided a confidential assessment with covering report and recommendations for formal consideration by Council. The TEP takes into consideration the following steps as part of its confidential assessment:

- Probit checks including a declaration as to any conflict of interest or pecuniary interest associated with the tender.
- Initial assessment & cull – this assesses compliance with the call for tender requirements, any company not conforming is culled (not considered further) from the next stages of the tender assessment process
- Detailed assessment of remaining tenders then takes place, including performance against the tender evaluation criteria. The tender was assessed using the following criteria:

Mandatory Criteria

Criteria - Mandatory	Pass/Fail
Compliance with conditions of tender and submission of all documentation required by the request for tender - Submission of all forms	Pass/Fail
Insurance from Insurance company (not broker)	Pass/Fail

Scored Criteria

Criteria - Scored	Weighting
Project/Proposed methodology and statement of study understanding	%
Skills of study team in undertaking similar work/modeling	%
Relevant past experience in undertaking similar work/modeling	%
Resourcing and timeframe of project including draft project plan	
Cost (lump sum) & Cost Schedule (Attachment C)	%

TIMING

The contract will be for 24 months.

FINANCIAL IMPACT

Funding has been obtained from the Office of Environment and Heritage to fund this tender on a 2:1 ratio.

SOCIAL IMPACT

The overarching aims of the Newport Flood Study will be to define the flood behaviour under historical and existing floodplain conditions in the Study Area while addressing possible future variations in flood behaviour due to climate change and provide information for its management.

ENVIRONMENTAL IMPACT

The tender documentation also included a questionnaire covering aspects of environmental sustainability. Tenderers provided information relating to products used, waste management, energy and water efficiency as well as recycling and were scored accordingly.

ITEM 8.7	TENDER T04/16 - PROVISION OF CONSULTANCY SERVICES FOR UNDERTAKING THE NORTH NARRABEEN LAGOON OVERLAND FLOW FLOOD STUDY
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE
TRIM FILE REF	2016/206831
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To consider in accordance with Clause 177 of the Local Government (General) Regulation, the Tender Evaluation Panel's (TEP) recommendations following its assessment of the tenders received for Tender T04/16 - Provision of Consultancy Services for the North Narrabeen Lagoon Overland Flow Flood Study

SUMMARY

Pittwater Council prepared a Request for Tender, Four (4) Tender submissions were received from:

- WMA Water
- NSW Department of Finance and Services (MHL)
- Cardno (NSW/ACT) Pty Ltd
- Catchment Simulation Solutions

The Tender Evaluation is presented to Council for consideration in the confidential section of this Agenda.

Note: Reports to Council for Tenders 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

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That the recommendation contained in the Confidential Tender Assessments for T04/16 (Provision of Consultancy Services for the North Narrabeen Lagoon Overland Flow Flood Study) – confidential report for Environment and Infrastructure, Report No 15.4, be adopted.

REPORT

BACKGROUND

Council is undertaking the North Narrabeen Lagoon Overland Flow Flood Study for all overland flow flood affected land in the suburb of Warriewood, part of Ingleside, Elanora Heights and North Narrabeen. The NSW Office of Environment and Heritage (OEH) are also involved through the provision of technical and financial assistance.

The foreshore of Narrabeen Lagoon has been subjected to flooding on a number of occasions. Major flooding has occurred in 1911, 1931, 1942, 1956, 1958, 1961, 1974, 1975, 1977, 1978, 1986, 1987, 1998 and 2003. Previous studies have identified approximately 1570 properties to be flood affected.

The Narrabeen Lagoon Flood Study was adopted by Council in 2013.

Council has since completed a Pittwater LGA wide Overland Flow Mapping and Flood Study (adopted 2013) which provides limited information on some flooding aspects within the study area. These have highlighted the incompleteness of the 2013 Narrabeen Flood study and the need to undertake an update to the Flood Study to ensure overland flow paths entering the mainstream catchment are appropriately identified and mapped.

In addition the 2013 Pittwater LGA Overland Flow Study was a broad overarching preliminary study that identified priority areas for more detailed overland flow studies - the Elanora Heights and Ingleside catchment was one of the priority sites.

The study will focus on the overland flow paths not identified as part of the 2013 Narrabeen Lagoon Flood Study. The suburbs of Elanora Heights and Ingleside have relatively steep topography which have been modified with redirected and piped watercourses, which results in many of the overland flow paths being unidentified. Whilst the relatively flat areas of North Narrabeen and Warriewood still comprising of varying topography leading to overland flow paths.

It is proposed to undertake the flood study to identify overland flow paths and how these overland flow paths interact with the mainstream Narrabeen Lagoon flooding.

CONSULTATION

Tender Process and Assessment

The tender process was facilitated by Pittwater Council and was via an open invitation. Tenders were called in accordance with Section 55 of the Local Government Act and Clauses 168 and 177 of the Local Government Regulation. Tender documentation included the Conditions of Tender, Schedules, the Product Specification, General Conditions of Contract and Special Conditions of Contract.

Tender Advertising and Closing Date

The Tender was released via the Pittwater Council Tenderlink website on the 27 April 2016. The closing date was 11am, 25 May 2016.

Receipt of Tenders

As per the call for tenders, the tenders could be received via Council's Tender Box located at Mona Vale or via Council's Tenderlink portal prior to the specified tender closing time/date of 11am, 25 May 2016.

Tender Opening & List of Tenders Received

At the specified tender opening time, four (4) tenders were received via Tenderlink and were duly registered by Council. Tenderers are listed in no particular order, as follows:

Tenderers

- WMA Water
- NSW Department of Finance and Services (MHL)
- Cardno (NSW/ACT) Pty Ltd
- Catchment Simulation Solutions

Outline of Tender evaluation process

Tenders contain commercial in confidence information. As such under Section 10A(2) of the Local Government Act the detailed assessment of tenders is included in the confidential section of this Agenda.

A Tender Evaluation Panel (TEP) was specifically formed to confidentially assess the tenders received. The TEP has provided a confidential assessment with covering report and recommendations for formal consideration by Council. The TEP takes into consideration the following steps as part of its confidential assessment:

- Probit checks including a declaration as to any conflict of interest or pecuniary interest associated with the tender.
- Initial assessment & cull – this assesses compliance with the call for tender requirements, any company not conforming is culled (not considered further) from the next stages of the tender assessment process
- Detailed assessment of remaining tenders then takes place, including performance against the tender evaluation criteria. The tender was assessed using the following criteria:

Mandatory Criteria

Criteria - Mandatory	Pass/Fail
Compliance with conditions of tender and submission of all documentation required by the request for tender - Submission of all forms	Pass/Fail
Insurance from Insurance company (not broker)	Pass/Fail

Scored Criteria

Criteria - Scored	Weighting
Project/Proposed methodology and statement of study understanding	%
Skills of study team in undertaking similar work/modelling	%
Relevant past experience in undertaking similar work/modelling	%
Resourcing and timeframe of project including draft project plan	
Cost (lump sum) & Cost Schedule (Attachment C)	%

TIMING

The contract will be for 24 months.

FINANCIAL IMPACT

Funding has been obtained from the Office of Environment and Heritage to fund this tender on a 2:1 ratio.

SOCIAL IMPACT

The overarching aims of the North Narrabeen Lagoon Overland Flow Flood Study will be to define the flood behaviour under historical and existing floodplain conditions in the Study Area while addressing possible future variations in flood behaviour due to climate change and provide information for its management.

ENVIRONMENTAL IMPACT

The tender documentation also included a questionnaire covering aspects of environmental sustainability. Tenderers provided information relating to products used, waste management, energy and water efficiency as well as recycling and were scored accordingly

ITEM 8.8	PURCHASE OF LAND FOR ROADWORKS IN WARRIEWOOD
REPORTING MANAGER	DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE
TRIM FILE REF	2016/211519
ATTACHMENTS	<ul style="list-style-type: none">1 Sydney Water's Sewerage Treatment Works2 Macpherson Street and Warriewood Road Map

EXECUTIVE SUMMARY

PURPOSE

To seek Council's approval to purchase two parcels of land to facilitate road works for the MacPherson Street and Warriewood Road Upgrade Project.

SUMMARY

In 2000 Council identified in the Warriewood Valley Roads Master Plan that it was necessary to carry out works to support the Warriewood Valley Land Release. These works included construction of a roundabout at the intersection of Warriewood Road and MacPherson Street. The design and subsequent construction of the roundabout requires the purchase of small areas of private land on two adjoining properties, one of which being Sydney Water's property (9A Boondah Road) and the other owned privately (23 Warriewood Road).

RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council:

- A. Approves for the purpose of the MacPherson Street and Warriewood Road Upgrade Project the purchase of:
 - a. the splay corner of land, being part of 9A Boondah Road, Warriewood, from Sydney Water; and
 - b. the splay corner of land, being part of 23 Warriewood Road, Warriewood.
 - B. Bears all costs associated with the purchase of these two parcels of land, as contained in the confidential report for Environment and Infrastructure, Report No 15.5.
 - C. Acquire the land for the purpose of a road and classifies it as Operational Land.
 - D. Delegate authority to the General Manager to execute all documentation necessary in order to give effect to this resolution under Power of Attorney.
-

REPORT

BACKGROUND

In 2000 Council identified in the Warriewood Valley Roads Master Plan (in the Warriewood Valley Infrastructure Section 94 Plan) that it was necessary to carry out works to support the Warriewood Valley Land Release. These works included construction of a roundabout at the intersection of Warriewood Road and MacPherson Street. The design and subsequent construction of the roundabout requires the purchase of small areas of private land on two adjoining properties, one of which being Sydney Water's property and the other owned privately.

Council's Commercial Property & Projects (CP&P) team have been negotiating with Sydney Water and 23 Warriewood Road, with a view to purchase a portion of their lands located at the intersection of Macpherson Street and Warriewood Road, Warriewood.

Council engaged registered valuers to undertake current market assessments of the subject lands.

Agreement in principle has been reached with both Sydney Water and private owners of 23 Warriewood Road, subject to Council approval, Contract and successful subdivision of the land.

Sydney Water Land

The subject land is situated at the corner of Macpherson Street and Warriewood Road, Warriewood. It is located on the south-eastern corner of the intersection of Macpherson Street and Warriewood Road. The land forms part of Sydney Water's Sewerage Treatment Works – see attached.

The land area is approximately 32.6sqm and is part of Lot 26 in Section C in Deposited Plan 5464, known as 9A Boondah Road, Warriewood.

The land is currently zoned "SP2 Sewerage System" under Pittwater Local Environmental Plan 2014.

Private Land

The other splay corner of land is part of 23 Warriewood Road, Warriewood. It is located on the northern corner of the intersection of Macpherson Street and Warriewood Road – see attached.

The land area is approximately 12.36sqm and is known as Lot 27 section C in Deposited Plan 5464.

The land is zoned "R3 – Medium Density Residential" under Pittwater Local Environmental Plan 2014.

TIMING

The purchase and contract exchange is required prior to Council's Urban Infrastructure Unit commencing construction on site, which is scheduled in September /October 2016.

FINANCIAL IMPACT

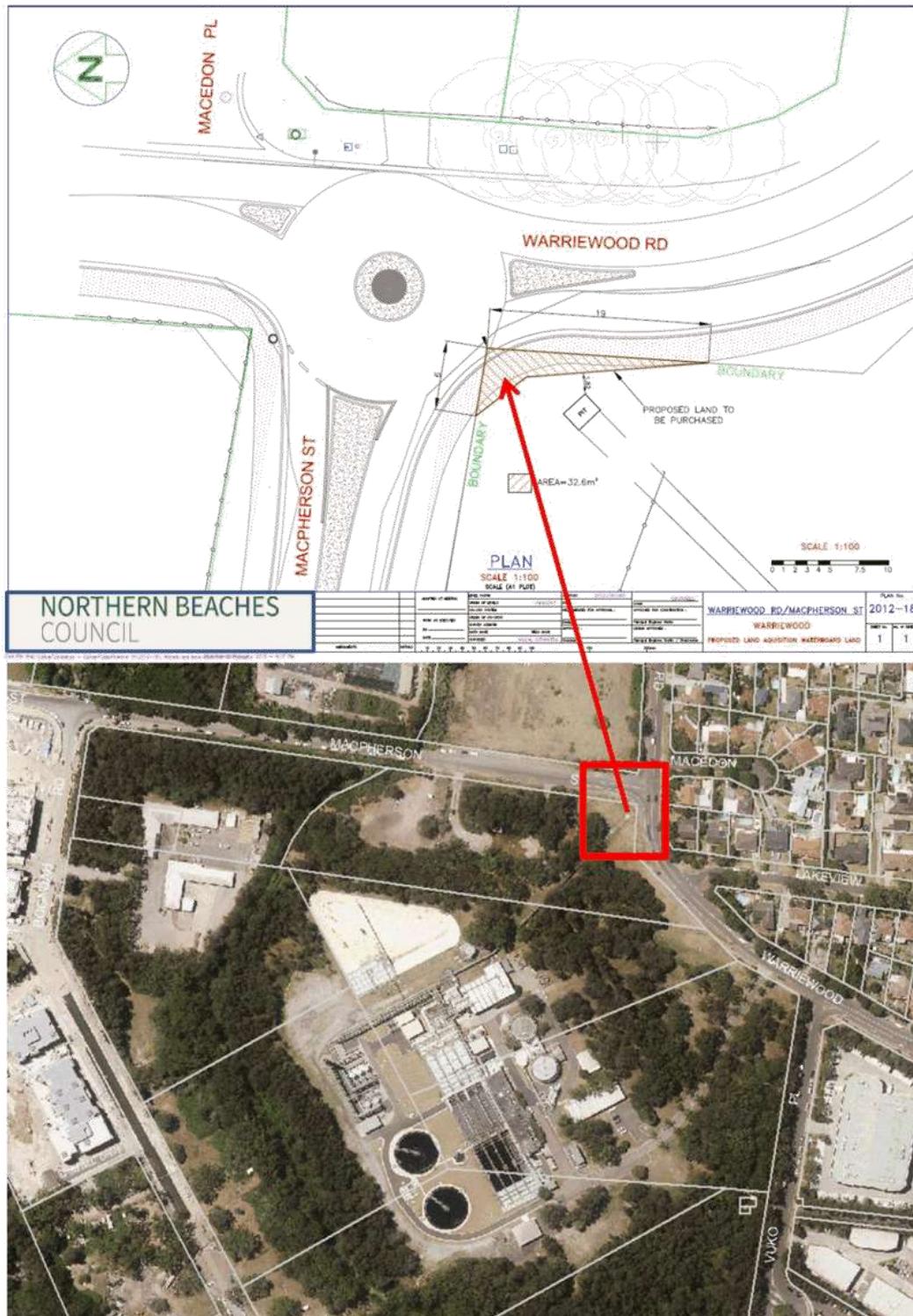
The purchase of the subject land at MacPherson Street intersection is an item in the approved Section 94 Plan (item 47 H) which has been budgeted to cater for the purchase of two parcels of land from private properties (part of 9A Boondah Road and part of 23 Warriewood Road). Total estimated cost including valuation costs, purchase price of the land, legal costs, survey costs and sub-division costs are all within the budget allocated in item 47H.

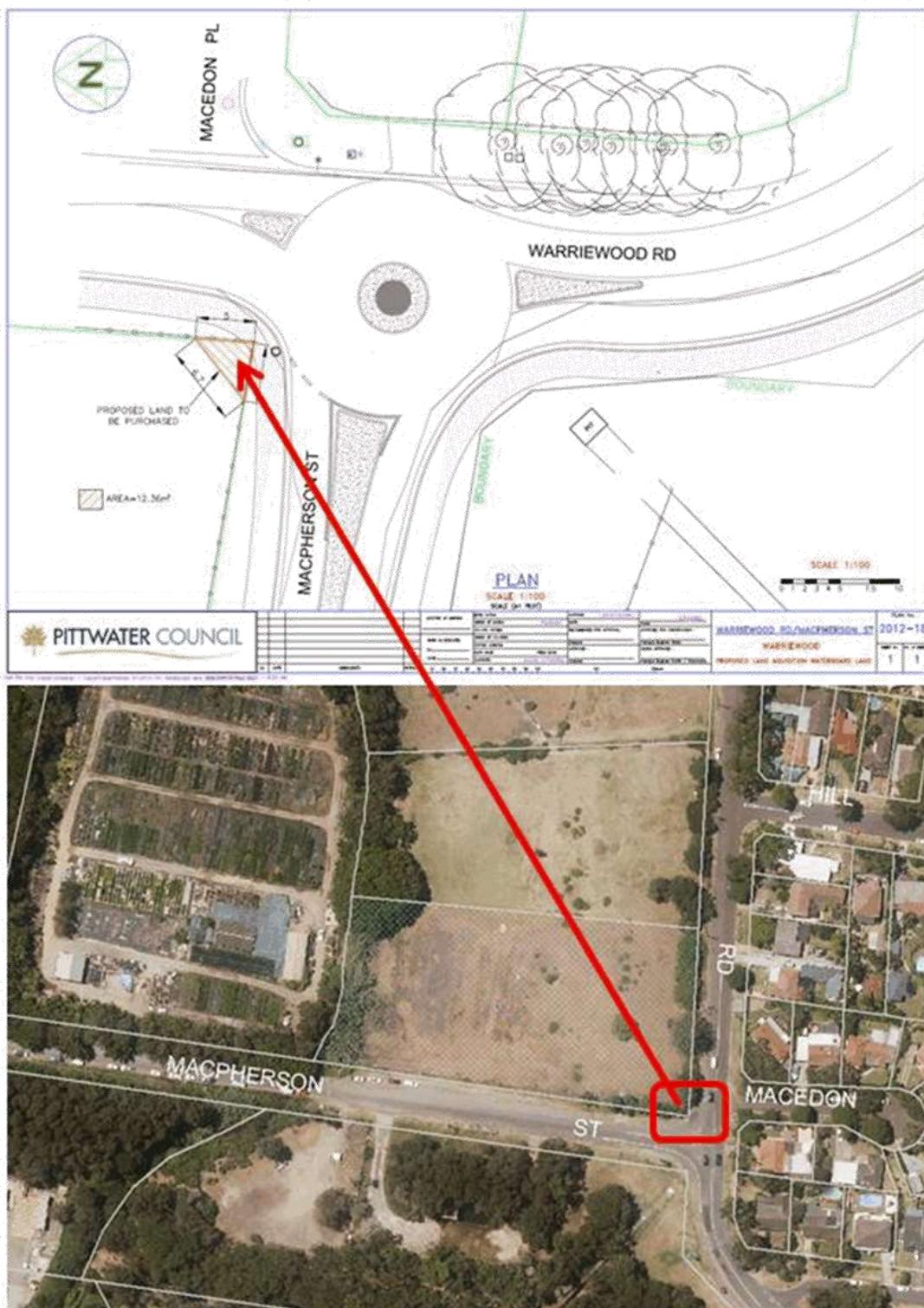
SOCIAL IMPACT

To facilitate development of the Warriewood Valley Road Master Plan in accordance with Section 94 Plan.

ENVIRONMENTAL IMPACT

Nil





9.0 PLANNING & COMMUNITY DIVISION REPORTS

ITEM 9.1	DRAFT MANLY DEVELOPMENT CONTROL PLAN 2016 - AMENDMENT 8
REPORTING MANAGER	DEPUTY GENERAL MANAGER PLANNING & COMMUNITY
TRIM FILE REF	2016/201457
ATTACHMENTS	1 Proposed Amendments to Draft Manly Development Control Plan 2016

EXECUTIVE SUMMARY

PURPOSE

To adopt draft exhibited amendments to Manly Development Control Plan 2013 incorporating consideration of public consultation outcomes.

SUMMARY

The former Manly Council at its Ordinary Meeting dated 2 May 2016 resolved, as follows in relation to the draft DCP amendments,:

- ‘1. *Council resolve to amend Manly Development Control Plan 2013; and*
2. *Council exhibit the proposed amendments as reported for a period of twenty-eight (28) days.’*

Draft amendments to Manly Development Control Plan 2013 were recently exhibited to improve guidelines in relation to a range of design matters. Some further minor amendment are proposed in considering a submission received during consultations. It is also proposed to insert a note under the existing DCP paragraph ‘Where this plan applies’ to clarify that under the Local Government (Council Amalgamation) Proclamation 2016 the plan pertains to development of land which was within the area of the former Manly Council and is now within the area of the Northern Beaches Council. Council may now adopt ‘Manly Development Control Plan 2013 Amendment 8’ which will commence once public notice is given.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That Council adopt the Manly Development Control Plan 2013 Amendment 8.

REPORT

BACKGROUND

At its Ordinary Meeting dated 2 May 2016, the former Manly Council resolved in relation to the proposed DCP amendments as follows:

- ‘1. *Council resolve to amend Manly Development Control Plan 2013; and*
- ‘2. *Council exhibit the proposed amendments as reported for a period of twenty-eight (28) days.*’

In accordance with Council’s resolution the proposed draft Amendment No. 8 to Manly DCP 2013 was exhibited for twenty-eight (28) days from 7 May 2016 to 4 June 2016.

CONSULTATION

The consultation activities for the draft plan included:

- Public notice in the Manly Daily.
- Hardcopies of documents available for viewing at Manly Chambers and Manly Library.
- Information and links to online documents on Council’s website under ‘Public Exhibitions’.

REVIEW OF SUBMISSIONS

One submission was received during the public exhibition period and is reported and reviewed as follows:

The submission queries considerations in terms of context and site analysis to accompany DAs at *paragraph 2.1.2.2.q* stating “Should the DCP identify that ‘Applicants to provide elevations of Neighbouring Structures showing additional shadows cast from 9am to 3pm on 21 June, with elevation drawings showing the shadows at an hourly or half hourly basis as required?’”. The submission further suggests that “Often Applicants do not provide this information, making assessments difficult”.

Comment: The level of detail required for context and site analysis requirements is considered adequate and *paragraph 2.1.4* otherwise outlines requirements in more detail for the submission of shadow diagrams. In response to the submission it is recommended that the DCP additionally state that Council may require that shadows to be indicated at hourly or half hourly intervals where necessary to clearly demonstrate compliance with the DCP between 9am and 3pm or to demonstrate the extent of any noncompliance (i.e. the number of hours between 9am and 3pm where the loss of sunlight is more than one third).

The submission also queries whether the DCP should state that shadow impacts should generally be assessed no earlier than 12.30pm for western windows and no later than 11.30am for eastern windows’.

Comment: It is considered that no further clarification is necessary in this regard.

In relation to DCP *paragraph 3.3.1.4* concerning overshadowing of clothes drying areas, the submission suggests that minimum requirements be stated in more detail to further state solar access applies all year round and between certain times each day.

Comment: It is considered that no further clarification is necessary in this regard, however, upon review, a minimum number of 4 hours of sunlight per day is considered reasonable (not 6 as exhibited) and more consistent with contemporary standards including the NSW Apartment Design Guide 2015.

In relation to DCP *paragraph 4.1.4.4.c & d* concerning rear setback guidelines, the submission suggests additional reference to view loss is appropriate.

Comment: The additional consideration of view loss in addition to overshadowing, visual privacy at *paragraphs c) & d)* are considered appropriate and are incorporated into the amendment details attached.

FINANCIAL IMPACT

The cost and impact on the budget is negligible. Notification of the adoption of the DCP Amendment in the local newspaper is a statutory requirement.

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

The environmental impact is positive improving guidelines for development in the former Manly Council area in relation to a range of local design matters.

ATTACHMENT
Details of Proposed Manly DCP Amendments

1.2 Where this DCP Applies

This DCP applies to land where the LEP applies as identified on the LEP Land Application Map

Note: This plan pertains to development of land which was within the area of the former Manly Council and is now within the area of the Northern Beaches Council area pursuant to the Local Government (Council Amalgamation) Proclamation 2016. In this regard Clause 21 of the Local Government (Council Amalgamation) Proclamation 2016 provides that a development control plan that applied to a former area immediately before the amalgamation day continues to apply to that part of the area of the new council that consists of the former area. In this regard other Development Control Plans which apply to Northern Beaches Council include Pittwater Development Control Plan 21 (former Pittwater Council) and Warringah DCP 2011 (former Warringah Council).

2.1.2 Requirements for DA Lodgment

2.1.2.2 Considerations (Site and Context Analysis)

Replace paragraph e) with "Streetscape including both sides of the street that the development fronts including the pattern of building frontages, street and side setbacks and heights of buildings (in metres and storeys).

Edit paragraph i) to insert "foreshore or ocean"

Replace paragraph q) with "overshadowing of the site including shadow casts by neighbouring structures and likely shadow effects from proposed development. The winter sun path should be shown from 9am to 3pm on 21 June."

2.1.4 Shadow Diagrams

Insert at paragraph c) 'Council may require that shadows be indicated at hourly or half hourly intervals, where necessary for assessment, to clearly demonstrate either compliance with the DCP or the extent of any noncompliance.'

Part 3 General Principles of Development

3.1.3 Townscape (Local and Neighbourhood Centres)

3.1.3.1 Design Principles

The following design principles and requirements at paragraphs 3.1.3.1.a) to i) should be achieved in all development involving the erection of a new building or external alterations to an existing building in order to:

- maintain and enhance the townscape of Manly's LEP Business Zones;
- achieve the townscape objectives of this plan; and
- consider that the development exhibits design excellence in accordance with considerations of LEP clause 6.13(4) (as a statutory consideration for land in Zone B2 Local Centre and as a DCP consideration in other zones)

A scale and design of building appropriate to this local role should then be achieved.

...

b) Townscape Principles Map

Proposed All developments involving the erection of a new building or external alterations to an existing building must be consistent, where applicable to with the townscape and streetscape and the principles and opportunities further illustrated in the Townscape Principles Maps at Schedule 2 of this plan. Having regard to the features located in the Townscape Principles Maps the following guidelines apply:

- i) Important corner sites shall be maintained, including strongly defined corner buildings. Ensure corner development has strong height and facade elements with building along the street frontage being set by these corner heights. Construct to boundary. Maintain and re-use existing development if it achieves objectives for these corner sites.
- ii) Important pedestrian links shall be maintained including existing public arcade links and encourage new through-block arcades which in turn should limit the size of parcels and the bulk of large buildings.
- iii) Important end of vista sites shall be acknowledged. Appearance of the street elevation requires special attention at the end of these vistas.

...

- d) Proposed developments must be designed to:
- i) maintain the optimum amount of sunlight into adjacent open space areas, including public open space (see LEP clause 6.13 (a) Design Excellence); and
 - ii) minimise other environmental factors such as adverse wind effects, reflectivity and impermeability of surfaces (see LEP clause 6.13 (j) Design Excellence).

3.4.1 Sunlight Access and Overshadowing

3.4.1.3 Overshadowing Solar Collector Systems

- In relation to solar access to hot water systems and solar collectors new/proposed development must:
- a) not overshadow any existing adjacent solar collectors or hot water heaters between 9am and 3pm at any time of the year; or where there is no existing hot water systems and solar collectors,
 - b) maintain solar access to the north facing roofs of existing dwellings (generally within 45 degrees west to 45 degrees east) to a fixed minimum roof area of 10sqm capable of accommodating solar collectors or hot water heaters that will not be overshadowed by the proposed development between 9am and 3pm at any time of the year.

A minimum of 4 hours solar access be retained to solar collectors on neighbouring properties.

3.4.1.4 Overshadowing Clothes Drying Areas

In relation A minimum of 4 hours solar access be retained to a suitable clothes drying areas of the rear yard of minimum dimensions 7.5m by 2m for clothes drying should be free of shade between 10am and 2pm all year.

3.4.2 Privacy and Security

Insert: "Consideration of privacy are typically balanced with other considerations such as views and solar access. The degree of privacy impact is influenced by factors including the use of the spaces where overlooking occurs, the times and frequency these spaces are being used, expectations of occupants for privacy and their ability to control overlooking with screening devices."...

Relevant DCP objectives to satisfy in relation to this part include the following:

- Objective 1) To minimise loss of privacy to adjacent and nearby development by:
 - appropriate design for privacy (both acoustical and visual) including screening between closely spaced buildings;
 - mitigating direct viewing between windows and/or outdoor living areas of adjacent buildings.
- Objective 2) To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space.
- Objective 3) To encourage awareness of neighbourhood security.

See also paragraph 4.1.5.3 Principal Private Open Space.

See also Amcord Design Element 5.5 for acceptable solutions in meeting the objectives of this plan where this plan is otherwise silent. Amcord solutions are not to be adopted where they result in any non-compliance with this plan or in the case of Residential Flat Buildings are inconsistent with guidance in relation to visual privacy set out in Part 3F of the Apartment Design Guide.

3.4.2.1 Window Design and Orientation

- a) Use narrow, translucent or obscured glass windows to maximise privacy where necessary.
- b) When building close to boundaries, windows must be off-set from those in the adjacent building to restrict direct viewing and to mitigate impacts on privacy.

3.4.2.2 Balconies and Terraces

- a) Architectural or landscape screens must be provided to balconies and terraces to limit overlooking nearby properties. ~~Architectural screens must be fixed in position and suitable angled to protect visual privacy.~~
- b) Recessed design of balconies and terraces can also be used to limit overlooking and maintain privacy.

3.5 Sustainability

3.5.1.1 Building Form, Design and Orientation (Sustainability – Solar Access)

Replace paragraphs a), b) & c) with “The building and site layout is to maximise northern orientation to optimise solar access. Achieving passive solar energy efficiency is an important consideration in design, but it must be balanced with responding to desired streetscape character; promoting amenity for both the proposed development and neighbouring properties (including views, overshadowing and noise considerations), retaining trees and responding to topography.”

3.5.3.2 Location of area of openings

Edit paragraph a) to read “The area of unobstructed window opening should be equal to at least 5% of the floor area served.”

Delete paragraph b) as it largely repeats guidelines at paragraph 3.5.1.1.b.

3.5.3.3 Mechanical Systems

Delete paragraphs a) – j)

- ~~a) If air-conditioning is required, ensure it has sufficient controls so it is used only when required, including on/off programming schedules, after hours and holiday scheduling, and cooling and heating based on occupancy;~~
- ~~b) Ensure any air-conditioning system is well insulated, particularly those located in roof space;~~
- ~~c) Consider directing air-conditioning only to areas where it is needed, and relying on natural ventilation for the remaining part of the building;~~
- ~~d) Use a combination of passive methods, such as direct solar access, window shading, appropriate insulation and sealing, and natural ventilation to reduce the overall use of mechanised systems;~~
- ~~e) Ensure cooking exhaust systems are not oversized in respect of their proposed use, and fit time controls to exhaust fans so that they switch off after a few minutes, or sensors to activate them during cooking;~~
- ~~f) In industrial units and warehouses, locate goods doors away from areas that may require mechanised heating or cooling;~~
- ~~g) Depending on the amount of movement, consider rapidly closing doors, plastic strip curtains or pneumatic seals for commercial and industrial buildings;~~
- ~~h) Cool small office buildings by reverse cycle air-conditioning units that can be controlled individually and operated independently of the rest of the building if needed out-of-hours;~~
- ~~— Hotels should use a card system so air-conditioning and lighting in each guest room is switched off when the room is vacated;~~
- ~~i) Install appropriately-sized cooling and heat plant and equipment; and~~
- ~~j) Investigate the use of cooling and heating energy efficiency opportunities including economy cycles, night purging, variable speed drives, humidity controls and electronic expansion valves.~~

4.1.1 Dwelling Density, Dwelling Size and Subdivision

Note: In addition to the minimum subdivision lot size standards at LEP clause 4.1, the density controls in conjunction with other controls in this plan are also important means of prescribing the nature and intended future of the residential areas of Manly.

Relevant DCP objectives to be satisfied in relation to this part include:

- Objective 1) To promote a variety of dwelling types, ~~allotment sizes~~ and residential environments in Manly.
 - Objective 2) To limit the impact of residential development on existing vegetation, waterways, riparian land and the topography.
 - Objective 3) ~~To promote a variety of allotment sizes, residential environments and housing diversity and a variety of dwelling sizes to provide an acceptable level of internal amenity for new dwellings.~~
- ...

4.1.1.1 Residential Density and Dwelling Size

This section contains maximum permissible residential density controls which generally apply to land identified on the LEP Lot Size Map and determine the maximum number of dwellings that may be achieved on any one parcel of land.

- The maximum permissible residential density control at Figure 24 - Minimum Residential Density applies to land identified in Residential Density Areas on the Minimum Residential Density Map at *Schedule 1 - Map A* in this plan.

Figure 24 - Minimum Residential Density determines the maximum number of dwellings that may be achieved on any one development site. This figure indicates the minimum site area required for every dwelling contained on a site. For example, if a density control of 300sqm per dwelling applies to a site with a site area of 600sqm the density control would allow for a maximum of 2 dwellings.

- For the purposes of calculating the residential density control for battle-axe lots, the area of the access handle is excluded from the site area, consistent with the provisions for minimum subdivision lot size in LEP clause 4.1(3A).

Figure 24 - Minimum Residential Density (to be read in conjunction with Schedule 1 - Map A)

Residential Density Areas	Minimum Residential Density
D1	50 sqm of site area required per dwelling
D2	150 sqm of site area required per dwelling
D3	250 sqm of site area required per dwelling
D4	300 sqm of site area required per dwelling
D5	500 sqm of site area required per dwelling
D6	600 sqm of site area required per dwelling
D7	750 sqm of site area required per dwelling
D8	950 sqm of site area required per dwelling
D9	1150 sqm of site area required per dwelling

- Notwithstanding the minimum Residential Density in Figure 24, no more than 2 dwellings may be constructed on lots 29, 30, 31 and 32 in Section 5 of DP 939916, known as 15 -17 Suwarro Street Fairlight.

Dwelling Size

- Dwellings are required to have the following minimum internal areas:
 - Studio dwellings: 35sqm
 - 1 bedroom dwellings: 50sqm
 - 2 bedroom dwellings: 70sqm
 - 3 bedroom dwellings: 90sqm

The minimum internal areas include only 1 bathroom. Additional bathrooms increase the minimum internal area by 5sqm.

A 4th bedroom and further additional bedrooms increase the minimum internal area by 12sqm each.

Note: Dwelling Size Guidelines are adopted from the NSW Apartment Design Guidelines to apply more broadly to all residential accommodation considered under this Plan.

Note: This paragraph does not apply to Secondary Dwellings which are subject to their own development standard for minimum floor area at LEP clause 5.4(9).

4.1.4 Setbacks (front, side and rear) and Building Separation

Note: This section addresses the buildings' setback from its various property boundaries.

Relevant DCP objectives to be met in relation to this part include:

- Objective 1 To maintain and enhance the existing streetscape including the desired spatial proportions of the street, the street edge and the landscape character of the street.
- Objective 2 To ensure and enhance local amenity by:
 - providing privacy;
 - providing equitable access to light, sunshine and air movement;

- facilitating view sharing by maintaining adequate space around the front, back and sides of buildings to limit impacts on views and vistas from both private and public spaces;
- defining and adding character to the streetscape including the provision of adequate space between buildings to create a rhythm or pattern of spaces; and
- facilitating safe and adequate traffic conditions including levels of visibility around corner lots at the street intersection.

See also objectives at paragraph 3.4 Amenity.

Objective 3) To promote flexibility in the siting of buildings.

Objective 4) To enhance and maintain natural features by:

- accommodating planting, including deep soil zones, vegetation consolidated across sites, native vegetation and native trees;
- ensuring the nature of development does not unduly detract from the context of the site, and particularly in relation to the nature of any adjoining Open Space lands and National Parks; and
- ensuring the provisions of State Environmental Planning Policy No 19 - Urban Bushland are satisfied.

Objective 5) To assist in appropriate bush fire asset protection zones.

Note: In addition to the setbacks required in this plan, residential development subject to the Residential Apartment Code is subject to additional setback requirements for adequate building separation to achieve reasonable levels of privacy e.g. 12m separation between habitable rooms and balconies between buildings up to 4 storeys either on the same site or across a site boundary to a neighbouring building.

4.1.4.1 Street Front Setbacks

See also paragraph Safety and Security - Street Surveillance

...

- c) Where the street front building lines of neighbouring properties are variable and there is no prevailing building line in the immediate vicinity i.e. where building lines are neither consistent nor established, a minimum 6m front setback generally applies. This street setback may also need to be set further back for all or part of the front building façade to retain significant trees and to maintain and enhance the streetscape.
- d) Where the streetscape character is predominantly single storey building at the street frontage, the street setback is to be increased for any proposed upper floor level. See also paragraph 4.1.7.1.

4.1.4.2 Side Setbacks and secondary street frontages

...

- c) Windows of living and dining areas in new dwellings. All new windows from habitable rooms of dwellings that face the side boundary are to be setback at least 3m from the boundary.

4.1.4.4 Rear Setbacks

b) The character of existing natural vegetated settings are to be maintained.

c) On sloping sites, consideration is to be given to an increased setback to enhance the natural vegetated setting particularly where new development is uphill and in sensitive foreshore locations.

c) On sloping sites, particularly where new development is uphill and in sensitive foreshore location, consideration must be given to the likely impacts of overshadowing, view loss and visual privacy.

d) Rear setbacks must relate to the prevailing pattern of setbacks in the immediate vicinity to minimise overshadowing, view loss and visual privacy.

4.1.5.2 Landscaped Area

c) Minimum Tree Planting

...iii) The required minimum number of native trees required under this paragraph must be planted in a deep soil zone as defined in this plan's Dictionary.

Note: Suggested minimum soil volumes for tree planting generally are as follows: Large size trees (13-18m high with 16m spread) required 80 cubic metres of soil. Medium size trees (9-12m high with 8m spread) requires 35 cubic metres of soil. (Source: NSW Apartment Design Code 2015)

4.2 Development in Business Centre

4.2.2 Height of Building

4.2.2.1 Exceptions to Height for Design Excellence

In determining whether to grant an exception to the LEP height standard, the environmental planning grounds to justify contravening the development standard (LEP clause 4.6(3)) may include consideration of the design principles at paragraph 3.1.3.1 Design Principles in this DCP.

4.2.3 Setbacks

See also LEP clause 6.13 Design Excellence in determining the exceptions to the nil setback guidelines in this paragraph.

4.2.5 Manly Town Centre and Surrounds

Note: These paragraphs provide guidelines in relation to the Manly Town Centre (LEP Zone B2 Local Centre) as well as other land in the vicinity (including LEP Zones R3 Medium Density & SP3 Tourist) and also deal particularly with Backpackers' Accommodation and Late Night Venues.

See also paragraph 3.1 Streetscape and Townscapes.

See also LEP clause 6.13 Design Excellence in determining the exceptions to the nil setback guidelines in this paragraph.

See also Part 5 Special Areas in relation to the heritage significance of Manly Town Centre and The Corso.

Relevant DCP objectives to be met in relation to these paragraphs include:

Objective 1 To consolidate, promote and strengthen both retail activity in the Manly Town Centre as well as townscape in accordance with the townscape requirements of this plan.

4.2.5.1 Design for Townscape

~~Regardless of whether a building is listed as an item of environmental heritage in the LEP, the~~ Council must be satisfied that the design of ~~new~~ development (~~not just heritage listed buildings~~) gives due attention to the site's position within, and the development's contribution to the overall existing and future townscape quality of the Manly Town Centre and surrounds.

In addition to the townscape principles at paragraph 3.1.3 which apply to all Centres including the Townscape Principles Map A for Manly Town Centre at Schedule 2 of this plan, additional townscape requirements for Manly Town Centre and Surrounds apply as follows:

~~See also paragraph 3.1 Streetscape and Townscapes for townscape principles when designing for townscape.
See also Schedule 2 – Map A – Manly Town Centre Townscape Principles.~~

Townscape Requirements

- a) Maintain important corners identified at Schedule 2, including strongly defined corner buildings.
- b) Ensure corner development has strong height and facade elements with building along the street frontage being set by these corner heights. Construct to boundary. Maintain and re-use existing development if it achieves objectives.
- c) Maintain existing public arcade links identified in Schedule 2 and encourage new through-block arcades which in turn should limit the size of parcels and the bulk of large buildings.
- d) Acknowledge important end of vista sites identified in Schedule 2. Appearance of the street elevation requires special attention at the end of these vistas.
- a) Maintain the predominant pattern of narrow fronted buildings within the town centre with new buildings incorporating modulation of the street wall such as recesses or ~~modelling~~ modulation in the building facade to visually reduce the length and perceived bulk of the street wall.
- b) Maintain existing setbacks.
- c) New development to enhance townscape characteristics, disregarding existing unsympathetic buildings.
- d) Step back development around the intersection of Sydney Road and Whistler Street to reveal the historic building (church) at this intersection.
- e) Develop new facade line in North Steyne to avoid unattractive end walls and sharp transitions in the vicinity of 46-48 North Steyne, Manly.

- f) Height and setback of development must cause no undue affectation to properties to the south in terms of loss of sunlight or privacy (Pittwater Road).

4.4.8 Subdivision

This paragraph applies to all new subdivisions, **and** the re-configuration of existing allotments within a subdivision and the consolidation of allotments.

5.3 St Patrick's Estate, Manly

Note: LEP clause 6.13 Design Excellence also applies to St Patrick's Estate pursuant to clause 6.13(2)(b). In particular, the statutory considerations at clause 6.13(4)(a) to (k) that are most relevant to development at St Patricks Estate include the setting (subclause (f)), protection and enhancement of natural topography and vegetation (and other natural features) (subclause (g)), promotion of vistas from public places to prominent natural and built landmarks (subclause h); and high standards of design, material and detailing (subclause i)).

Dictionary

Building line means the predominant line formed by the main external face of the building. Balconies or bay window projections may or may not be included depending on desired streetscape.

Deep Soil zone means an areas (within the landscaped area) within a development that is unimpeded by building or structures above or below ground and have a minimum dimension of 6m. Deep soil zones exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and rood areas.

Façade means the external face of a building, generally the principal face, facing a public street or space.

Studio Dwellings means a dwelling with only 1 habitable room that combines kitchen, living and sleeping space.

ITEM 9.2	DRAFT MANLY DEVELOPMENT CONTROL PLAN 2013 AMENDMENT 9
REPORTING MANAGER	DEPUTY GENERAL MANAGER PLANNING & COMMUNITY
TRIM FILE REF	2016/199539
ATTACHMENTS	1 Proposed Amendments to Draft Manly Development Control Plan 2013 (Amendment 9)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report relates to proposed amendments to Manly Development Control Plan 2013 and recommend that Council exhibit the amendments.

SUMMARY

This report actions the adopted recommendations of the former Manly Council's LEP DCP Working Group to review certain aspects of the Manly Development Control Plan 2013 in relation to existing planning controls for Balgowlah Local Centre and the bulk and scale of redevelopments in the Centre involving shop top housing development and considering heritage protection of facades.

As a result of the proposed review certain amendments are recommended for the Manly Development Control Plan 2013.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That:

- A. Council place the draft Manly Development Control Plan 2013 Amendment 9 on public exhibition for 28 days.
 - B. Following the public exhibition period a further report be brought to Council outlining any submission received.
-

REPORT

BACKGROUND

At the last meeting of the former Manly Council LEP DCP Working Group dated 9 March 2016 Item 8 (part 2) of the adopted Minutes recommended to the General Manager that:

"Council review existing planning controls for Balgowlah Local Centre with regards to the bulk and scale of redevelopments involving shop top development and consider heritage protection of facades."

Existing Planning Controls For Balgowlah

Manly Local Environmental Plan 2013 zones the Balgowlah Village as Zone B2 Local Centre. The LEP also contains certain local provisions for the zone in relation to shop top housing, design excellence, bonus floor space for commercial development and minimum floor space restrictions for retail premises. Development standards are also mapped in relation to building height and floor space ratio. There are no LEP heritage provisions for Balgowlah Local Centre except for the street trees in Condamine Street.

Relevant Local Provisions at Part 6 of the LEP are summarised as follows:

- *Clause 6.11 Shop Top Housing:* This provision seeks to attract pedestrian traffic along ground floor frontages in the zone by requiring that premises on the ground floor of the building facing the street must be either retail or business premises. Exceptions to this requirement include entrances and lobbies and access for vehicles and fire services.
- *Clause 6.13 Design Excellence:* This provision seeks to deliver the highest standard of architectural and urban design of buildings and public space by listing a range of considerations including overshadowing of public open space, defined edges, casual surveillance and social activity, setting, natural topography and vegetation, vistas, standards of design, materials and detailing; environmental factors and utility infrastructure.
- *Clause 6.16(3) Minimum Floor Space for Commercial Premises:* Both this provision and the following clause at Clause 6.16(4) provide for viability and encourage the development, expansion and diversity of business activities for the economic growth, retention of local services and employment. This particular clause states that development consent must not be granted for a new building unless at least 25 percent of the building is for commercial premises.
- *Clause 6.16(4) Maximum Floor Space Restrictions for Retail Premises:* This clause states that development consent must not be granted for retail premises with a gross floor area greater than 1000 square metres.

Manly Development Control Plan 2013 provides an array of guidelines relevant to Balgowlah Centre including lodgment requirements (paragraph 2.1); planning principles for townscape (paragraph 3.1.3 and Schedule 2 Map); amenity (paragraph 3.1.4) etc.; Development Controls of the Business Zone (paragraph 4.2) and guidelines particularly for Balgowlah Local Centre (paragraph 4.2.6).

In relation to the particular DCP guidelines for Balgowlah Local Centre at paragraph 4.2.6 and Schedule 2 Map the relevant provisions are noted as follows:

- Permitted wall height at the street frontage to 10.5m (paragraph 4.2.6.1).
- Consideration of exceptions to height and particular limitations on the height above established street facades at 292 - 338 Sydney Road (paragraph 4.2.6.2).
- Setback guidelines for both street front and side boundaries as well as certain Sydney Road properties adjoining Lane 34 (paragraph 4.2.6.3).

- Parking and Access guidelines (paragraph 4.2.6.4).
- Use of 120 Condamine Street as a place of public worship (paragraph 4.2.6.5).

Review of Shop Top Housing in Balgowlah

All major redevelopments in the recent past (largely since the Stocklands redevelopment) have been mixed use developments comprising Shop Top Housing and includes the following:

- 374-378 Sydney Road with 19 shop top units under construction (DA2011/277)
- 360-364 Sydney Road with 9 shop top units recently completed (DA2010/342)
- 385 Sydney Road with 10 shop top units completed 2013 (DA2012/105)
- 387-391 Sydney Road with 10 shop top units completed 2005 (DA2005/106)
- 366-372 Sydney Road with 18 shop top units completed 2000 (DA1998/1134)

With particular regards to the bulk and scale of redevelopments involving shop top housing developments along Sydney Road, the existing controls generally allow for development comprising some 4 storeys including commercial development at street level and basement parking with rear access. The topography of these sites support additional building height behind the street frontage consistent with the general slope of the land which generally falls away from Sydney Road on both sides of the street. In this regard development retains an established height at the street façade of 3 storeys or 10.5m wall height.

Prior to Manly LEP 2013 the height control was 10.5m at the street frontage under the Manly DCP for the Business Zone 1989, but otherwise allowed for a greater height in the circumstance of the case having regard to townscape and amenity considerations. Whilst the 10.5m maximum wall height is retained in the Manly DCP 2013, Manly LEP 2013 introduced a total building height of 12.5m to conform to NSW standard definitions for height of buildings i.e. allowing a further 2m above the DCP wall height. The continued provisions of a development standard which allows for greater height for the site overall (and behind the street front) is considered to allow appropriate flexibility which ensures that the height of the development at the front façade be maintained at a maximum 10.5m, being more critical in terms of the generally established bulk and scale of facades and desired townscape outcomes for the Balgowlah Centre.

With particular regards to options for heritage protection of facades, the preferred planning mechanism in this regard would be heritage listing in the LEP. Such listing would require comprehensive heritage review and should not be considered on an ad-hoc basis. Further consideration may also be given in any future LEP amendment which provides FSR bonuses for the protection of front facades where this protection may be further investigated eg 292-338 Sydney Road.

The DCP currently recognises the significance of certain existing facades with particular reference to 'established street facades' (paragraph 4.2.6.2.c) for the group of buildings on the northern side of Sydney Road east of Condamine Road i.e. 292-338 Sydney Road. In this regard the DCP guideline states that the height of new development above the established street facades is not to be visible from the street. A similar control exists for The Corso requiring parapets on the street frontage 'to be read against the sky' (paragraph 5.1.2.4). In addition to the established height of street facades in Balgowlah, the street facades are also characterised by typically narrow width shop frontages of 6m-10m which contribute to scale and character of the Centre.

Recommendations for DCP Amendment are made as detailed below (Attachment) to strengthen existing guidelines which further recognises the significance of established street facades in preserving the character of an area. In this regard any new street facades are to be of a bulk and scale that is consistent with existing/established street facades (regards to both height and width)

and that development behind the street facades similarly respects the established street facades as viewed from the street.

Draft Manly Development Control Plan Amendments

In response to this review certain recommendations are made for draft amendments to the DCP which strengthen the maximum 10.5m wall height to assist in the protection of locally characteristic street facades. In this regard it is proposed to expand existing paragraph 4.2.6.1 and the environmental planning grounds for retaining an established 10.5m wall height at the street façade. Additional objectives are drafted for wall height and to provide environmental planning grounds to guide the assessment of any exceptions to the height development standard in the LEP.

Other minor edits are proposed to update notes and delete various text that is repetitious or obsolete. In this regard the setback provisions for Balgowlah are similar to the setback requirements for the B1 & B2 zone generally at paragraph 4.2.3. Provisions at paragraph 4.2.4.3 which restrict vehicular access from the Stocklands Development to Woodland Street is obsolete as this part of the site has been subsequently been developed for residential purposes and subdivided. Provisions at paragraph 4.2.6.5 which require that at least 20 percent of floor space at 120 Condamine Street be retained as a place of public worship is not required given the existing use rights afforded the current church under the Environmental Planning and Assessment Act 1979.

CONSULTATION

The proposed consultation activities for the draft plan include:

- Public notice in the Manly Daily.
- Hardcopies of documents available for viewing at Manly Chambers and Manly Library.
- Information and links to online documents on Council's website under 'Public Exhibitions'.

TIMING

In accordance with the Environmental Planning and Assessment Regulation the proposed draft Manly DCP 2013 Amendment No. 9 is to be exhibited for twenty-eight (28) days.

FINANCIAL IMPACT

The proposed DCP Amendments are to be prepared using existing strategic planning resources and given the nature of the amendments are unlikely to incur any significant financial impact.

SOCIAL IMPACT

The proposed DCP Amendments are unlikely to have any significant financial impact.

ENVIRONMENTAL IMPACT

Any environmental impacts associated with the DCP are likely to be diminished by the improved planning guidelines proposed under the amendment.

ATTACHMENT

4.2.6 Balgowlah Local Centre

Note: Balgowlah Local Centre (LEP Zone B2) is predominantly linear developments along Sydney Road and as intersected along Condamine Road. Along Sydney Road on the north side the Centre extends west to Woodland Street and along all other street frontages the edge of the Centre adjoins the surrounding residential precinct zoned R2 General Residential, although inclusion of certain other street frontages allows the opportunity in new developments to provide alternative rear access arrangements and linking pedestrian arcades are significant townscape elements. Redevelopment also gives the opportunity to form more interesting streetscapes generated by distinctive end and corner buildings and building heights which can provide some feeling of enclosure to the width of the street. Pedestrian protection, retention of interesting shopfront development and flexible floor plan and access layouts are important.

See also paragraph 3.1.3 Townscape (Local and Neighbourhood Centres)

See also paragraph 4.2.3 Setbacks Controls in LEP Zones B1 and B2

See also paragraph 4.2.4 Car parking, Vehicular Access and Loading

4.2.6.1 Wall Height on the Street Frontage

Note: The maximum building height is a development standard in the LEP and is contained in the Height of Buildings Map.

- a) Within the LEP building height development standard, this DCP limits the wall height at the street frontage to 10.5m which is determined to be the established maximum height of facades for the Local Centre particularly along Sydney Road and significant in preserving local characteristics of the townscape.

4.2.6.2 Consideration of height above the wall height at street frontage

Exceptions to LEP Building Height

- Objective 1 To ensure that the height of buildings including the height at the street frontage fulfils Council's townscape objectives.

The extent of any exception to the LEP FSR development standard pursuant to LEP clause 4.6 is to consider whether:

In relation to building height above 10.5m at the street frontage (up to 12.5m in the LEP) consideration will be given to the appropriate height having regard to whether:

- a) the height of the street frontage of the building complies with the wall height requirement at paragraph 4.2.6.1 of this plan;
- b) provides a better relationship to adjoining development in terms of fulfilling the Council's townscape objectives, and does not adversely affect adjoining properties in terms of loss of sunlight, views and privacy;
- c) plant rooms, lift overruns, pitched roofs or the like are designed as an integral part of the building in such a way as to appear an appropriate part of the overall townscape and not conflict with overall townscape objectives (see paragraph 3.1 Streetscapes and Townscapes);
- d) Due to the slope of the land if it can be demonstrated that no adverse effect to adjoining properties would result and that
- e) In relation to 292-338 Sydney Road, Balgowlah, the height above established street facades in this location are not visible from the street.

4.2.6.3 Setbacks

- a) All buildings must be constructed to both the street front and side boundaries of the allotment except where:
 - (i) the building adjoins residential zoned land in the LEP (including zones E3 & E4), in which case the principles of height and setback for Residential development contained within this DCP;
 - (ii) the applicant can demonstrate to the satisfaction of the Council that an alternative setback will not conflict with overall townscape objectives, reduce the general availability of retail frontage or remove weather protection for pedestrians and results in usable public open space; or where
 - (iii) the stipulated setback would be undesirable in terms of the amenity of any residential uses existing on adjoining land or proposed for inclusion in the development applies.

In relation to the rear setback of certain Sydney Road properties adjoining Totem Lane 34 known as 340 to 358 Sydney Road, Balgowlah, all buildings must be setback at least 1.5m from the rear boundary to ensure:

- a) pedestrian access is provided in a safe and accessible manner along the southern side of Totem Lane 34;
- b) the provision of landscaping at the rear boundary; and
- c) the setback area is not to be enclosed by walls, fencing or any other structure to ensure adequate site distances for vehicles accessing Totem Lane 34.

4.2.6.4 Car parking and Access

Design Excellence in the Design of Street Facades and Onsite Carparking

See also LEP Clause 6.13 Design Excellence

See also Schedule 3 for minimum parking requirements

- a) In the provision and design of onsite parking the development is to exhibit design excellence which protects and enhances the streetscape and quality of the public realm under LEP clause 6.13(c) by ensuring that:

All residential car-parking must be provided on site except where it can be demonstrated that:

- i) the required vehicular access does not interfere with the continuity of retail frontage or interrupts the frontage of the property in other ways that would conflict with any other provisions of this DCP, in particular the townscape objectives and established street facades.
- ii) the movement of vehicles to and from the site would will not conflict with pedestrian movements, special servicing arrangements for pedestrianised areas or contribute to congestion at key intersections.
- iii) the position of the parked vehicle (or the including carport or garage) in the property would will not interfere with the desired character of the streetscape or neighbourhood.

Application of Manly Section 94 Contributions Plan

- b) In Balgowlah Centre any customer or employee parking component of developments that cannot be provided on site must be met by way of contribution in accordance the Council's Section 94 Contributions Plan.

4.2.6.5 Development of 122 Condamine Street, Balgowlah

- a) This clause applies to Lot 1, DP 599383 and Lot 5, DP 978325, known as 120 Condamine Street, Balgowlah.
b) A minimum of 20 percent of the gross floor area of all buildings on the land is to be used for the purpose of a place of public worship.

Also

4.2.4.3 Access to Woodland Street

Vehicular access to the basement car-parking for the Shopping Centre known as 'Balgowlah Village' (other than for residential purposes) is not allowed from Woodland Street.

ITEM 9.3	BOAT TRAILER PARKING PILOT PROGRAM
REPORTING MANAGER	DEPUTY GENERAL MANAGER PLANNING & COMMUNITY
TRIM FILE REF	2016/209477
ATTACHMENTS	1 Report to Council - 2 May 2016 2 Minutes Item - Pittwater Council Meeting 2 May 2016 3 Map of LGA - Description of Declared Land Area

EXECUTIVE SUMMARY

PURPOSE

Resolve to enable the General Manager to make an Order for publication in the New South Wales Government Gazette in relation to a declared area for the purpose of boat trailer impounding, under the *Impounding Act 1993*.

SUMMARY

Northern Beaches Council is one of three councils invited to participate in the Boat Trailer Impounding pilot program, which commences on proclamation of the Impounding Amendment (Unattended Boat Trailers) Act 2015 on 1 July 2016. However, Council cannot commence the pilot until an Order is published in the NSW Government Gazette.

Each year, Council receives a significant number of complaints from residents and businesses in relation to boat trailers that are causing parking issues, road safety concerns, residential and visual amenity issues. The change in Legislation is to enable Councils to improve the management of boat trailer parking on public roads and land, to encourage the use of off-street storage and to better address the community concerns.

On 2 May 2016 Council adopted the following recommendations:

- ‘1. *That Council note the Impounding Amendment (Unattended Boat Trailers) Act 2015 will commence on 1 July 2016.*
2. *That Council endorses its participation in the three month pilot program being undertaken by the Office of Local Government to implement the new legislation.*
3. *That Council approves the measures being applied to include the Pittwater Council Local Government Area in its entirety.’*

The Office of Local Government (OLG) is of the opinion that the wording of Council’s previous resolution regarding the pilot program (at the former Pittwater Council meeting of 2 May 2016) is not sufficient to base an Order on, as it does not specifically resolve to declare any area for the purpose of this Act (it only accepts the Minister’s offer to be in the pilot program and apply the pilot program to the whole council area).

The previous resolution specifies that only the former Pittwater Council area will be declared during the pilot period (until 30 September 2016), as the original invitation to participate was to the former Pittwater LGA.

The OLG has provided the wording of the recommendation as it appears below in order to meet their requirements.

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That:

- A. By Order of the Council made by this resolution the area described in the report under the heading, Description of the Declared area, be, on and from 15 July 2016 a declared area for the purposes of section 15A(1) of the Impounding Act 1993.
 - B. The General Manager arrange for the publication of this Order in the Gazette and for the Order to contain details of the area declared.
-

REPORT

BACKGROUND

Northern Beaches Council is one of three councils invited to participate in the Boat Trailer Impounding pilot program, which commences on proclamation of the Impounding Amendment (Unattended Boat Trailers) Act 2015 on 1 July 2016. However, Council cannot commence the pilot until an Order is published in the NSW Government Gazette.

Council is therefore required to pass a new, more detailed resolution to enable the making of an Order. OLG has provided wording to ensure the resolution meets legal requirements.

It is also noted that Council cannot take any enforcement action under the legislation for a further 28 days after the area is declared in the Gazette.

The previous report to Council dated 2 May 2016 and the Committee Recommendation Report to Council on Proposed Amendment to Impounding Act 1993, dated 2 May 2016 are both attached to the report for information.

Description of the Declared Area

The area described below and depicted in the map attached to this report:

"Area about 125.02 square kilometres: commencing at the intersection of the generally northern shore of Narrabeen Lagoon and the shore of the South Pacific Ocean, and bounded thence by the latter shore generally northerly to the eastern extremity of Barrenjoey Head; by that head generally westerly to its western extremity; by a line westerly to West Head; by the right banks of Hawkesbury River and Cowan Creek; by that creek, Akuna Bay and an unnamed creek flowing into Akuna Bay upwards to Liberator General San Martin Drive; by that drive generally south-easterly, West Head Road generally south-westerly and McCarrs Creek Road generally south-easterly to Wirreanda Creek; by that creek upwards to the generally western boundary of Lot 7306, DP 1132678; by that boundary and its prolongation generally southerly to Mona Vale Road; by that road generally north-easterly and Powder Works Road generally south-easterly to the northern prolongation of the generally eastern boundary of Lots 2 & 4, DP 792962; by that boundary generally southerly, a line, part of the northern and the easternmost eastern boundaries of Portion 76 easterly and southerly, a line, and part of the generally northern boundary of Portion 77 and its prolongation generally easterly to Deep Creek; by that creek downward to the generally northern shore of Narrabeen Lagoon, aforesaid, and by that shore generally north-easterly to the point of commencement. But excluding any national park, historic site, nature reserve, state game reserve, state conservation area, regional park (other than a park under the care, control and management of the council), Karst conservation area or Aboriginal area (as defined in the National Parks and Wildlife Act 1974)".

CONSULTATION

A Community Engagement Plan has been developed following a workshop in May 2016 in conjunction the three Councils participating in the pilot program, Roads & Maritime Services & Transport NSW. The Office of Local Government has encouraged Councils to clearly communicate to residents, businesses and visitors any areas where the restrictions may apply. This is being achieved through the following methods of engagement as a minimum:

- Advice on Council's website, E-news and the Manly Daily newspaper
- Relevant boating associations

TIMING

It is anticipated that the Boat Trailer Pilot Program will commence on 15 July 2016.

RESOURCE IMPLICATIONS

This pilot program offers an opportunity for Council to assess the resource implications related to the enforcement of the *Impounding Amendment (Unattended Boat Trailers) Act 2015*.

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

Each year, Council receives a significant number of complaints from residents and businesses in relation to boat trailers that are causing parking issues, road safety concerns, residential and visual amenity issues. The change in Legislation is to enable Councils to improve the management of boat trailer parking on public roads and land, to encourage the use of off-street storage and to better address the community concerns.

Throughout the three month pilot program, Council is allowing the community an opportunity to provide feedback on the proposed new legislation.

ENVIRONMENTAL IMPACT

The pilot program does not impose impacts to the environment and aims to address abandoned boat trailers in reserves and streets within the former Pittwater LGA.

PITTWATER COUNCIL

C9.1 Proposed Amendment to Impounding Act 1993

Meeting: Connecting Communities Committee Date: 2 May 2016

COMMUNITY STRATEGIC PLAN STRATEGY: Building Communities

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To support community initiatives that respond to community needs
- To maintain Pittwater as a safe community
- To ensure all levels of government provide infrastructure to meet the community's needs and expectations

DELIVERY PROGRAM ACTION:

- Ongoing enforcement program to achieve effective utilisation of car parking space

1.0 EXECUTIVE SUMMARY

1.1 SUMMARY

The NSW Government has extended an invitation to Pittwater Council to participate in a pilot program to implement the *Impounding Amendment (Unattended Boat Trailers) Act 2015* legislation.

Each year, Council receives a significant number of complaints from residents and businesses in relation to boat trailers that are causing parking issues, road safety concerns, residential and visual amenity issues. The change in Legislation is to enable Councils to improve the management of boat trailer parking on residential streets, to encourage the use of off-street storage and to better address the community concerns.

Council endorses its participation in this program and that the measures be applied to include the Pittwater Council Local Government Area in its entirety. This is to ensure a consistent approach across the LGA with a view to preventing boat trailers being relocated within close proximity in the surrounding area.

2.0 RECOMMENDATION

1. *That Council note the Impounding Amendment (Unattended Boat Trailers) Act 2015 will commence on 1 July 2016.*
2. *That Council endorse its participation in the three month pilot program being undertaken by the Office of Local Government to implement the new legislation.*
3. *That Council approve the measures being applied to include the Pittwater Council Local Government Area in its entirety.*

3.0 BACKGROUND

3.1 PURPOSE

To outline Council's participation in a pilot program for *Impounding Amendment (Unattended Boat Trailers) Act 2015* new legislation.

3.2 BACKGROUND

The *Impounding Amendment (Unattended Boat Trailers) Act 2015* will commence by proclamation on 1 July 2016.

This will enable Councils and other impounding authorities to take action against boat trailers for parking for more than 28days.

3.3 POLICY IMPLICATIONS

- Nil

3.4 RELATED LEGISLATION

- *Impounding Amendment (Unattended Boat Trailers) Act 2015*

FINANCIAL ISSUES

3.5.1 Budget

- There are no budget implications.

3.5.2 Resources Implications

- This pilot program offers an opportunity for Council to assess the resource implications related to the enforcement of the *Impounding Amendment (Unattended Boat Trailers) Act 2015*.

4.0 KEY ISSUES

4.1 Council has received an invitation from The Hon Paul Toole MP, Minister for Local Government to participate in a three month pilot program to implement the *Impounding Amendment (Unattended Boat Trailers) Act 2015*. (Attachment 1).

Council has accepted the invitation to participate in the trial project and it is recommended that the measures be applied to include the Pittwater Council Local Government Area in its entirety. This is to ensure a consistent approach across the LGA with a view to preventing boat trailers being relocated within close proximity in the surrounding area.

Once the *Impounding Amendment (Unattended Boat Trailers) Act 2015* comes into effect, Council's and other impounding authorities can apply the new measures to all or part of their operational area. This will provide flexibility to meet the specific needs of different communities. Areas where the measures apply must be published in the NSW Government Gazette.

The operation of the Act will require that, in areas where the measures apply, boat trailers must move at least every 28 days, at least as far as a different block section of the same street. Council must provide at least 15 days notice before impounding a trailer.

- 4.2 A workshop is to be held in May 2016 in conjunction with the three Councils participating in the pilot program (Woollahra Council, Canada Bay Council & Pittwater Council), Roads & Maritime Services & Transport NSW. The workshop will provide Council an opportunity to discuss concerns surrounding enforcement and appropriate community engagement measures.

The legislation is aimed at stopping repeat boat trailer parking offenders, freeing up parking spaces for residents, to encourage the use of off-street storage and to better address the community concerns.

5.0 ATTACHMENTS / TABLED DOCUMENTS

Attachment 1 – Correspondence received from The Hon Paul Toole MP, Minister for Local Government dated 4 April 2016.

6.0 SUSTAINABILITY ASSESSMENT

6.1 GOVERNANCE & RISK

6.1.1 Community Engagement

A Community Engagement Plan will be developed following a workshop in May 2016 in conjunction the three Councils participating in the pilot program, Roads & Maritime Services & Transport NSW. The Office of Local Government has encouraged Councils to clearly communicate to residents, businesses and visitors any areas where the restrictions may apply. It is proposed that this can be achieved through the following methods of engagement as a minimum:

- Changes are to be advertised on Council website and e-news
- Changes to be advertised in the Manly Daily newspaper
- Council to notify adjoining Councils of the three month trial period of the new legislation
- Communication with key resident groups

6.1.2 Risk Management

Relevant risk management assessments will be undertaken in relation to the program following the workshop to be held in May 2016. It is believed that the program poses minimal risk to Council's financial, social and governance viability with any mitigating factors considered.

6.2 ENVIRONMENT

6.2.1 Environmental Impact

The pilot program does not impose impacts to the environment and aims to address abandoned boat trailers in reserves and streets within the Pittwater LGA.

6.2.2 Mitigation Measures

Nil.

6.3 SOCIAL

6.3.1 Address Community Need & Aspirations

Each year, Council receives a significant number of complaints from residents and businesses in relation to boat trailers that are causing parking issues, road safety concerns, residential and visual amenity issues. The change in Legislation is to enable Councils to improve the management of boat trailer parking on residential streets, to encourage the use of off-street storage and to better address the community concerns.

6.3.2 Strengthening local community

Throughout the three month pilot program, Council intends to hold an active community engagement program to ensure the community are aware of changes to the Pittwater Local Government Area and allow the community an opportunity to provide feedback on the proposed new legislation.

6.4 ECONOMIC

6.4.1 Economic Development

- Nil

Report prepared by

Ashleigh Sherry
ACTING MANAGER, ENVIRONMENTAL COMPLIANCE

Attachment 1 to Council Report



The Hon Paul Toole MP
Minister for Local Government

4 APR 2016

Ref:
MIN:
Doc ID: A471326

Clr Jacqueline Townsend
Mayor
Pittwater Council
PO Box 882
MONA VALE NSW 1660



Dear Clr Townsend

I am writing to advise that the *Impounding Amendment (Unattended Boat Trailers) Act 2015* will commence by proclamation on 1 July 2016, and to invite Pittwater Council to participate in a three month pilot process to implement the new legislation.

The amendments will enable councils and other impounding authorities choosing to opt in, to take impounding action against boat trailers parked for more than 28 days. Where the measures apply, boat trailers must be moved at least every 28 days at least as far as a different block section of the same street.

Each council and impounding authority can choose whether to apply the measures and whether they ought to apply to all or part of their areas of operations. This provides flexibility to meet the needs of local communities and specific stakeholders.

To ensure that the initial implementation of the legislation is thoroughly assessed, the Office of Local Government (OLG) is undertaking a pilot process involving three councils that have identified unattended boat trailers as a key issue in parts of their local government area.

I am inviting your Council to advise OLG of its agreement to participate in the pilot process, and to nominate the intended areas to which the measures will apply, by 22 April 2016.

Assuming Pittwater wishes to participate in the pilot, your Council will also need to ensure that all areas to be declared for the measures appear in the NSW Government Gazette by the end of June 2016. However, to ensure consistency, OLG will work with your own and the other two proposed pilot councils (Canada Bay and Woollahra) to coordinate the gazettal process.

OLG will shortly issue a Circular to all councils, requesting that other councils nominate their intention to commence implementing these measures from 1 October 2016, at the end of the pilot process. It is anticipated that a further round of councils will commence implementing the measures from early 2017.

GPO Box 5341, Sydney NSW 2001
Phone: (61 2) 8574 7000 Fax: (61 2) 9339 5552 Email: office@toole.minister.nsw.gov.au

It is important that the general public and any affected organisations, including adjoining councils, receive clear and consistent advice about where and how the new law will apply, and councils will be requested to provide an appropriate period of notice. As this is a high priority issue in your area, I ask you to confirm that your Council has undertaken appropriate consultation with your local community and other stakeholders on the potential impacts of these measures before the trial begins.

It will be critical that your Council again communicate the measures and the areas to which they apply, particularly to local residents and visitors in the lead up to the commencement of the pilot period. OLG and Transport for NSW will also help to communicate key aspects of the new framework to relevant agencies, industry bodies and other key stakeholders in the lead up to the pilot process.

OLG will use the information provided by the three pilot councils to develop a public fact sheet clearly displaying the areas where the measures will apply. This material will be publicly available prior to the commencement of the pilot process, and will be updated over time as any new areas appear in the Gazette.

OLG will also host a workshop for pilot councils in the lead up to the commencement to achieve a consistent approach to compliance and enforcement. However, the new measures are not intended to replace the discretion of council officers to undertake other appropriate enforcement action. For example, the measures do not apply to boat trailers where a residential parking permit has been issued by a local council and is displayed.

Finally, with regard to the council merger proposal review process, of which your Council is currently a part, I can advise that appropriate action will be taken to ensure that boat trailer impounding measures remain applicable in previously gazetted areas, should specific mergers proceed.

If you require any further information about this issue please contact Mr Glen Colley, Principal Program Officer at OLG on (02) 4428 4129.

Yours sincerely



Paul Toole MP
Minister

Cc: Mr Mark Ferguson, General Manager
pittwater_council@pittwater.nsw.gov.au



MINUTE ITEM

C9.1 Proposed Amendment to Impounding Act 1993

Meeting: Connecting Communities Committee **Date:** 2 May 2016

COMMITTEE RECOMMENDATION

1. That Council note the Impounding Amendment (Unattended Boat Trailers) Act 2015 will commence on 1 July 2016.
2. That Council endorse its participation in the three month pilot program being undertaken by the Office of Local Government to implement the new legislation.
3. That Council approve the measures being applied to include the Pittwater Council Local Government Area in its entirety.

(Cr Hegarty / Cr Griffith)



ITEM 9.4	BUILDING FIRE SAFETY REPORT BY FIRE & RESCUE NSW - 21 ROGER STREET, BROOKVALE
REPORTING MANAGER	GROUP MANAGER DEVELOPMENT AND COMPLIANCE SERVICES
TRIM FILE REF	2016/209694
ATTACHMENTS	1 Fire & Rescue NSW Inspection Report and Recommendations - 21 Roger Street, Brookvale

REPORT

PURPOSE

To report to Council the findings of Council's Fire Safety Officer's investigation into essential fire safety measures at 21 Roger St Brookvale, instigated by Fire and Rescue NSW (F&R NSW).

REPORT

F&R NSW conducted an inspection of the premises located at 21 Roger Street Brookvale on 3 September 2015 identifying fire safety concerns in relation to the Smoke Detection System and Alarm System.

F&R NSW notified Council on 24 June 2016 requesting Council to inspect the premises to address the concerns identified, as well as identifying any other deficiencies relating to fire safety which are presented in a report in Attachment 1.

Section 121ZD of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* requires that Council table such reports and any recommendations made at the next meeting of Council.

Council is also to determine whether or not to issue an Order number 6 in the table to Section 121B of the EP&A Act 1979. Order number 6 is used to require the implementation of measures to prevent fire, suppress fire or prevent the spread of fire.

Council Staff carried out an inspection of the premises on 28 June 2016 where it was noted that the essential fire safety features within the building were adequate and do not require additional audit or upgrade. Annual fire safety statements for the building are also submitted to Council annually certifying that all essential fire safety measures are installed and maintained in accordance with the relevant Australian Standards.

Council must provide notice to F&R NSW of the determination.

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That Council:

- A. Do not issue an Order number 6, but continue to review the essential fire service measures for 21 Roger Street Brookvale as part of the annual fire safety statement submission process.
 - B. Provide notice to Fire and Rescue NSW of the above determination.
-



File Ref. No: FRN15/2001
TRIM Ref. No: D15/71978
Contact: Station Officer Steven Hall

24 June 2016

General Manager
Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY NSW 2099

Email: council@warringah.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

Re: **INSPECTION REPORT
'COL CRAWFORD PARTS AND SERVICE'
21 ROGER STREET, BROOKVALE ("the premises")**

Fire & Rescue NSW (FRNSW) has received an application on 3 July 2015 to waive the Automatic Fire Alarm (AFA) False Alarm Charges for 'the premises'. Applications to waive a charge are considered in accordance with "FRNSW Guideline No.4: Application to Waive AFA False Alarm Charges", specifically where AFA activations have occurred and a charge has been issued.

Consideration to waive a charge is typically subject to an inspection and endorsement of specific conditions. In this instance, the inspection revealed fire safety concerns that may require Council as the appropriate regulatory authority to use its discretion and address the concerns observed at the time of the inspection.

In this regard, pursuant to the provisions of Section 119D and Section 119T(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 3 September 2015 was conducted by Authorised Fire Officers of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Fire & Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

Locked Bag 12
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

bfs@fire.nsw.gov.au

Page 1 of 2

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On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T(4) and Section 121ZD(1) of the EP&A Act. Please be advised that Section 121ZD(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

The following items were identified as concerns at the time of the inspection:

1. Parts of the Smoke Detection System and Alarm System have been altered in that a number of smoke detectors located throughout the premises have been replaced with multi-criteria (combination of heat and thermal) and thermal detectors.
2. A review of Council's records may be required to confirm what essential service measures are currently installed to the premises. Particularly as there may have been a change to the smoke detection system that may require Construction Certificate approval.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference FRN15/2001 for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino
Building Surveyor
Fire Safety Compliance Unit



ITEM 9.5	ADOPTION OF NORTHERN BEACHES COUNCIL SECTION 94A PLAN 2016
REPORTING MANAGER	GROUP MANAGER STRATEGIC PLANNING
TRIM FILE REF	2016/196237
ATTACHMENTS	1 Draft Northern Beaches Council Section 94A Plan 2016 (Included In Attachments Booklet)

REPORT

PURPOSE

To seek Council's approval to adopt the *Draft Northern Beaches Council Section 94A Plan 2016* (Draft Plan) to allow expenditure of development contributions in the 2016/17 financial year.

REPORT

At its meeting on 2 June 2016, Council resolved to place the Draft Plan on public exhibition in accordance with the requirements of the *Environmental Planning & Assessment Regulation 2000*. The consultation has been completed and Council may adopt the Draft Plan.

CONSULTATION OUTCOMES

Council publicly exhibited the Draft Plan from 3 June 2016 to 1 July 2016 (29 days). The exhibition included:

- Advertisement in the Manly Daily
- Emails to community members
- Documents accessible at the Civic Centre and on Council's website.

Four submissions were received during the public exhibition. One submission was also received during a previous exhibition of the Draft Plan by the former Warringah Council from 2 April to 2 May 2016. Issues raised in the submissions are summarised below, together with Council's response:

Submission Summary	Council Response
Support for Council's Sports Capital Assistance Program.	Agreed.
Need for an indoor cricket training facility in the Northern Beaches region.	A change to the Plan is not supported. An indoor training facility for cricket and other sports may have a strong benefit for the northern beaches. However the business case has not been established and it is not consistent with the level of service provided to any other sport on the northern beaches. Nor is there strong evidence that cricket participation rates require such a high quality and costly facility.
Need for a synthetic field at the Aquatic Reserve.	A change to the Plan is not supported. The proposition of a synthetic sportsfield at Aquatic Reserve is not supported. The construction of a synthetic sportsfield suitable for cricket at this location would displace the current users and Council does not have the immediate capacity

	elsewhere to accommodate these users.
Council should increase the amenity of Condamine Street in Manly Vale to support local residents and businesses. The area could be improved by adding trees, café's and community meeting spaces to help create a 'village feel' with a positive ambience.	A change to the Plan is not supported. Transport for NSW is proposing to construct a new northbound and southbound bus stop and a new multi-deck commuter car park on Condamine Street at Manly Vale. This is likely to include some streetscape improvements. Council will consider other complimentary improvements in Manly Vale as part of these works.
Dissatisfaction with lack of projects in the Freshwater area funded by Section 94A, given the development being undertaken in the suburb.	Projects are not included in plans for 2016/17 but will be considered for future years. While the projects suggested by the writer are consistent with the Open Space Strategy, a more focused Masterplan will be developed for the Freshwater Beach area to look at integration. This will help set priorities and timing for a range of projects in the area, and a funding plan for the next ten years.
Community gardens provide many benefits for families and neighbourhoods. Council should use Section 94A funds to develop community gardens across the Council area.	The former Warringah Council maintained a policy for Community Gardens (Policy No. PL 770 Gardens). The policy supported the establishment and operation of community gardens on Council owned or managed land. The policy allowed for grants to be provided for start-up or development of community gardens. The grants program is under review.

No changes to the Draft Plan have been made.

TIMING

If adopted by Council, the Draft Plan will legally commence on the day notice is given in a local newspaper of its adoption. It is proposed to give notice in the Manly Daily on 16 July 2016. All development applications and complying development certificate applications lodged on or after this date will be subject to the provisions of the adopted Plan.

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER PLANNING & COMMUNITY

That Council adopt the Draft Northern Beaches Council Section 94A Plan 2016 to commence on 16 July 2016.

10.0 TRANSFORMATION, PEOPLE & CULTURE DIVISION REPORTS

ITEM 10.1	NOTES OF THE IMPLEMENTATION ADVISORY GROUP AND LOCAL REPRESENTATION COMMITTEE MEETINGS
REPORTING MANAGER	GOVERNANCE MANAGER
TRIM FILE REF	2016/209897
ATTACHMENTS	1 Notes of the Implementation Advisory Group Meeting held on 8 June 2016 (Included In Attachments Booklet) 2 Notes of the Local Representation Committee (LRC) meeting held on 15 June 2016 (Included In Attachments Booklet)

REPORT

PURPOSE

To report the notes and confirm actions from the Implementation Advisory Group (IAG) and Local Representation Committee (LRC) meetings held on 8 June 2016 and 15 June 2016.

SUMMARY

The meeting and associated documents are being reported to Council.

Committee	Meeting Date
Implementation Advisory Group	8 June 2016 – Meeting Notes
Local Representation Committees (Social, Economic & Environment)	15 June 2016 –Meeting Notes

ACTIONS

IAG: The following IAG actions were recorded:

- Delegation for Citizenship Ceremonies to be confirmed
- List of IAG and LRC members and staff contacts to be circulated
- Revised IAG and LRC meeting schedule to be circulated
- Council has started analysis of these committees and will report back progress to the IAG for further input

These actions can be completed within current operational resources.

LRC: No actions recorded

FINANCIAL IMPACT

Nil

SOCIAL IMPACT

Nil

ENVIRONMENTAL IMPACT

Nil

RECOMMENDATION OF DEPUTY GENERAL MANAGER TRANSFORMATION, PEOPLE & CULTURE

That Council note the meeting notes from the:

- A. Implementation Advisory Group meeting held on 8 June 2016 and approve all actions to be progressed within current operational resources.
 - B. Social, Economic and Environment Local Representation Committee meetings held on 15 June 2016.
-

15.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

A. That, in accordance with the requirements of Section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:

- a Item 15.1 RFT 2016/011 - South Curl Curl Seawall Works on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses pricing provided in a confidential tender and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would confer commercial advantage upon the contractor's competitors.

- b Item 15.2 RFT2016/039 - Narrabeen Lagoon Entrance Clearance Works on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses a confidential tender submission and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would prejudice the commerical position of an organisation and offer a commercial advantage to future prospective contractors.

- c Item 15.3 Tender T03/16 - Provision of Consultancy Services for the Newport Flood Study on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses individual respondent's tender submissions and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would confer a commercial advantage to prospective tenderers for this type of consultancy tender.

- d Item 15.4 Tender T04/16 – Provision of Consultancy Services for Undertaking the North Narrabeen Lagoon Overland Flow Flood Study on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses individual respondent's tender submissions and the disclosure of this matter in open meeting would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making because the disclosure of this information would confer a commercial advantage to prospective tenderers for this type of consultancy tender.

- e Item 15.5 Purchase of Land for Roadworks at Warriewood on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses the negotiated sale price of two parcels of land and the associated costs of this process and the disclosure of this matter in open meeting

would, on balance, be contrary to the public interest in maintaining openness and transparency in council decision-making.

- B. That the resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.
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NORTHERN BEACHES
COUNCIL

