

AGENDA

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

Tuesday 26 March 2019

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



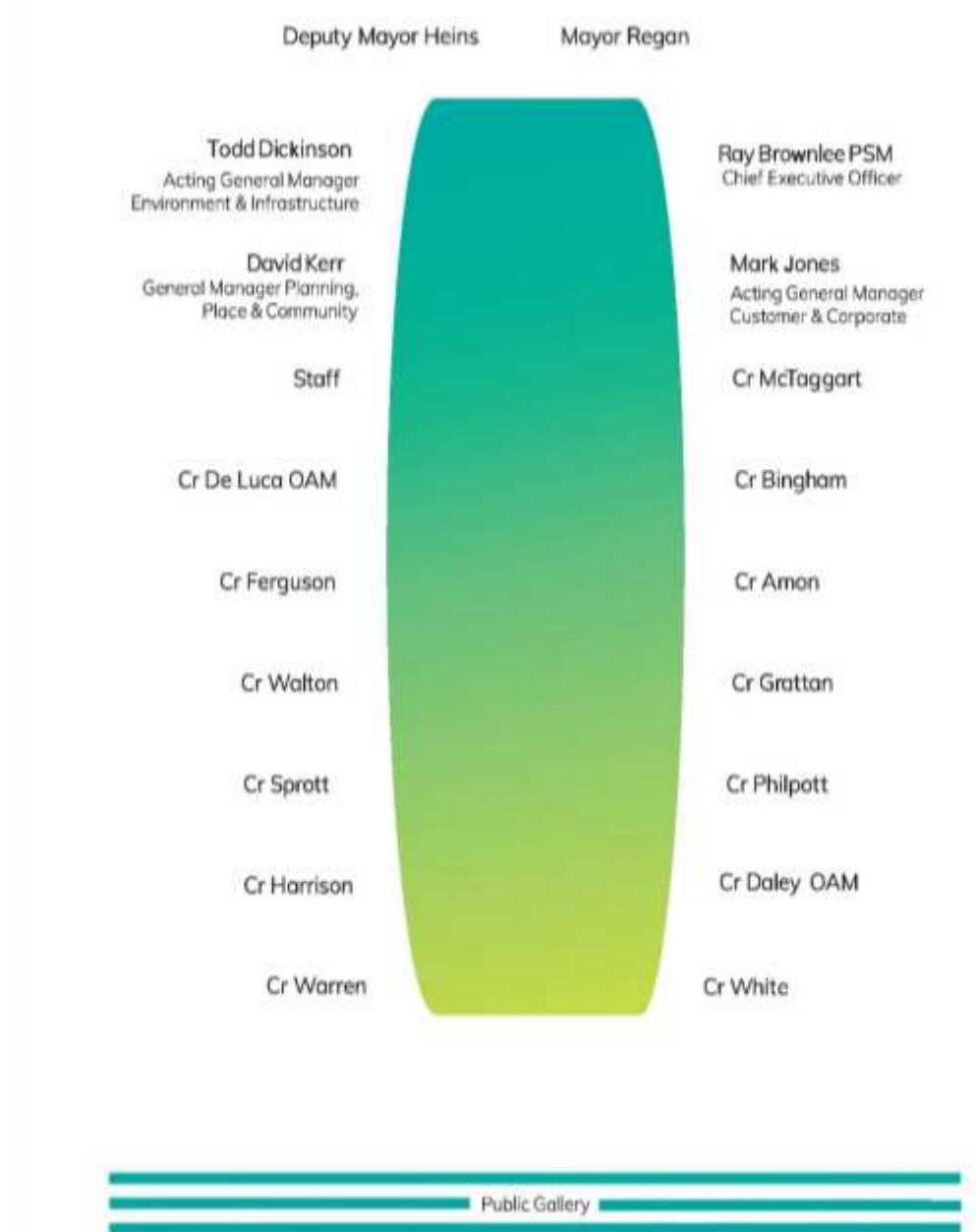
Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 26 March 2019
at the Civic Centre, Dee Why
Commencing at 6:00pm**

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

In accordance with Part 6 of the Code of Meeting Practice, apologies must be received and accepted from absent Councillors and a leave of absence from the Council Meeting may be granted.

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 26 FEBRUARY 2019

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 26 February 2019, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

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

6.0 ITEMS RESOLVED BY EXCEPTION

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

7.0 MAYORAL MINUTES

ITEM 7.1	MAYORAL MINUTE NO 03/2019 - SUPPORTING COMMUNITY SOLAR UPTAKE
TRIM FILE REF	2019/152876
ATTACHMENTS	NIL

BACKGROUND

We as a Council and Member of the Cities Power Partnership need to demonstrate our leadership in sustainability and be proactive by assisting our residents to reduce their carbon emissions and save on their electricity bills.

Solar panel installations have increased 200% over the last 6 years, yet 80% of suitable residences still don't have solar.

There are around 100,000 homes located on the Northern Beaches, of which 8,222 have solar panels. There is also a further 59,100 freestanding or semi-detached housing which are more suitable for the installation of solar panels.

The Council's Sunspot online tool (with more than 150 hits per week) and Our Energy Future have been well utilised so far, and the renewable energy council information nights for residents have been very well attended. The community is crying out for ways to significantly reduce energy bills and to reduce their carbon footprint. Blackouts continue and yet there is technology such as batteries that can prevent this happening.

The Northern Beaches has annual carbon emissions of approximately 2 million tonnes of CO₂-e, and of that, 48% is from residential electricity compared to approximately 20,000 tonnes from council operations. Clearly, the community is where we have to target reducing emissions to have maximum impact on our carbon emission reduction across the Northern Beaches. In doing so, we could help a lot of people to slash their electricity bills at the same time.

However, the community's enthusiasm for renewable energy does not always translate into action and this recommendation seeks to investigate and identify the barriers that exist to prevent current community uptake of solar systems. Council needs to identify the what and the why, and the way to capture this information would be to start with surveying existing attendees of current programs and those that have used Our Energy Future and the Sunspot tool. An engagement program could also be run via social media platforms and print media. There is a very clear incentive for residents which we need to communicate about the immediate potential savings to be made by installing solar panels.

The issues to consider will be the capital investment required, lack of knowledge, lack of confidence in suppliers and the lack of time. For council to facilitate a high uptake in solar installations in the community, it is imperative that we know exactly why people haven't invested in solar panels to date.

The Manly Solar Hub would be well supported by this investigation, and could also help facilitate council's response to the barriers. It is proposed that Council facilitate meetings between local suppliers and interested community members to discuss the barriers and identify potential innovations to increasing solar uptake on the Northern Beaches.

To meet targets that will be proposed in the draft Environment and Climate Change Strategy we would require a further 30,000 homes to uptake renewable energy options by 2038.

It is critical that we identify the barriers to our community solar uptake and be able to formulate a strategy to increase the uptake and aim to even surpass 30,000 homes.

I understand that funds are available under existing operational budgets to undertake the necessary investigation and engagement and provide a report back to Council outlining all the barriers and possible solutions.

MOTION

That:

- A. Council undertake engagement to determine the barriers for our community to accelerate uptake of solar panel installations on residential dwellings.
 - B. Council develop an approach on how Council can facilitate removing these barriers linking to the draft Natural Environment and Climate Change Strategy and its targets.
 - C. As part of the development of the approach, Council identify an ambitious residential solar panel installations target for residential dwellings.
 - D. A report outlining the barriers, the approach and a proposed target for residential solar panel installations be presented back to Council within 4 months.
-



Michael Regan
MAYOR

ITEM 7.2	MAYORAL MINUTE NO 04/2019 - FREE COMPOST PROGRAM FOR RESIDENTS
TRIM FILE REF	2019/152886
ATTACHMENTS	NIL

BACKGROUND

With the new waste service beginning on 1 July 2019, Council continues to have the conversation with our residents on the changes to the waste services we will be providing and highlighting the benefits to our residents through cost savings and the opportunity to make a contribution to the overall reduction of waste.

Like many Councillors, I have been inundated with questions from the community particularly residents who will be reducing their general waste bins sizes from 120 litres to 80 litres. Many residents who have large families initially see this transition as difficult. As Councillors and residents ourselves, we understand the issues they have raised but through education and a willingness to change waste habits, it will be possible for many families to make the transition.

In recognition of this and as an incentive, I would like Council to provide free compost bins or worm farms as well as personal education programs to residents who are reducing their general waste bins from 120 litres to 80 litres. Not only will they save money through reduced waste costs, they will be making a positive contribution to their environment. It would be as simple as ringing council, getting some information from our waste team and getting started; all from the comfort of their own backyard.

Our waste education team already do an amazing job getting out to our schools and providing information to the community on recycling and composting so with some additional temporary resourcing, we can provide an even better service to assist residents to install their compost bins or worm farms and get started.

My understanding is that with around 20,000 residents who currently have 120 litres, there would be costs associated with such a program. Councillors would be aware that Council recently received additional funding in its waste program and I would like to reinvest those funds into supporting our residents.

I seek councillors support to commence this program and allocate the funding required to promote and deliver the free compost bins to those residents looking to reduce their waste from 120 litres to 80 litres.

MOTION

That:

- A. Council allocate \$200,000 from additional funds in its waste program towards a free compost program for residents.
 - B. Within that allocation, Council allocate funds towards the purchase of compost bins or worm farms and the engagement of additional temporary staff within Council's waste education team to assist residents with the setup of their compost program.
 - C. Council immediately promote and offer residents a free compost bin or worm farm who are reducing their current general waste service from 120 litres to the standard service of 80 litres under the new waste service.
 - D. A report outlining the outcomes of the program be provided to Council within 6 months including the level of the uptake of this offer.
-



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	DRAFT COMMUNITY GRANTS AND PARTNERSHIPS POLICY - FOR PUBLIC EXHIBITION
REPORTING MANAGER	ACTING EXECUTIVE MANAGER STRATEGY, PERFORMANCE AND IMPROVEMENT
TRIM FILE REF	2019/073316
ATTACHMENTS	1 ↓ Draft Community Grants and Sponsorship Policy

SUMMARY

PURPOSE

To endorse the release of the draft Community Grants and Partnership Policy for public exhibition and approve the establishment of multi-year funding agreements (up to three years) under the Community, Arts and Cultural Grant Program 2019/20.

EXECUTIVE SUMMARY

A draft Community Grants and Partnership Policy (draft Policy) has been prepared to provide Council with a clear framework for providing financial support to the community. The draft Policy ensures Council's investment in the community is aligned with the strategic directions in the Community Strategic Plan, *SHAPE 2028*.

The foundation of the draft Policy are principles that establishes integrated, transparent and equitable processes to govern the allocation of grants and sponsorship.

The Community, Arts and Cultural Grant Program 2019/20 will open shortly. In 2018/19 the Program provided a total of \$240,000 for initiatives that had to be delivered and acquitted by 31 July 2019 (12 months to deliver). Community groups need funding certainty to deliver multi-year initiatives. Expanding the 2019/20 Program to offer a mix of one off (12 month) funding and multi-year funding (up to three years) provides this level of support. The 2019/20 Program will also provide \$240,000 in grants.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That:

- A. The draft Community Grants and Partnerships Policy be placed on exhibition for 28 days and submissions received be reported to Council.
 - B. The existing Community, Arts and Cultural Grant Program 2019/20 be expanded to offer multi-year funding of projects (up to three years).
-

REPORT

BACKGROUND

Council at its meeting on 27 November 2018 considered a report on Community Grants and Partnerships and resolved in part to:

- Establish an events sponsorship program
- Develop a Community Grants and Partnership Policy.

The following policies currently deal with grants and other financial support to the community:

- Grants and Sponsorship Policy (former Warringah)
- Direct Financial Assistance – Community Service Organisations Policy (former Pittwater)
- Community and Cultural Grants Policy (former Manly).

These policies of the former councils will be rescinded when the Community Grants and Sponsorship Policy is adopted.

Draft Policy

The draft Policy provides an overarching framework to guide the management of grants and sponsorship requests and further the achievement of the outcomes and vision of Northern Beaches Community Strategic Plan - SHAPE 2028. The legislative context is outlined as well as the overriding principles that direct the programs established by Council.

The principles set the scene for an equitable, open and orderly process for providing assistance to the community. They provide for greater accessibility to funding and ensures transparency around the provision of financial assistance across the Northern Beaches. It also provides for greater recognition of the contribution Council makes to supporting organisations that contribute to social, cultural, environmental and economic life of the Northern Beaches.

The draft Policy also recognises the importance of the program guidelines and the governance framework they provide for administering the programs. It establishes that the guidelines will be reviewed annually along with the outcomes of the program by Strategic Reference Groups. This ensures the programs are agile and adaptable to emerging needs of the community.

Programs – Grants and Sponsorship

The programs are established by Council by allocating funding to programs via the Council's Operational Plan. Guidelines are developed for each program and they provide the governance framework for the program and detail:

- Objectives of the program
- Priority areas for funding
- Assessment criteria
- Eligible organisations and activities
- Assessment process.

The programs run in 2018/19 included:

- Events Sponsorship
- Events grants
- Community and Cultural grants
- Sports and Recreation Infrastructure grants
- Eco-Schools grants
- Artist in Residence.

Community, Arts and Cultural Grant Program 2019/20

The Community, Arts and Cultural Grant Program 2019/20 (formerly Community and Cultural Grant Program) will open shortly. The 2018/19 Program offered funding for 12 months with the initiative needing to be delivered and acquitted by 31 July 2019. To deliver multi-year initiatives, Community groups need funding certainty. Expanding the 2019/20 Program to offer a mix of one off (12 month) funding and multi-year funding (up to three years) provides this level of support.

CONSULTATION

The Participation and Partnership and Community and Belonging Strategic Reference Groups contributed to the development of the draft Policy. On the 20 and 27 February they participated in a workshop to identify issues in relation to the strategic management of grants which informed the development of the principles in the draft document.

The exhibition will provide further opportunity for the boarder community to shape the draft Policy prior to its adoption.

TIMING

The draft Policy be placed on exhibition for 28 days.

FINANCIAL CONSIDERATIONS

Funding for programs needs to be allocated as part of the annual budget process and exhibited as part of Council's Operational Plan.

The draft Operational Plan will go to the April meeting of Council for approval to go on exhibition. The draft budget provides \$240,000 for Community, Arts and Cultural Grant Program 2019/20.

SOCIAL CONSIDERATIONS

The principles in the draft Policy ensure that decisions are based on merit, are transparent and take account of inclusion and equity.

ENVIRONMENTAL CONSIDERATIONS

The draft Policy doesn't address environmental consideration. This is covered in individual Programs and their respective Guidelines. For example, the Eco-Schools Program supports environmental initiatives in our schools and the Events Grant and Sponsorship policy supports events that promote environmental sustainability.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Policy is a key element of the framework for administering financial support provided to the community and business via grants and sponsorship.

Council Policy

Community Grants and Partnerships

Policy Statement

Northern Beaches Council recognises and respects the vital contribution of community and business in developing and delivering projects and programs that contribute to a vibrant and sustainable community.

The Policy provides an overarching framework for Council to partner with community and business providing financial support to deliver projects and programs that build the social, cultural, environmental and economic life of the Northern Beaches and further the achievement of the outcomes and vision of Northern Beaches Community Strategic Plan - SHAPE 2028.

Principles

The following principles guide Council's grants and partnership programs:

- a) **Priority:** We will ensure outcomes of grant programs are aligned with Northern Beaches' Community Strategic Plan SHAPE 2028 as well as other key Council social, economic, environmental strategies and plans. Funding is allocated to priority areas to meet identified community needs
- b) **Partnerships:** We build and maintain constructive relationships based on mutual respect and transparency. We value the resources and skills that community groups and others bring to the grant partnership. Programs are responsive and may adapt to changing community needs and circumstances over time.
- c) **Inclusion and Equity:** We support inclusion and equity in our community. Applications are encouraged from people of all abilities, ethnicity, cultures, ages and sexual orientations.
- d) **Value for money:** We seek the best mix of projects to meet the needs of the community and business and maximise outcomes for the local government area. We support projects that represent good value for the level of cash or value-in-kind support requested.
- e) **Good governance:** We commit to decision making in the public interest, and effective and efficient grant management processes. The application and acquittal requirements will be proportionate to the size of the grant awarded and the expected outcomes of the grant program. We will ensure there are systems and opportunities to support applicants and provide feedback
- f) **Transparency:** We will ensure that grant processes are transparent and fair. Applications are assessed objectively against the assessment criteria listed in the Guidelines. All conflicts of interests are addressed and declared as part of this process.

Scope and application

This Policy provides a framework for distribution of funds under The Local Government Act 1993, s356.

The Local Government Act 1993, s356, states:

- (1) *A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) *A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*

- (3) *However, public notice is not required if:*
- (a) *the financial assistance is part of a specific program, and*
 - (b) *the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) *the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) *the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- (4) *Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

S377 of the Act states:

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:
- (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons.
- (1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:
- (a) the financial assistance is part of a specified program, and
 - (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.

This Policy applies to any organisation or community group applying for funding from Northern Beaches Council.

It does not apply to the following programs or activities:

- Club Grants, which is partially administered by Council on behalf of local service clubs and Clubs NSW.
- Funded under the Northern Beaches Council Discretionary Fund Policy which provides the opportunity for the Mayor and Councillors, to respond to requests for financial assistance from individuals and community organisations
- Financial support under the draft Community Development and Services Policy
- Financial support provided to Avalon, Balgowlah Seaforth, Harbord, Narrabeen (Booklovers Inc) and Terrey Hills Community Library for books for their collections and minor operational expenses
- Funding approved by Council in a separate arrangement.

Financial assistance under the Grants and Partnerships Policy is by way of a grant or sponsorship. A grant is financial or in-kind support provided to eligible organisations through formal programs for a defined purpose and outcome within a specific time frame in accordance with the Grant Guidelines.

Sponsorship is financial or value in-kind support for an event, project, service or activity, in return for agreed commercial and other benefits. It is a business transaction that involves an exchange that has a measurable value to each party in commercial, communication or philanthropic terms.

Value in-kind support is an arrangement whereby the Council foregoes revenue (either in full, or a percentage) on things that would normally incur a fee. This may include park hire, venue hire, parking, waste removal and other Council services.

Donations are not supported as they are discretionary with no agreed outcome or expected return

Administration of Programs

The Policy provides the framework for an equitable, open and orderly process for providing assistance to the community. It allows for greater accessibility to funding and ensures transparency around the provision of financial assistance across the Northern Beaches. It also provides for greater recognition of the contribution Council makes to supporting organisation that contribute to social, cultural, environmental and economic life of the Northern Beaches.

From time to time Council will establish programs in the Operational Plan to support the delivery of this Policy. The governance framework for each program will be documented in program guidelines. These guidelines will be publicly available and contain details on:

- Objectives of the program
- Priority areas for funding
- Assessment criteria
- Eligible organisations and activities
- Assessment process

The outcomes of each program and the guidelines will be reviewed annually by Strategic Reference Groups. This will allow for refinement of the program guidelines ahead of the next round of grants.

References and related documents

- NSW Local Government Act 1993 s356 and s377
- Northern Beaches Council Discretionary Fund Policy
- Draft Community Development and Services Policy

Definitions

Grant Financial or value in-kind support provided through formal programs for a defined purpose and outcome within a specific time frame in accordance with the Grant Guidelines.

Sponsorship Financial or value in-kind support for an event, project, service or activity, in return for agreed commercial and other benefits. It is a business transaction that involves an exchange that has a measurable value to each party in commercial, communication or philanthropic terms.

Value in-kind support

An arrangement where Council foregoes revenue in full, or a percentage on items which are subject to a fee in Council's Fees and Charges. This may include park hire, venue hire, garbage bins and Council services.

Responsible Officer

Executive Manager Strategy and Performance

Review Date

May 2023

Revision History

Revision	Date	Status	TRIM Ref
1	26 Mar 2019	First draft Community Grants and Partnerships policy	2019/096261
2			

ITEM 8.2	MONTHLY INVESTMENT REPORT - FEBRUARY 2019
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2019/129433
ATTACHMENTS	NIL

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*.

EXECUTIVE 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 \$249,011,046 comprising:

- Trading Accounts \$13,107,457
- Investments \$235,903,589.

Performance over the period from 1 July 2018 to date was strong having exceeded the benchmark: 2.70%pa vs. 1.90%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 CONSIDERATIONS

Actual investment income for the period from 1 July 2018 to date was \$4,093,244 compared to budgeted income of \$3,690,750, a positive variance of \$402,494.

SOCIAL CONSIDERATIONS

Council's investments are managed in accordance with Council's Investment Policy. Council's Investment Policy requires consideration of social responsibility when making investment decisions.

ENVIRONMENTAL CONSIDERATIONS

Council's investments are managed in accordance with Council's Investment Policy. Council's Investment Policy requires consideration of environmental responsibility when making investment decisions.

GOVERNANCE AND RISK CONSIDERATIONS

Council's Investment Policy and Strategy were reviewed in September 2018 by Council's Investment Advisors Laminar Capital Pty Ltd, who confirmed that the current policy *"remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet"* and that they *"do not recommend any changes to the list of approved investments or credit limit frameworks"*. They also stated that *"The portfolio remains conservatively placed, well within the investment portfolio limits from a risk and term to maturity perspective"*.

The Investment Policy was reviewed by the Audit, Risk and Improvement Committee at their meeting in November 2018, and no change to the Policy was required following that review.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council receives and notes the Investment Report as at 28 February 2019, including the certification by the Responsible Accounting Officer.

REPORT

INVESTMENT BALANCES

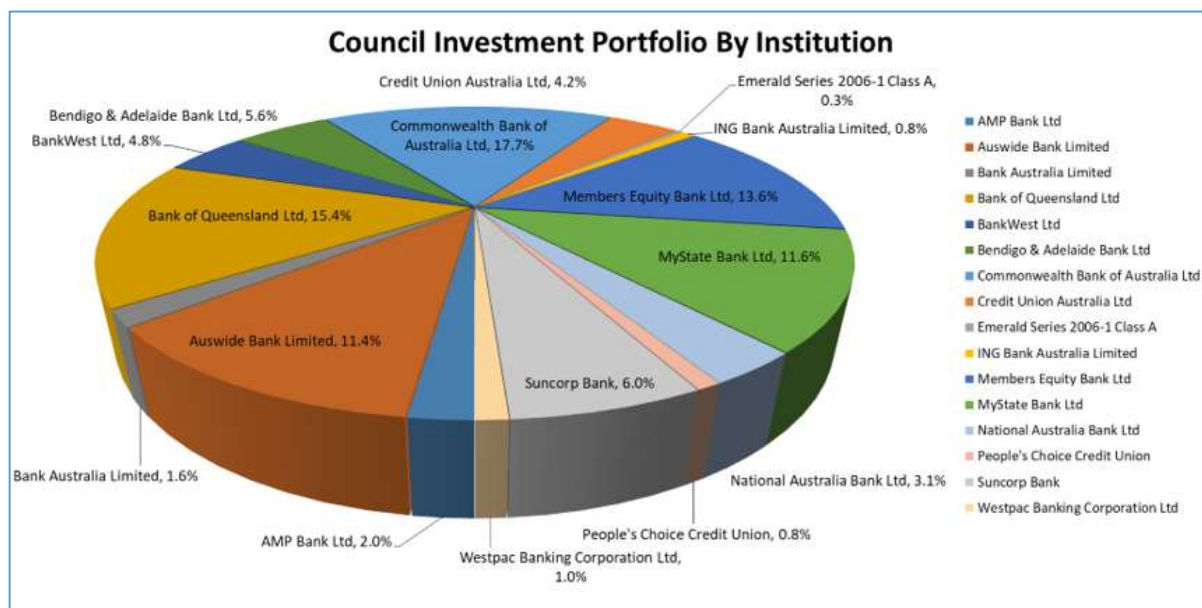
INVESTMENT BALANCES				
As at 28-Feb-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	11,016,138		1.55%
Commonwealth Bank of Australia Ltd	A1+	142,929		1.55%
Commonwealth Bank of Australia Ltd	A1+	7,468		1.55%
National Australia Bank Ltd	A1+	35,602		1.50%
		11,202,138		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	7,574,909	At Call	1.90%
		7,574,909		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	AAA	867,105	21-Aug-51	2.3594%
		867,105		
Term Deposits				
Members Equity Bank Ltd	A2	1,000,000	05-Mar-19	2.80%
Westpac Banking Corporation Ltd	A1+	2,000,000	07-Mar-19	2.65%
Auswide Bank Limited	A2	2,000,000	12-Mar-19	2.86%
Auswide Bank Limited	A2	2,000,000	12-Mar-19	2.82%
Suncorp Bank	A1	2,000,000	14-Mar-19	2.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	19-Mar-19	2.66%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	19-Mar-19	2.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Mar-19	2.77%
Suncorp Bank	A1	3,000,000	28-Mar-19	2.75%
Auswide Bank Limited	A2	3,000,000	02-Apr-19	2.86%
Members Equity Bank Ltd	A2	2,000,000	04-Apr-19	2.80%
Bank of Queensland Ltd	A2	3,000,000	09-Apr-19	2.75%
Suncorp Bank	A1	2,000,000	11-Apr-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	16-Apr-19	2.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Apr-19	2.78%
Bank of Queensland Ltd	A2	2,000,000	30-Apr-19	2.75%
Suncorp Bank	A1	2,000,000	30-Apr-19	2.75%
Suncorp Bank	A1	2,000,000	30-Apr-19	2.75%
BankWest Ltd	A1+	2,000,000	02-May-19	2.80%
BankWest Ltd	A1+	2,000,000	07-May-19	2.80%
Members Equity Bank Ltd	A2	2,000,000	07-May-19	2.75%
Members Equity Bank Ltd	A2	3,000,000	09-May-19	2.80%
Members Equity Bank Ltd	A2	2,000,000	14-May-19	2.80%
BankWest Ltd	A1+	2,000,000	16-May-19	2.80%
BankWest Ltd	A1+	3,000,000	21-May-19	2.80%
Bank of Queensland Ltd	A2	2,000,000	23-May-19	2.75%
Suncorp Bank	A1	2,000,000	28-May-19	2.75%

INVESTMENT BALANCES				
As at 28-Feb-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
People's Choice Credit Union	A2	2,000,000	04-Jun-19	2.90%
BankWest Ltd	A1+	3,000,000	04-Jun-19	2.75%
National Australia Bank Ltd	A1+	2,000,000	06-Jun-19	2.80%
Members Equity Bank Ltd	A2	2,000,000	06-Jun-19	2.75%
Bank Australia Limited	A2	2,000,000	11-Jun-19	2.90%
Auswide Bank Limited	A2	2,000,000	13-Jun-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	18-Jun-19	2.75%
Bank of Queensland Ltd	A2	3,000,000	20-Jun-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	25-Jun-19	2.75%
Bank of Queensland Ltd	A2	3,000,000	25-Jun-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	27-Jun-19	2.75%
Members Equity Bank Ltd	A2	1,000,000	02-Jul-19	2.80%
Bank Australia Limited	A2	2,000,000	04-Jul-19	2.95%
Suncorp Bank	A1	2,000,000	04-Jul-19	2.81%
Bank of Queensland Ltd	A2	2,000,000	09-Jul-19	2.75%
National Australia Bank Ltd	A1+	719,877	11-Jul-19	2.80%
National Australia Bank Ltd	A1+	1,000,000	11-Jul-19	2.73%
Auswide Bank Limited	A2	2,000,000	11-Jul-19	2.75%
Auswide Bank Limited	A2	2,000,000	16-Jul-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	23-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	25-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	30-Jul-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	01-Aug-19	2.85%
Members Equity Bank Ltd	A2	2,000,000	06-Aug-19	2.85%
Bank of Queensland Ltd	A2	2,000,000	06-Aug-19	2.75%
National Australia Bank Ltd	A1+	2,000,000	08-Aug-19	2.75%
Bank of Queensland Ltd	A2	1,000,000	08-Aug-19	2.75%
Auswide Bank Limited	A2	2,000,000	13-Aug-19	2.85%
Credit Union Australia Ltd	A2	2,000,000	13-Aug-19	2.75%
Auswide Bank Limited	A2	2,000,000	15-Aug-19	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	20-Aug-19	2.75%
Members Equity Bank Ltd	A2	3,000,000	03-Sep-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	05-Sep-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	10-Sep-19	2.75%
Credit Union Australia Ltd	A2	1,000,000	12-Sep-19	2.75%
Auswide Bank Limited	A2	2,000,000	17-Sep-19	2.80%
Members Equity Bank Ltd	A2	2,000,000	17-Sep-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	20-Sep-19	2.75%
MyState Bank Ltd	A2	2,000,000	24-Sep-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Sep-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Sep-19	2.87%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Oct-19	2.75%
MyState Bank Ltd	A2	2,000,000	03-Oct-19	2.87%
MyState Bank Ltd	A2	1,000,000	03-Oct-19	2.85%
Credit Union Australia Ltd	A2	2,000,000	08-Oct-19	2.82%
National Australia Bank Ltd	A1+	2,000,000	10-Oct-19	2.75%

INVESTMENT BALANCES				
As at 28-Feb-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
MyState Bank Ltd	A2	2,000,000	15-Oct-19	2.85%
Members Equity Bank Ltd	A2	1,000,000	15-Oct-19	2.75%
MyState Bank Ltd	A2	2,000,000	17-Oct-19	2.85%
MyState Bank Ltd	A2	2,000,000	23-Oct-19	2.85%
AMP Bank Ltd	A1	1,450,000	24-Oct-19	2.80%
MyState Bank Ltd	A2	2,000,000	29-Oct-19	2.87%
MyState Bank Ltd	A2	2,000,000	05-Nov-19	2.87%
MyState Bank Ltd	A2	2,000,000	07-Nov-19	2.85%
MyState Bank Ltd	A2	2,000,000	12-Nov-19	2.85%
AMP Bank Ltd	A1	2,000,000	14-Nov-19	2.80%
MyState Bank Ltd	A2	2,000,000	19-Nov-19	2.85%
MyState Bank Ltd	A2	2,000,000	26-Nov-19	2.87%
Auswide Bank Limited	A2	2,000,000	28-Nov-19	2.80%
MyState Bank Ltd	A2	2,000,000	05-Dec-19	2.85%
Credit Union Australia Ltd	A2	1,500,000	10-Dec-19	2.73%
Members Equity Bank Ltd	A2	2,000,000	17-Dec-19	2.75%
Credit Union Australia Ltd	A2	2,000,000	21-Jan-20	2.76%
Credit Union Australia Ltd	A2	2,000,000	25-Feb-20	2.78%
		180,669,877		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,905,320		0.90%
		1,905,320		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	628,992	At Call	1.90%
		628,992		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Mar-19	2.25%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	21-Mar-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Mar-19	2.57%
Commonwealth Bank of Australia Ltd	A1+	500,000	01-Apr-19	2.25%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Apr-19	2.52%
Commonwealth Bank of Australia Ltd	A1+	7,262,705	29-Apr-19	2.52%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	30-Apr-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-May-19	2.41%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	16-Jul-19	2.64%
		16,762,705		
New Council Implementation Fund				
Term Deposits				
Members Equity Bank Ltd	A2	900,000	21-Mar-19	2.70%
		900,000		

INVESTMENT BALANCES				
As at 28-Feb-2019				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Stronger Communities Fund				
Term Deposits				
Auswide Bank Limited	A2	1,000,000	18-Apr-19	2.75%
Bank of Queensland Ltd	A2	650,000	18-Jun-19	2.75%
Members Equity Bank Ltd	A2	2,000,000	23-Jul-19	2.70%
AMP Bank Ltd	A1	1,450,000	13-Aug-19	2.80%
Westpac Banking Corporation Ltd	A1+	500,000	13-Aug-19	2.71%
Bank of Queensland Ltd	A2	600,000	17-Oct-19	2.80%
ING Bank Australia Limited	A1	2,000,000	19-Dec-19	2.90%
		8,200,000		
Stronger Communities Fund Round 2				
Term Deposits				
Bank of Queensland Ltd	A2	3,000,000	05-Mar-19	2.65%
Members Equity Bank Ltd	A2	2,000,000	11-Apr-19	2.85%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	16-May-19	2.75%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	11-Jun-19	2.77%
Bank of Queensland Ltd	A2	2,000,000	18-Jul-19	2.75%
Bank of Queensland Ltd	A2	2,000,000	30-Aug-19	2.75%
Auswide Bank Limited	A2	2,000,000	17-Sep-19	2.90%
Auswide Bank Limited	A2	2,500,000	22-Oct-19	2.90%
Auswide Bank Limited	A2	1,800,000	21-Nov-19	2.82%
		20,300,000		
Total Cash and Investments		249,011,046		

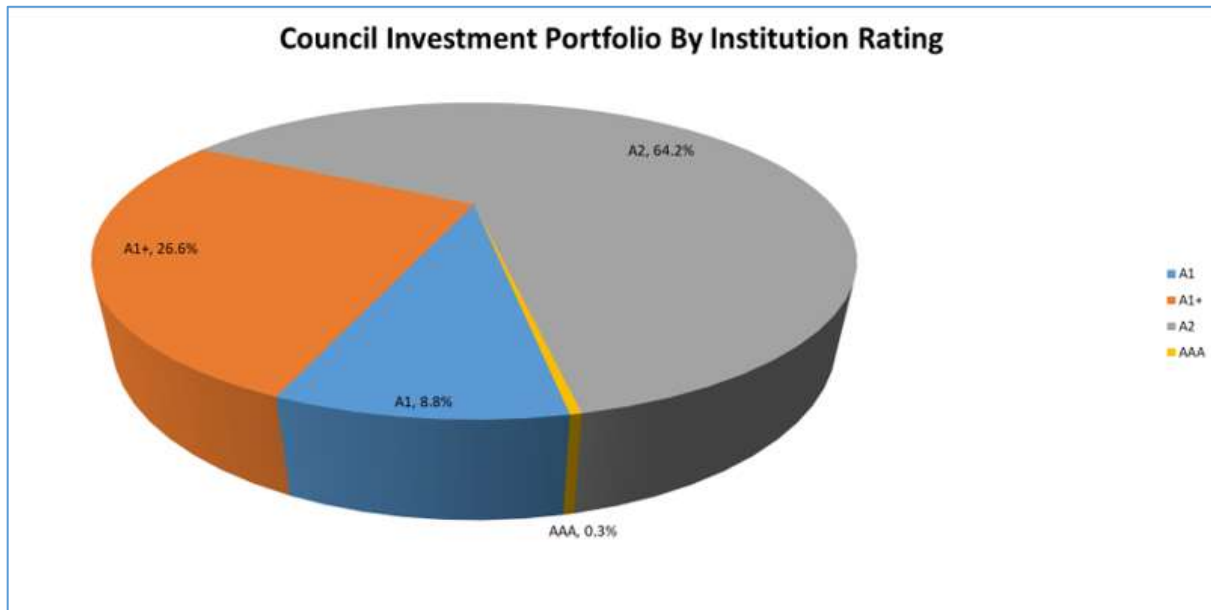
PORTFOLIO ANALYSIS



Institutional Credit Framework – Compliance with Investment Policy Requirements

Clause 4.2.2 of Council's Investment Policy requires that exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

Long Term Rating	Short Term Rating	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	50%	Yes
AA+			
AA			
AA-			
A+	A-1	40%	Yes
A			
A-			
BBB+	A-2	30%	Yes
BBB			
BBB-	A-3	10%	Yes
Unrated	Unrated	10%	Yes (\$Nil)



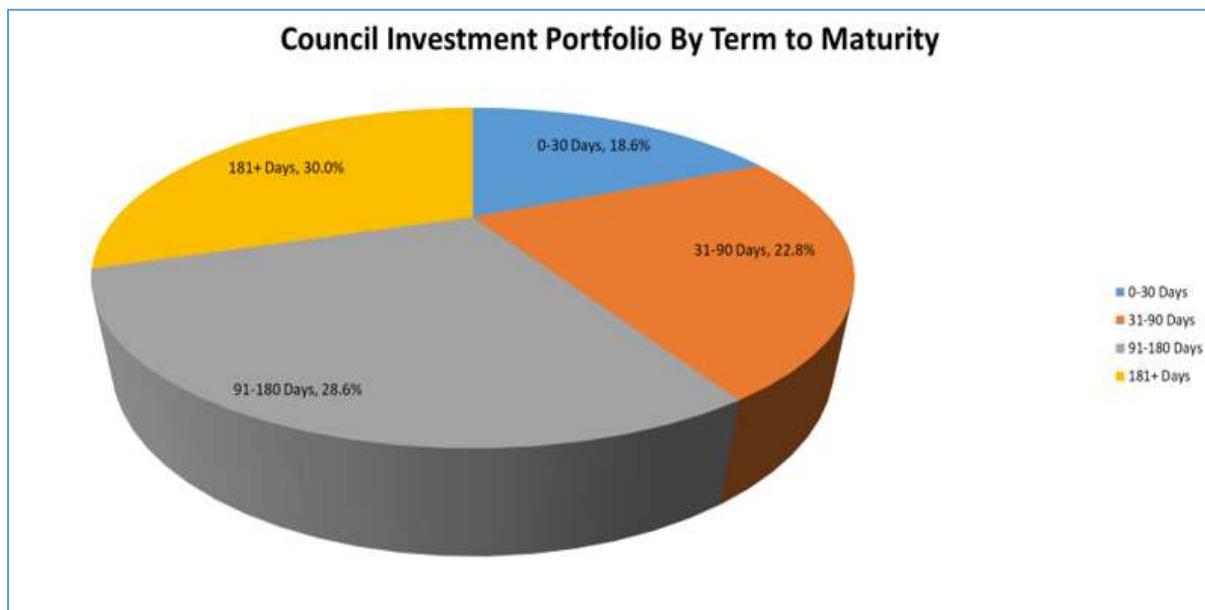
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

Clause 4.2.1 of Council's Investment Policy requires that the total percentage exposure within the market to any particular credit rating category be limited, as detailed in the table below:

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	100%	Yes
AA+			
AA			
AA-			
A+	A-1	100%	Yes
A			
A-			
BBB+	A-2	80%	Yes
BBB			
BBB-	A-3	30%	Yes
Unrated**	Unrated**	20%	Yes (\$Nil)

* Or Moody's / Fitch equivalents

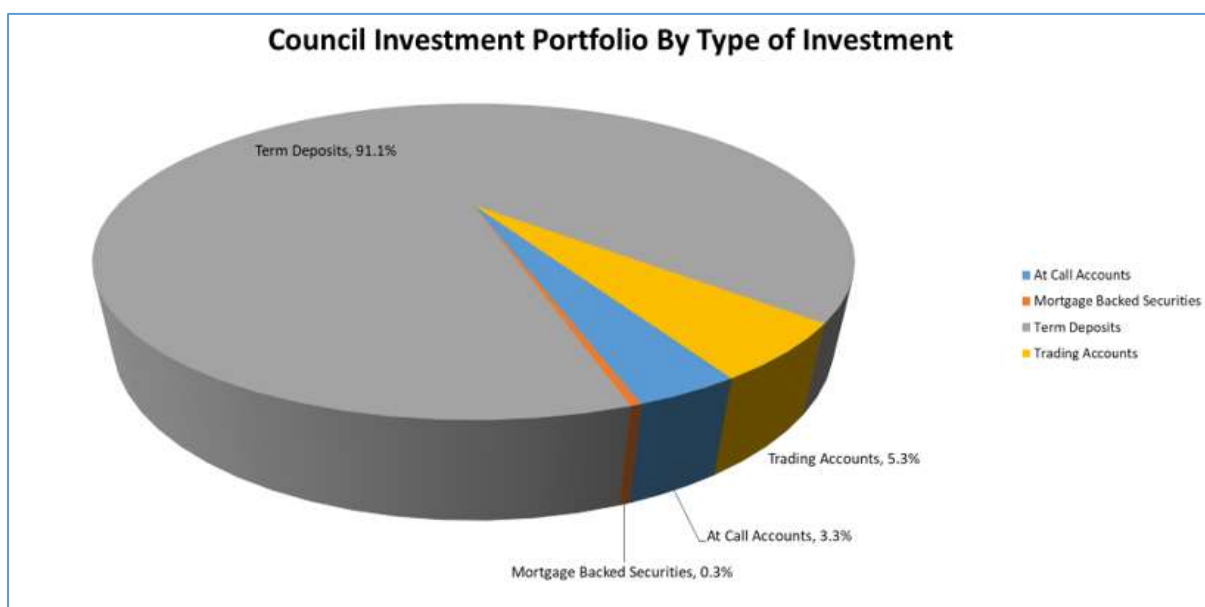
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



Term to Maturity Framework – Compliance with Investment Policy Requirements

Clause 4.2.3 of Council's Investment Policy requires Council's investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Limits			Portfolio Complies with Policy?
Portfolio % <1 year	Min 40%	Max 100%	Yes
Portfolio % >1 year ≤3 year	Min 0%	Max 60%	Yes
Portfolio % >3 year ≤5 year	Min 0%	Max 30%	Yes

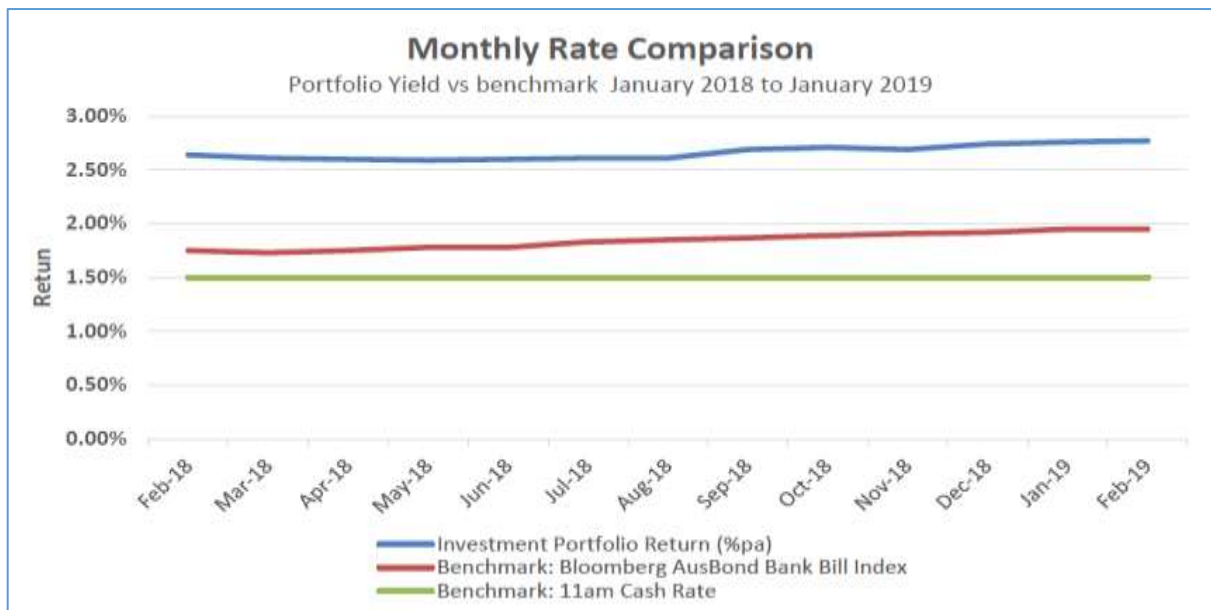


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate *
1 Month	2.77%	1.95%	1.50%
3 Months	2.76%	1.94%	1.50%
6 Months	2.73%	1.92%	1.50%
FYTD	2.70%	1.90%	1.50%
12 Months	2.67%	1.85%	1.50%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

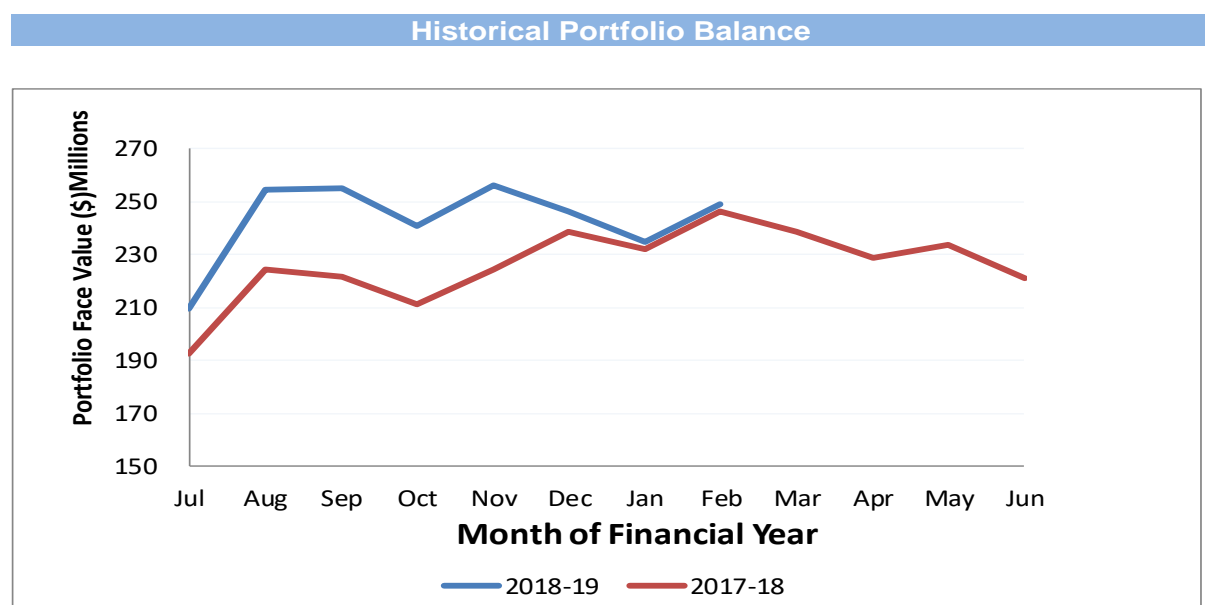


MONTHLY INVESTMENT INCOME* VS. BUDGET

	28 February 19 \$	Year to Date \$
Investment Income	481,206	4,075,622
Adjustment for Fair Value	1,123	17,622
Total Investment Income	482,329	4,093,244
Budgeted Income	450,000	3,690,750

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2018-19	2017-18
Jul	209,605,515	192,788,320
Aug	254,510,268	224,541,055
Sep	254,769,836	221,786,511
Oct	240,996,644	211,440,341
Nov	256,137,875	224,335,322
Dec	246,453,069	238,474,454
Jan	234,499,949	231,952,491
Feb	249,011,046	246,219,499
Mar		238,498,965
Apr		228,632,853
May		233,702,341
Jun		220,859,601
Average Portfolio Balance	243,248,025	226,102,646



Statement of Compliance

Portfolio Performance vs. Bank Bill Index over 12 month period.	✓	Council's investment performance did exceed benchmark.
Monthly Income vs. Budget	✓	Council's income from investments did exceed monthly budget.

Investment Policy Compliance

Legislative Requirements	✓	Fully compliant
Portfolio Credit Rating Limit	✓	Fully compliant
Institutional Exposure Limits	✓	Fully compliant
Term to Maturity Limits	✓	Fully compliant

ECONOMIC NOTES

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

The pace of global economic growth continued to moderate according to most indicators of economic activity released in February. However, some key economic indicators, mostly relating to labour market conditions remain strong or very strong, especially in the United States and Australia. Strong labour market conditions provide hope that the current moderation in global growth will be temporary. The temporary growth moderation thesis is also helped by other developments in February, notably more signs that key central banks including the US Federal Reserve (Fed) are on monetary policy hold and what seem like positive discussions between the US and China aimed at preventing escalation of their trade war.

Turning to the US economy, most leading indicators of activity released in February have softened but to readings still consistent with strong business and household spending. The partial shutdown of the Federal Government agencies over funding of President Trump's wall on the US border with Mexico ended and the damage to spending from Federal Government employees going without pay (since restituted in full) is likely to be temporary reducing Quarter 1 2019 GDP growth but probably with a small boost to Quarter 2 GDP growth. The report of Quarter 4 2018 GDP remains a casualty of the Government shutdown but is due for belated release this week and is expected to show annualised growth slipping to 2.4% from 3.5% in Quarter 3. When Quarter 1 GDP is released in late April growth may slip even further to around 1.0% influenced by the negative one-time impacts of the government shutdown and some of the worst winter weather in 40 years.

In China, the main signs of weakness are in leading indicators such as manufacturing purchasing managers' indexes down below 50 (the expansion/ contraction line) in December and again in January. The Lunar New-year celebrations limit data releases in February to January international trade and inflation reports. January international trade was stronger-than-expected with exports up 9.1% year-on-year and imports down 1.5% year-on-year. Inflation receded in January with the CPI up 1.7% year-on-year and producer prices up only 0.1% year-on-year in January. The moderation in producer price inflation implies that CPI inflation could moderate further over the next few months increasing the likelihood of more monetary policy easing moves by the Peoples' Bank of China. GDP growth in China continues to moderate in the near-term, but if an agreement can be reached with the US on international trade the outlook for China's growth prospects could improve. China has plenty of monetary and budgetary policy flexibility to reinforce the impact of any positive news relating to a trade agreement.

The reduction in the pace of economic growth remains most pronounced in Europe. GDP growth in Europe was only 0.2% quarter-on-quarter in Quarter 4 2018 slowing annual growth to 1.2% year-on-year. More disturbingly among the bigger European economies Italy has slipped in to recession with back-to-back negative quarterly GDP growth in Quarter 3 and Quarter 4 and growth in Germany was negligible in Quarter 4 after falling in Quarter 3. There are pockets of strength in Spain and parts of Eastern Europe, but European growth is weakening and with downside risk from the closing stages of Brexit (almost certainly a hard Brexit without a transition deal with the EU) and no end in sight to Government protests in France. The ECB maintained steady monetary policy settings at its first policy meeting in 2019 but the accompanying minutes indicate that it is becoming less confident that the current slowing in European economic growth is temporary.

In Australia, December reports of retail sales -0.4% month-on-month; home building approvals, -8.4% month-on-month; and housing finance for owner-occupiers, -6.4% month-on-month were all disappointingly weak and undoubtedly contributed to the RBA downgrading slightly its forecasts of GDP growth for 2019 and 2020 and its guidance on the next cash rate move from likely up to a fifty-fifty call of up or down. At the heart of the change in the RBA's economic and rate views are concerns about the future strength of household spending. In particular, the current slow pace of improvement in household income growth could lead households to retrench spending plans causing GDP growth to weaken.

9.0 CUSTOMER AND CORPORATE DIVISION REPORTS

ITEM 9.1	MINUTES FROM THE STRATEGIC REFERENCE GROUP MEETINGS HELD IN NOVEMBER AND DECEMBER 2018
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2018/805581
ATTACHMENTS	<ol style="list-style-type: none"> 1 Minutes - Places for People Strategic Reference Group Meeting dated 29 November 2018 (Included In Attachments Booklet) 2 Minutes - Community & Belonging Strategic Reference Group Meeting dated 5 December 2018 (Included In Attachments Booklet) 3 Minutes - Travel and Transport Strategic Reference Group Meeting dated 6 December 2018 (Included In Attachments Booklet) 4 Minutes - Economic & Smart Communities Strategic Reference Group Meeting dated 12 December 2018 (Included In Attachments Booklet) 5 Minutes - Environment Strategic Reference Group Meeting dated 13 December 2018 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To report the minutes of the five Strategic Reference Group (SRGs) meetings held during November and December 2018.

REPORT

The draft minutes of the five SRG meetings held during November and December 2018 are provided within the attachments. The Participation and Partnerships SRG scheduled on 28 November 2018 was cancelled due to a weather event for the safety of members.

The SRGs are aligned to the Community Strategic Plan (CSP) outcome areas. SRGs meet quarterly to consider and be updated on projects aligned to their respective CSP goals and strategies. The groups contribute advice, feedback and other support to Council in relation to issues, initiatives and requirements outlined within their charters.

The SRGs provide an avenue for the local community and key stakeholders to play an active and meaningful role in contributing to Council's CSP focus areas. They help shape future Council plans, policies and strategic outcomes, with informed consideration of community needs across the Northern Beaches area. The SRG meetings consider topics related to strategic workshops and project updates, and provide a forum for informative discussion to provide advice back to Council.

In accordance with the SRG Terms of Reference, the draft minutes of the meetings are reported to Council, and the following documents are now put forward for Council's consideration:

Strategic Reference Group	Meeting Date
Places for People	29 November 2018
Community & Belonging	5 December 2018
Transport & Travel	6 December 2018
Economic & Smart Communities	12 December 2018
Environment	13 December 2018

FINANCIAL CONSIDERATIONS

SRG meetings are supported within existing operational budgets.

SOCIAL CONSIDERATIONS

The SRGs provide valuable advice to many of the Community Strategic Plan goals which relate to social and community based outcomes. Each SRG is positioned to ensure involvement and engagement with a broad range of stakeholders, community groups, associations and the wider community.

ENVIRONMENTAL CONSIDERATIONS

Some SRGs positively contribute advice regarding Council's management of the environment and natural hazards in accordance with the Community Strategic Plan outcome areas.

GOVERNANCE AND RISK CONSIDERATIONS

The SRGs provide advice to Council in regard to the Community Strategic Plan outcome areas. SRGs are established and conducted in accordance with Council's committee framework.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council note the draft minutes of the five Strategic Reference Group meetings held during November and December 2018.

ITEM 9.2	POLICY REVIEW PROJECT - REVOKING OF POLICIES
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/066561
ATTACHMENTS	<ol style="list-style-type: none"> 1 Car Parking Areas - Free Policy (Pittwater) (Included In Attachments Booklet) 2 Mediation Policy (Pittwater) (Included In Attachments Booklet) 3 Mediation Policy (Warringah) (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to seek Council approval to revoke three policies of former councils.

EXECUTIVE SUMMARY

The Local Government (Council Amalgamations) Proclamation 2016 states that the policies of the three former councils (Manly, Pittwater and Warringah) remain in effect until Council adopts a new policy or the former policy is revoked. This report proposes to revoke an additional three policies which relate to the policy positions of the former councils prior to amalgamation which have been identified as no longer required.

This report considers the revocation of three former Council policies, being Car Parking Areas – Free Policy and two Mediation Policies, existing as separate policies relating to two former councils.

These policies do not have financial impacts as the policy areas will continue to be addressed through operational and field-specific guidance. Their revocation will not impact any environmental or social goals or outcomes of the Council. In relation to the Car Parking Areas – Free Policy, the revenue position of Council will not be impacted through the revocation of this policy as the free parking arrangements have been implemented by Council and will continue to be in effect. Any future change to parking will be guided by the Northern Beaches Parking Plan.

Ensuring a robust, complete and up to date policy environment is key to the Council's governance framework in line with Council's key Community Strategic Plan outcome of Good Governance, goal 19: *our Council is transparent and trusted to make decisions that reflect the values of the community: (b) [Council will] establish a strong corporate governance framework to ensure decisions and transactions are ethical, efficient, and fair.*

The policy harmonisation project supports this strategic goal through assessing and streamlining Council's policy environment. There are no increased risks to the organisation through revoking the identified policies as the subject areas will continue to be addressed through operational and field-specific guidance in place and as utilised within Council currently.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council revoke the following policies:

- A. Car Parking Areas – Free (former Pittwater)
 - B. Mediation (former Pittwater)
 - C. Mediation (former Warringah).
-

REPORT

BACKGROUND

The Local Government (Council Amalgamations) Proclamation 2016 (the Proclamation) clause 19 states:

- (1) The codes, plans, strategies and policies of the new council are to be, as far as practicable, a composite of the corresponding codes, plans, strategies and policies of each of the former councils.
- (2) This clause ceases to have effect in relation to a code, plan, strategy or policy when the new council adopts a code, plan, strategy or policy that replaces that code, plan, strategy or policy.

A policy review project has been underway to review the policies of the former councils and re-establish the policy environment for the Northern Beaches Council. The project commenced with 255 policies from the former councils, many of which were duplicate policies on the same topic for two or more of the former councils.

Since the project commenced 33 policies have been adopted by Northern Beaches Council. In addition, 102 policies have been revoked for various reasons including that the policies are operational in nature, no longer relevant or have been replaced by a Northern Beaches Council adopted policy.

Revoking of policies

This report seeks to revoke a further three policies for the following reasons:

Policy Name	Former Council	Reason for revoking
Car Parking Areas - Free	Pittwater	<p>This policy has been identified as redundant by Council's Transport Network Team. The policy details free (but time restricted) car parking areas within the former Pittwater Local Government Area (LGA).</p> <p>Carpark fees and charges were harmonised in 2018 and the same rules now apply across the Northern Beaches.</p> <p>The former Pittwater areas covered under this Policy are now free under the current Northern Beaches approach in providing parking in non-beach permit carpark locations. Accordingly, the policy is redundant.</p> <p>The Northern Beaches Parking Plan is currently being developed and addresses parking, including free car parking areas, for the whole Northern Beaches local government area, as well as charging for parking in dedicated parking areas. The draft plan will be placed on public exhibition for community consultation in the near future before being adopted by Council.</p>
Mediation	Pittwater	<p>It is primarily the role of the Development Assessment team to assess development against the controls and impacts of the development and determine whether it is appropriate. Conversely, where it is not the role of the team to manage customers towards the resolution of disputes or disagreements between neighbours (or applicants and objectors) over development, there are alternatives to address issues which are incorporated into good practice for development assessment.</p>
	Warringah	

		<p>Currently there are a number of measures in place to assist with the assessment of development where all parties may receive consideration of the issues as relevant to the assessment. These are as follows:</p> <ul style="list-style-type: none"> • Development Determination Panel (comprising staff membership) which handle smaller controversial Development Assessment with 3 or more objections where objectors can attend to raise their concerns directly with the Panel. • Local Planning Panel (comprising independent membership) handles bigger controversial applications where a public meeting is held and applicants and objectors may make a submission. • Sydney North Planning Panel (Regional Panel) to handle major applications which are of \$30 million costs plus. A public meeting is held to hear these applications. <p>The policies of the former councils have had limited use since the amalgamation in May 2016 – with the former Pittwater Council Mediation Policy never being used and the former Warringah Council Mediation Policy only being referred to three times, with limited or no resulting outcome. Due to the duplication of these policies currently, there are three distinct geographical policy positions and the revocation will harmonise the position of Council, ensuring consistency for all customers.</p> <p>The use of mediation as an option for disputes between neighbours or applicants and objectors to development can continue to be exercised independently between parties, as mediation services are independently offered throughout NSW through private and State Government affiliated agencies, such as Community Justice Centres.</p> <p>Council's policy <i>Development Applications Management June 2017</i> and the Department of Planning and Environment's <i>Best Practice Guide to Development Applications March 2017</i> take an approach towards the determination of development applications as originally submitted (not amended) which also takes into account the timeframes for determination in line with the State Government's Premier's Targets and Council's Corporate Performance Measures. As a mediation process can have an extrapolated and/or open-ended timeframe and therefore can often impede the timeframes for the determination process Council has committed to. The current policies in place (for the former Pittwater and Warringah Council areas) do not support a holistic approach across Council and if a new policy were adopted to replace rather than revoke, then the position to promote dispute resolution will give an expectation that does not accord with the current practices which Council aims to work to.</p>
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FINANCIAL CONSIDERATIONS

There are no financial impacts to consider in revoking the proposed policies as the policy impact areas will continue to be addressed through operational guidance.

SOCIAL CONSIDERATIONS

Policies are an important tool for Council to communicate its strategic direction to the community and provide visibility of the governance framework in line with Council's key Community Strategic Plan outcome of Good Governance.

ENVIRONMENTAL CONSIDERATIONS

The policies addressed in this report do not address any specific environmental subjects or impacts.

GOVERNANCE AND RISK CONSIDERATIONS

Ensuring a robust, complete and up to date policy environment is key to the Council's governance framework in line with Council's key Community Strategic Plan outcome of Good Governance, goal 19: *our Council is transparent and trusted to make decisions that reflect the values of the community: (b) [Council will] establish a strong corporate governance framework to ensure decisions and transactions are ethical, efficient, and fair.* There are no increased risks to the organisation through revoking the identified policies as the policy impact areas will continue to be addressed through operational and field-specific guidance.

ITEM 9.3	STRATEGIC INTERNAL AUDIT PLAN
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/119421
ATTACHMENTS	1 Strategic Internal Audit Plan 2019 to 2021 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To present to Council for approval the 3 Year Strategic Internal Audit Plan (financial year 2019 to financial year 2021), endorsed by the Audit, Risk and Improvement Committee (ARIC) at its meeting on 19 February 2019.

REPORT

The Strategic Internal Audit Plan (the Plan) is provided at Attachment 1 with the permission of KPMG, Council's co-sourced internal audit provider, to publically release. It sets out the indicative scope and timing of the planned internal audit work proposed over the three-year period ending 30 June 2021.

The Plan includes baseline and compliance audits and has been framed having regard to:

- discussions and input from the ARIC, Chief Executive Officer and senior Council executives
- key community outcomes as identified through Council's Community Strategic Plan and the core business processes of Council as driven through its Delivery and Operational Plans
- Council's most recent strategic risk register
- key findings arising from previous internal audits
- applicable experience and knowledge gained from the conduct of similar internal audit projects for other councils and industry benchmarking exercises.

The Plan takes on the internal audit activity which was part of the current Interim Internal Audit Plan. An Interim Internal Audit Plan was approved by the ARIC at its meeting of 5 September 2018 to ensure the continuity of internal audit activity during the planning and development of the 3 Year Strategic Internal Plan which was held over to accommodate the considerations of the incoming Chief Executive Officer and the incoming independent ARIC members. Therefore, the first year of the Plan incorporates the current Interim Internal Audit Plan as the first of its three years.

The Plan is designed to be flexible, dynamic and timely in order to meet the changing needs and priorities of the organisation and to address emerging issues. In this regard, the need to adjust the Plan will be monitored to be responsive to requests from the ARIC and senior Council executives.

FINANCIAL CONSIDERATIONS

Funding to support internal audit activity is budgeted in current and future operating budgets.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

Council is accountable to the community for the delivery of the Community Strategic Plan. The mission of Internal Audit is to enhance and protect organisational value by providing risk-based and objective assurance, advice, and insight contributing to the achievement of organisational goals and objectives.

GOVERNANCE AND RISK CONSIDERATIONS

The internal audit function is conducted in accordance with the guidelines issued by the Chief Executive of the Office of Local Government pursuant to section 23A of the Local Government Act 1993 and in consideration of Part 4A of the Local Government Act 1993 as proposed by the Local Government Amendment (Governance and Planning) Act 2016.

The 3 Year Strategic Internal Audit Plan has been developed taking into account Council's risk environment through its strategic risk register. The Plan is designed to be flexible, dynamic and timely and will be continuously evaluated to take into account Council's strategic, operational and functional risk landscapes, as well as having regard to emerging risks and potential disruptors.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council approve the Strategic Internal Audit Plan, endorsed by the Audit, Risk and Improvement Committee at its meeting on 19 February 2019.

ITEM 9.4	2019 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/128776
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To advise the process for councillor attendance at the 2019 National General Assembly of Local Government being held in Canberra from 16-19 June 2019 and to determine the voting delegate for the Northern Beaches Council at this conference.

EXECUTIVE SUMMARY

The National General Assembly of Local Government (NGA) is a key annual event for the Australian Local Government Association (ALGA). It is convened by the ALGA for local councils across Australia to develop and express a united voice on core social, environmental, governance, technological, financial and other issues affecting local government and their communities.

The forum will assist in the development of policy positions on national issues affecting local government and the Assembly will act on adopted motions as an advocate to the peak government body.

This report details the process for councillors requesting attendance at the NGA and seeks Council to determine the voting delegate. Council will not be submitting any motions to the NGA as no motions have been received by Council following a request to councillors in January 2019.

Councillors may attend the conference in accordance with the Northern Beaches Council Councillor Expenses and Facilities Policy through which funds are available in the 2018/19 operational budget for conference attendance by Councillors.

The NGA conference offers an opportunity for social, environmental and governance impacts in the local government area to be raised for consideration in the development of policy on national issues.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That:

- A. Councillors advise the Chief Executive Officer, in accordance with the Councillor Expenses and Facilities Policy, by 30 April 2019 of their request to attend the National General Assembly of Local Government to be held in Canberra from 16-19 June 2019.
 - B. The Mayor or his delegate be the voting delegate for Northern Beaches Council.
 - C. If the Mayor delegates his authority to vote a memo will be sent to advise all councillors.
 - D. Council note that the Northern Beaches Council has not exercised its right to submit motions to the Australian Local Government Association for the 2019 National General Assembly.
-

REPORT

BACKGROUND

The 2019 National General Assembly of Local Government (NGA) is an opportunity for local government to identify and discuss issues which it believes should be addressed by the Australian Government.

The theme for this year's NGA is Future Focused – *what councils can do today to get ready for the challenges, opportunities and changes that lie ahead.*

Councillors were asked in a memorandum dated 29 January 2019 to consider if they wished to put forward any motions for endorsement to the Assembly however there have been nil motions received.

The number of nominations for councillors to attend the National General Assembly is at the discretion of Council. However, the Northern Beaches Council is entitled to nominate only one voting delegate to attend the conference.

CONSULTATION

Councillors have been consulted regarding the submission of motions to the NGA 2019 conference.

TIMING

The NGA conference runs from 16-19 June 2019 inclusive.

FINANCIAL CONSIDERATIONS

Funds are available in the 2018/19 operational budget for conference attendance by Councillors.

Attendance by councillors at the NGA of Local Government will be in accordance with the Northern Beaches Council Councillor Expenses and Facilities Policy.

The NGA is included in the list of conferences to which this policy applies. The policy covers conference costs, registration, accommodation, travel and out of pocket expenses.

SOCIAL CONSIDERATIONS

The NGA conference offers an opportunity for social impacts in the local government area to be raised for consideration in the development of policy on national issues.

ENVIRONMENTAL CONSIDERATIONS

The NGA conference offers an opportunity for environmental impacts in the local government area to be raised for consideration in the development of policy on national issues.

GOVERNANCE AND RISK CONSIDERATIONS

This forum will assist councils in developing policy on national issues affecting local government and the Assembly will act on adopted motions by acting as an advocacy to the peak government body.

ITEM 9.5	NORTHERN BEACHES COUNCIL DISCRETIONARY FUND - QUARTERLY REPORT
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2019/134714
ATTACHMENTS	NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

The Northern Beaches Council Discretionary Fund provides the opportunity for councillors to put forward requests from individuals and community organisations for financial assistance towards initiatives and services which yield a community benefit. Payments made for the period 19 December to 26 March 2019 totalling \$4,428.70 include:

Recipient	Description	Allocation
Queenscliff Surf Lifesaving Club	Annual Charity Golf Event to support youth programs within the Club	\$800
Computer Pals for Seniors Northern Beaches	Assistance for the purchase of manuals for training programs	\$150
Mama Tribe	Assistance to hold event to support local mothers in the community	\$250
NAIDOC Week	Assistance towards information packs provided to primary schools across the LGA for NAIDOC Week	\$750
Northern Beaches Art Society	Assistance towards the cost of prizes for their annual exhibition	\$100
Special Olympics Sydney Northern Beaches	Annual Charity Golf Event to support intellectually disabled people to participate in sporting programs	\$800
Warringah Pittwater SES	Assistance towards end of year thank you function to volunteers	\$128.70
The Burdekin Association	Annual Charity Golf Event to support youth programs	\$600
Northern Beaches Youth Sport & Lifestyle Festival	Assistance towards event to raise funds for <i>Love for Lachie</i> and <i>Mona Vale Surf Club</i>	\$850

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council note that payments totalling \$4,428.70 have been allocated by the Northern Beaches Council Discretionary Fund for the period 19 December 2018 to 26 March 2019.

REPORT

BACKGROUND

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

At the 19 December 2017 Council meeting, Council adopted the Northern Beaches Council Discretionary Fund Policy, with a requirement that recipient and project details be reported to Council on a quarterly basis. This report only includes allocations that have been finalised.

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

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

The next report to Council will be presented at the ordinary Council meeting of 25 June 2019.

CONSULTATION

Requests made to the Discretionary Fund are submitted to the Mayor, Deputy Mayor or Councillor and the Chief Executive Officer or General Manager, Customer and Corporate for approval in accordance with the Policy.

TIMING

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

FINANCIAL CONSIDERATIONS

The funds allocated are provided within the existing annual budget approved by Council for the Northern Beaches Discretionary Fund which amounts to a total of \$23,000 per year financial, with a maximum amount to any one individual or community organisation of \$1,000 within the same financial year. The total amount expended this financial year is \$16,658.70 (inclusive of payment associated with this report).

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund Quarterly can support initiatives or services for which there may be a resulting environmental benefit. There are no specific services or initiatives addressing environmental outcomes within this quarter.

GOVERNANCE AND RISK CONSIDERATIONS

The Northern Beaches Council Discretionary Fund is a community facing incentive in place to support individuals and the community in line with the key outcomes of the Community Strategic Plan. The Payments allocated under the Northern Beaches Council Discretionary Fund are administered and approved in accordance with the requirements of the Northern Beaches Council Discretionary Fund Policy adopted by Council on 19 December 2017. The approval process in place supports an appropriate control and the quarterly reporting of the allocation promotes the transparency of Council's payments.

ITEM 9.6	SUSPENSION OF ALCOHOL FREE ZONE AND ALCOHOL PROHIBITED AREA FOR TASTE OF MANLY 2019
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2019/128245
ATTACHMENTS	1 Proposed Liquor Licence Area - Taste of Manly 2019

SUMMARY

PURPOSE

To consider the request to suspend the Alcohol Free Zone (AFZ) and Alcohol Prohibited Area (APA) in Manly CBD, Manly Beach and Beachfront Reserves for the 2019 Taste of Manly – festival of food and wine, to be held Saturday 25 and Sunday 26 May 2019.

EXECUTIVE SUMMARY

Taste of Manly is the premier food and wine festival on the Northern Beaches which is now in its 33rd year. The event last year attracted over 100,000 visitors to Manly. The event is organised and managed by Council. It will be held on Saturday 25 and Sunday 26 May 2019 from 11.30am – 5.00pm daily.

The Taste Festival will be presented along Manly Beachfront promenade and within a road closure along North and South Steyne between Raglan Street and Wentworth Street. The event site will also run along The Corso pedestrian mall from the beachfront to Darley Road, and along Sydney Road from The Corso to Central Avenue. See the attached map for details of the proposed event site.

The event offers customers an array of food and alcoholic beverages to purchase and consume within the event site, along with free live music entertainment. These activities will take place within the defined, licensed event site which will be professionally managed.

Following an extensive evaluation and review of last year's event, this year the focus will be on the promotion of the food experience at Manly. To enable this, a new addition is proposed to take place as a trial, offering an exclusive dining experience on the sand. This activity will be held within the proposed licensed area on Manly Beach. Planning is still underway and the activity is subject to relevant approvals.

Last year the Taste Festival attracted the largest number of visitors ever. Alcohol and security management plans were in place where alcohol was served. The AFZ and APA was suspended for this event last year, without incident.

It is recommended that Council suspend the AFZ and APA that are in place at Manly CBD, Manly Beach and Beachfront Reserves for the 2019 Taste of Manly – festival of food and wine event as outlined in this report.

RECOMMENDATION OF ACTING GENERAL MANAGER CUSTOMER AND CORPORATE

That Council:

- A. Suspend the Alcohol Free Zone and Alcohol Prohibited Area for the Taste of Manly 2019 event from Saturday 25 to Sunday 26 May 2019 for the service and consumption of alcohol within the designated event site from no earlier than 11.30am to no later than 5.00pm each event day.
 - B. Provide appropriate notice of the suspension of the Alcohol Free Zone and Alcohol Prohibited Area.
 - C. Events Staff continue to liaise with Northern Beaches Local Area Command about the safe management of service of alcohol at the Taste of Manly event.
-

REPORT

BACKGROUND

The Taste of Manly festival aims to celebrate Manly as a place that offers great food, beverages and live music on Australia's best beach. The event will be held on Saturday 25 and Sunday 26 May 2019 from 11.30am – 5.00pm each day.

The event site is licenced and the event management plan includes detailed, security and alcohol management plans that are developed in consultation with the Northern Beaches Local Area Command, as well as an independent security agency. These plans are subject to a safety audit by an external consultant to ensure the delivery of a safe event. The sale and consumption of alcohol at the event, can only take place within the defined event site.

Following an extensive evaluation process after the event last year, including debriefs with police and other stakeholders both internal and external, a number of issues were highlighted, including crowd control, long queuing for food and beverages, accessibility across the site and the value of the economic and social benefits for the local business community. As such the planning process for this year has included a review of the event objectives and activities.

This year the focus is on promoting Manly as a destination for great fresh food that capitalises on the iconic beach location.

This year the event will be presented along Manly Beachfront promenade and within a road closure along North and South Steyne between Raglan Street and Wentworth Street, as well as along The Corso pedestrian mall from the beachfront to Darley Road, and along Sydney Road from The Corso to Central Avenue. As per the attached site map.

It is proposed that a new trial activity will be held within the proposed licensed area on Manly Beach, extending the festival footprint from South Steyne onto the sand. This will be a managed site as per the conditions of the liquor licence (once approved). Planning is still underway and this activity and event is subject to relevant approvals.

Following last year's event a comprehensive debrief with police and security demonstrated the effectiveness of the security and alcohol management plans and there were no incidents noted within the licenced area or as a result of the suspension of the AFZ or APA for the Taste of Manly event.

CONSULTATION

Council Events staff work closely with the Northern Beaches Police Local Area Command to ensure the effective development of licencing and security plans to ensure the safe operation of event.

In 2019, Council will contract an independent company to manage the liquor licence on Council's behalf (as per the 2018 event). The contracted company will oversee the operation of the licence in conjunction with Council's Events team and RSA-certified contract security guards. The licensee, Events Team and Security Manager will be onsite throughout the event to liaise with stallholders and authorities to ensure the responsible service of alcohol and licensing conditions are adhered to.

TIMING

The AFZ and APA will be suspended in the designated event area only between the event operating hours of 11.30am and 5.00pm on Saturday 25 and Sunday 26 May 2019. The AFZ and APA will remain in effect as normal outside of the prescribed event hours.

FINANCIAL CONSIDERATIONS

All costs associated with the responsible management of alcohol service and security are covered by the operations budget 2018/1019.

SOCIAL CONSIDERATIONS

The consumption of alcohol will only be allowed within the approved event site and times. Council will provide sufficient security personnel to monitor anti-social behaviour and the responsible service of alcohol.

ENVIRONMENTAL CONSIDERATIONS

Event participants can only consume alcoholic drinks in the reusable glasses purchased at the event. Council will provide increased waste services for the festival in accordance with Council's Waste Minimisation for Functions and Events Policy.

GOVERNANCE AND RISK CONSIDERATIONS

Council will develop a comprehensive Event Management Plan, including detailed security and alcohol management plans, appropriate structures, staffing, fencing and signage. This will support the effective implementation of the controls in the Event Risk Assessment that will be subject to independent review by an external safety consultant. The licensee will be required to submit a risk assessment and will at all times be subject to the authority of police and their liquor licensing management to ensure the responsible service of alcohol.



TASTE OF MANLY 2019

Proposed Liquor licence area marked in yellow



10.0 ENVIRONMENT AND INFRASTRUCTURE DIVISION REPORTS

ITEM 10.1	FINANCIAL ASSISTANCE FOR PRIVATE COASTAL PROTECTION WORKS AT COLLAROY - NARRABEEN BEACH
REPORTING MANAGER	ACTING EXECUTIVE MANAGER NATURAL ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2019/094771
ATTACHMENTS	1 ↓ Properties Eligible for Financial Assistance for Private Coastal Protection Works at Collaroy-Narrabeen Beach

SUMMARY

PURPOSE

To approve a program of financial assistance to private property owners at Collaroy-Narrabeen Beach in accordance with the Northern Beaches Coastal Erosion Policy and Local Government Act (1993).

EXECUTIVE SUMMARY

The east coast low storm of June 2016 significantly impacted private properties at Collaroy-Narrabeen Beach. In response to this event, Council developed a range of policy responses to enable residents to protect their properties, and receive funding assistance from State and Local Government. The main pre-condition to the implementation of works is obtaining development consent and then approval from Crown Lands (if required) to occupy public land. Following these approvals, applicants will be in a position to request up to 20% funding towards the cost of their works (10% coming from State Government and a matching 10% from Northern Beaches Council). Currently consents have been issued in relation to 12 of the 49 properties. An application in relation to a further 10 properties has been considered by the Northern Beaches Local Planning Panel and is expected to be determined by May 2019. An additional application has been submitted for another property that has an existing approval.

Following amendments to the NSW Coastal Management Program guidelines last year, Council has obtained an offer of financial assistance of up to \$1,730,000 as the NSW Government's 10% contribution. Council will couple this offer with its own 10% (i.e. up to \$1,730,000) and administer the funding on behalf of both Council and the NSW Government. This is the first time this arrangement has been tested for coastal management funding, and significant effort has gone into ensuring Council's funding agreement with the State reflects this unusual situation and still remains workable for residents. This agreement is close to being finalised which will unlock the 10% contribution from the NSW Government.

In addition to this agreement, staff have been working on an administrative process that is simple and easy to use including a funding agreement that is reasonable and straightforward. Three main issues have arisen during discussions with residents; 1) timing of payments, 2) what works/activities can/should be covered under the funding package, and 3) the implications of GST on transactions between Council and residents.

The timing of payments is a difficult issue. Typically funding applications are paid at the conclusion of project milestones and/or project completion. This is to ensure that the funds are used for the proposed purpose and that the product/outcome meets the requirements on the ground. Staff have been approached by a number of residents who are concerned that they would be required to fund 100% of the works upfront, even though with assistance they will only pay 80%.

Provision of the financial assistance prior to completion would assist private property owners experiencing financial hardship, however Council (and the State Government) must be assured that works have been completed prior to the release of financial assistance. Council continues to explore ways to help residents fund this 20% on an interim basis (i.e. until the government's 20% is paid).

Costs involved in implementing the works include (but are not limited to) design, planning, legal agreements between owners, DA fees, development contributions, bonds for future maintenance, procurement, any contributions to Crown Lands (if required), cost of works (construction & making good) and certification of works including survey. Ongoing activities include inspection and monitoring of the works following large storms to maintain safety to the public and integrity of the works. While the initial proposal was for funding to only be allocated to construction works, following representations from a number of residents, staff now propose that the activities shown in Table 1 be considered eligible for funding.

The GST considerations regarding the works are complicated and will vary between parties (it depends on factors such as the legal entity that is undertaking the works, the nature of the relationship between residents and the entity, the way they are procuring the works etc.). It is proposed that staff continue to work with individual applicants as they come forward to manage the GST implications in a reasonable way that provides the best lawful benefit to residents without creating a financial risk to Council.

Under Section 356 of the Local Government Act (1993), the residents "*must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given*". At its meeting of 18 December 2018, Council resolved to publicly exhibit the intent to provide financial assistance to a number of property owners that are considered to be eligible for financial assistance under the Northern Beaches Coastal Erosion Policy. The proposal was exhibited from 19 January for a period of 28 days (avoiding the Christmas/New Year period). The Council report and resolution were published on Council's website, and a list of all eligible properties was published in the Manly Daily on 19 January 2019. Council did not receive any submissions in relation to the proposal.

While this proposal is consistent with the draft Community Grants and Partnership Policy (which is recommended to be placed on public exhibition following resolution at the Council meeting of 26 March 2019), the proposal is at odds with the former Warringah Council Grants and Sponsorship Policy. Accordingly, an exemption to this policy is specifically requested as part of this report.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council provide financial assistance under Section 356 of the Local Government Act (1993) to the owners of properties listed in the attached Properties Eligible for Financial Assistance for Private Coastal Protection Works at Collaroy Narrabeen Beach List up to a total contribution of \$1,730,000 of Council funds (subject to this contribution being matched by the NSW Government);
- B. Financial assistance will be considered for eligible activities described in Table 1, and in accordance with the process for providing financial assistance outlined in this report;
- C. Council delegate authority to the Chief Executive Officer to execute funding agreements and payment of financial assistance to the owners of properties listed in the attached Properties Eligible for Financial Assistance for Private Coastal Protection Works at Collaroy Narrabeen Beach List.
- D. Any financial assistance considered in this report be exempt from the former Warringah Council Grants and Sponsorship Policy.

REPORT

BACKGROUND

The east coast low storm of June 2016 significantly impacted private properties at Collaroy-Narrabeen Beach. In response to this event, Council developed a range of policy responses to enable residents to protect their properties, and receive funding assistance from State and Local Government. The main pre-condition to the implementation of works is obtaining development consent and then approval from Crown Lands (if required) to occupy public land. Following these approvals, applicants will be in a position to request up to 20% funding towards the cost of their works (10% coming from State Government and a matching 10% from Northern Beaches Council). Currently consents have been issued in relation to 12 of the 49 properties. An application in relation to a further 10 properties has been considered by the Northern Beaches Local Planning Panel and is expected to be determined by May 2019. An additional application has been submitted for another property that has an existing approval.

A report to the Council meeting of 18 December 2018 noted that Council's application to the NSW Coastal and Estuary Grants Program for the coastal protection works at Collaroy-Narrabeen Beach had been successful. The funding awarded provides 50% of the cost of protecting public assets and a 10% contribution to the costs of funding private protection works (matching Council's contributions of 50% of costs to public assets and up to 10% contribution to private protection works).

The funding offer received from the NSW Coastal and Estuary Grants Program requires acceptance of standard terms and conditions. While the offer supports Council's proposal to distribute grant funding to private residents, the standard conditions of the grant do not enable this to occur in a streamlined and practical manner (i.e. the agreement assumes payment to another public authority not a private individual). Council has proposed minor variations to the standard terms and conditions, and is seeking confirmation that these variations are acceptable before the formal Funding Agreements can be executed.

Once the Funding Agreement is finalised, Council and NSW State Government funds (i.e. up to the 20%) will be available to provide financial assistance to eligible property owners who construct private coastal protection works in accordance with the *Northern Beaches Coastal Erosion Policy*.

In addition to this agreement, staff have been working on an administrative process that is simple and easy to use including a funding agreement that is reasonable and straightforward. Three main issues have arisen during discussions with residents; 1) timing of payments, 2) what works/activities can/should be covered under the funding package, and 3) the implications of GST on transactions between Council and residents.

The timing of payments is a difficult issue. Typically funding applications are paid at the conclusion of project milestones and/or project completion. This is to ensure that the funds are used for the proposed purpose and that the product/outcome meets the requirements on the ground. Staff have been approached by a number of residents who are concerned that they would be required to fund 100% of the works upfront, even though with assistance they will only pay 80%. Provision of the financial assistance prior to completion would assist private property owners experiencing financial hardship, however Council (and the State Government) must be assured that works have been completed prior to the release of financial assistance. Council continues to explore ways to help residents fund this 20% on an interim basis (i.e. until the government's 20% is paid).

Costs involved in implementing the works include (but not limited to) design, planning, legal agreements between owners, DA fees, development contributions, bonds for future maintenance, procurement, any contributions to Crown Lands (if required), cost of works (construction & making good) and certification of works including survey. Ongoing activities include inspection and monitoring of the works following large storms to maintain safety to the public and integrity of the works. Staff propose that the activities shown in Table 1 be considered eligible for funding.

The GST considerations of the works are complicated and will vary between parties (it depends on factors such as the legal entity that is undertaking the works, the nature of the relationship between residents and the entity, the way they are procuring the works etc.). It is proposed that staff continue to work with individual applicants as they come forward to manage the GST implications in a reasonable way that provides the best lawful benefit to residents without creating a financial risk to Council.

Governance Considerations

In developing the financial assistance package for coastal protection works Council has sought to balance the need for a process that is simple for residents while ensuring the necessary level of rigour.

Legislative Requirements

Under Section 356 of the Local Government Act (1993), the residents “*must not receive any benefit under this section until at least 28 days’ public notice of the council’s proposal to pass the necessary resolution has been given*”. At its meeting of 18 December 2018, Council resolved to publicly exhibit the intent to provide financial assistance to a number of property owners that are considered to be eligible for financial assistance under the Northern Beaches Coastal Erosion Policy. The proposal was exhibited from 19 January for a period of 28 days (avoiding the Christmas/New Year period). The Council report and resolution were published on Council’s website, and a list of all eligible properties was published in the Manly Daily on 19 January 2019. Council did not receive any submissions in relation to the proposal. As a result, Council is now legally able to provide financial assistance to eligible properties for the construction of private coastal protection works.

Funding allocation

The total grant funding available to eligible property owners is limited to \$3,460,000 which is being provided by Council and the NSW Government in equal portions (i.e. up to 10% each). While Council’s cost assumptions are conservative (and recent applications have been consistent with these estimates) once this funding has been allocated to eligible properties, further funding cannot be guaranteed. Additional funding would require a new budget bid from Council’s forward estimates (drawing funding away from other programs) and another application to NSW Government for a contestable grant (which obviously cannot be guaranteed). Accordingly, Council expects that residents will take the opportunity now to construct their protective works while the funding is available.

Process for Providing Financial Assistance

To ensure this funding is distributed equitably and transparently the following actions are required.

i. Activities Eligible for Funding

The activities listed in Table 1 are proposed to be considered for funding:

Table 1	
1.	Site establishment (including fencing, signage, stockpiling)
2.	Construction (including site preparation, earthworks & excavation, materials, plant hire, labour)
3.	Supervision (including project management, site works supervision)
4.	Certification (costs associated with engineering review and approval of the installed works)
5.	Final survey demonstrating the location of works as executed.

Activities not Eligible for Funding

- Damage to public or third party assets
- Ancillary works such as private access ways, stairs, fences and landscaping
- Legal fees, planning, design, development and modification application costs, fees and charges payable to Council or any government agency
- Ongoing maintenance of the completed seawall structure or surrounding and additional infrastructure

ii. Confirmation of Funding Amounts

The grant amount allocated to the works will not exceed 20% of the cost of construction of the seawall. This will be based on the cost estimates/quotes submitted with the application for funding, in the form of a Statutory Declaration. The accuracy of this estimate must be certified by a Quantity Surveyor, Engineer or other suitably qualified person. Should the actual costs be higher than the estimate, the funding amount approved via the application process will not be exceeded. Should the actual costs be less than the cost estimate, then the funding allocation will be reduced so as to be 20% of the actual cost.

iii. Process for submitting funding applications

Applications for funding will be submitted through the Northern Beaches Council on-line Smarty Grants portal, which is used by Council for other grant funding programs. The application form is very simple, and enables applicants to upload documentation to verify the request for funding assistance.

iv. Process for assessing applications

Once submitted, the application and associated documentation will be reviewed by technical experts including a coastal engineer, an officer from the OEH and a council staff member. The panel will make recommendations to Council's Chief Executive Officer on the amount of funding each application should be allocated. Applicants will be provided with confirmation of available funds as early as possible.

Upon approval, the applicant will receive written acknowledgement confirming the funding allocation attributed to the works. The applicant will be required to enter into a Funding Agreement with Council which will detail any other conditions, including record keeping and financial statements to be provided to Council in order to audit and acquit the funding.

The following documentation must be submitted with an application:

- The Development Consent, including the notice of determination and conditions of consent;
- At least 3 quotes for the work to be undertaken;
- A Statutory Declaration that the costs/quotes submitted are valid;
- Authority to submit the funding request signed by all eligible private property owners (where more than one property is covered by a single Development Application)
- Evidence of financial arrangements between all owners to construct and maintain the works.

v. Process for claiming funds

Eligible property owners will be able to claim the financial assistance upon completion of the works. The following documentation must be submitted prior to claiming the financial assistance;

- Certification of the works by a suitably qualified coastal engineer as being constructed in accordance with the Development Consent, approved plans and specifications (already required by DA conditions)
- Certification by a registered surveyor that all construction is located in accordance with the Development Consent, approved plans and specifications (already required by DA conditions);
- An occupation certificate for the works (already required by DA conditions);
- An expenditure report attaching original receipts (or certified true copies) of the resident's expenditure, and the total cost of the construction works, to the satisfaction of Council; and
- An invoice or claim for the financial assistance issued to Northern Beaches Council (as required by Council).

vi. Payment of financial assistance

The request and associated documentation will be reviewed by the technical panel responsible for assessing the original applications. This panel will recommend release of the financial assistance to Council's Chief Executive Officer. All claims for payment of financial assistance must be submitted prior to 31 December 2021.

TIMING

Financial assistance for coastal protection works in accordance with the Northern Beaches Coastal Erosion Policy will be available to residents until 31 December 2021 (consistent with the timing of the Funding Agreement with the NSW Government), although applications will need to be submitted, approved and acquitted by that date. Accordingly, property owners are encouraged to submit their applications well in advance of that date.

FINANCIAL CONSIDERATIONS

The cost of financial assistance to all eligible properties has been allocated in Council's operational budgets for future years up to the 2021/22 financial year.

SOCIAL CONSIDERATIONS

Protecting and maintaining the amenity of this beach is a high priority for Northern Beaches Council, and is being achieved through the application of the Northern Beaches Coastal Erosion Policy and Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fishermans Beach. Implementation of a coordinated and holistic approach to protection of public and private assets will significantly improve public safety and access when coastal erosion occurs.

ENVIRONMENTAL CONSIDERATIONS

Maintaining coastal processes for public beach amenity and surf quality is Council's highest priority for Collaroy-Narrabeen Beach, and applications for private protection works are required to demonstrate that these factors have been taken into consideration in the design. The Coastal Protection Assessment undertaken for the proposed works demonstrates the Concept Design and Concept Alignment won't adversely impact upon coastal processes of the embayment. Council requires the implementation of rigorous design standards through the Collaroy-Narrabeen Protection Works Design Specifications.

GOVERNANCE AND RISK CONSIDERATIONS

The recommended action is consistent with the Northern Beaches Coastal Erosion Policy and the *NSW Local Government Act 1993*.

Council has not received development applications for all properties that are eligible under this proposal. As such, the full cost of the works cannot be fully determined at this time. The cost estimates that formed the basis for the 20% funding were undertaken by independent coastal engineers, and are well aligned to the cost estimates attached to existing development approvals. Staff believe the funding proposals by the NSW Government and Council will be sufficient to provide up to 20% funding. The funding is limited to a total contribution of \$3,460,000 and is required to be expended by 31 December 2021. There is a risk that cost of the works and the timing of the works are outside of these estimates, however the cost estimates are conservative and Council expects residents will be motivated to complete these works within the timeframe.

The former Warringah Council Grants and Sponsorship Policy, which is still in force, guides the provision of financial support to organisations through grants and sponsorship. The provision of financial assistance to individuals is inconsistent with this policy. Accordingly, an exemption to this policy is specifically requested as part of this report. The former Warringah Council Grants and Sponsorship Policy will be replaced by the draft Community Grants and Partnership Policy, which is recommended to be placed on public exhibition following resolution at the Council meeting of 26 March 2019.

At the meeting of 18 December 2018, Council resolved to publicly exhibit the intent to provide financial assistance to the property owners whose properties are eligible to receive funding in accordance with the Northern Beaches Coastal Erosion Policy. This report recommends a resolution to provide this financial assistance to eligible properties. These actions are consistent with the draft Community Grants and Partnership Policy as proposed for exhibition.

Address	Property Description
11 Ocean Street Narrabeen NSW 2101	Lot CP SP 5165
1 Goodwin Street Narrabeen NSW 2101	Lot 1 DP 841961
2 Goodwin Street Narrabeen NSW 2101	Lot 2 DP 853885
2A Goodwin Street Narrabeen NSW 2101	Lot 1 DP 853885;
1222 Pittwater Road Narrabeen NSW 2101	Lot 6 DP 78702
1220 Pittwater Road Narrabeen NSW 2101	Lot CP SP 32470
1218 Pittwater Road Narrabeen NSW 2101	Lot A DP 150761
1216 Pittwater Road Narrabeen NSW 2101	Lot B DP 150761 & Lot C DP 150761
1214 Pittwater Road Narrabeen NSW 2101	Lot 2 Sec 23 DP 111254
1A Mactier Street Narrabeen NSW 2101	Lot 1 DP 623993
1204 Pittwater Road Narrabeen NSW 2101	Lot CP SP 971
1196 Pittwater Road Narrabeen NSW 2101	Lot B DP 312655
1194 Pittwater Road Narrabeen NSW 2101	Lot C DP 312655
1192 Pittwater Road Narrabeen NSW 2101	Lot CP SP 2808
1 Clarke Street Narrabeen NSW 2101	Lot 1 Sec 18 DP 7417
1184 Pittwater Road Narrabeen NSW 2101	Lot 6 DP 659074
1182 Pittwater Road Narrabeen NSW 2101	Lot CP SP 66999
1180 Pittwater Road Narrabeen NSW 2101	Lot 5 Sec 17 DP 7417
1178 Pittwater Road Narrabeen NSW 2101	Lot 4 Sec 17 DP 7417
1176 Pittwater Road Narrabeen NSW 2101	Lot 3 Sec 17 DP 7417
1174 Pittwater Road Narrabeen NSW 2101	Lot 2 Sec 17 DP 7417
1172 Pittwater Road Narrabeen NSW 2101	Lot CP SP 3877
1168 Pittwater Road Collaroy NSW 2097	Lot 1 DP 970200
1166A Pittwater Road Collaroy NSW 2097	Lot 71 DP 1011242
1166B Pittwater Road Collaroy NSW 2097	Lot 72 DP 1011242
1164 Pittwater Road Collaroy NSW 2097	Lot A DP 302895
1162 Pittwater Road Collaroy NSW 2097	Lot B DP 302895
1160 Pittwater Road Collaroy NSW 2097	Lot C DP 302895
1158 Pittwater Road Collaroy NSW 2097	Lot 1 DP 1016094
1156 Pittwater Road Collaroy NSW 2097	Lot 1 DP 313699 & Lot C DP 954998
1154 Pittwater Road Collaroy NSW 2097	Lot B DP 954998
1150 Pittwater Road Collaroy NSW 2097	Lot CP SP 2949
1144 Pittwater Road Collaroy NSW 2097	Lot 7 Sec 13 DP 111254
1142 Pittwater Road Collaroy NSW 2097	Lot 6 Sec 13 DP 111254
1140 Pittwater Road Collaroy NSW 2097	Lot 1 DP 10757;

Address	Property Description
1138 Pittwater Road Collaroy NSW 2097	Lot 2 DP 10757
1136 Pittwater Road Collaroy NSW 2097	Lot 3 DP 10757
1134 Pittwater Road Collaroy NSW 2097	Lot 4 DP 10757
1132 Pittwater Road Collaroy NSW 2097	Lot 5 DP 10757
1130 Pittwater Road Collaroy NSW 2097	Lot 1 DP 121939
1128 Pittwater Road Collaroy NSW 2097	Lot A DP 167490
1126 Pittwater Road Collaroy NSW 2097	Lot 1 DP 170202;
1122 Pittwater Road Collaroy NSW 2097	Lot CP SP 677
1114 Pittwater Road Collaroy NSW 2097	Lot CP SP 1977
1112 Pittwater Road Collaroy NSW 2097	Lot 2 DP 306168
1 Frazer Street Collaroy NSW 2097	Lot 1 DP 306168
1106 Pittwater Road Collaroy NSW 2097	Lot 8 Sec 9 DP 5234
1104 Pittwater Road Collaroy NSW 2097	Lot A DP 404802
1096 Pittwater Road Collaroy NSW 2097	Lot CP SP 450

ITEM 10.2	UPDATE ON PUBLIC SPACE PROTECTION PLANS FOR THE MANLY CENTRAL BUSINESS DISTRICT
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/060819
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek Council approval to implement public safety measures in the Manly Central Business District (CBD), and prepare Public Space Protection Plans for the Northern Beaches area.

EXECUTIVE SUMMARY

Council has been working with the Northern Beaches Police Local Area Command (LAC) to develop public protection measures for key sites in the Manly CBD. Currently measures are put in place for major events, however there is a need for more permanent measures in normal times.

In response, Council has identified a number of physical barriers that will be installed at the entrances to The Corso, Manly Wharf Area and the Manly beachfront. These relatively inconspicuous but effective barriers include engineered bollards, strategic mature tree planting and anchored planter boxes that would provide an appropriate level of protection while remaining unobtrusive.

Council made an application to the Federal Government for a grant to implement the protection measures, which are expected to cost approximately \$800,000. Council was only partially successful and was awarded a grant of \$400,000 which is expected to be received early in the 2019/20 financial year. It is recommended Council proceed with project planning and detailed design works in order to be ready for implementation in the 2019/20 financial year. This preliminary work can be covered within existing resources. The funding gap for the remainder of the works is proposed to be provided by \$400,000 of working capital in the 2019/20 capital works program.

Given the popularity of a number of public areas on the Northern Beaches, a broader Public Space Protection Plan is proposed to be developed as budget allows to determine whether protection measures are required in any other locations.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That Council allocate:

- A. \$400,000 of working capital within the draft 2019/20 capital works program that will be combined with the grant funding of \$400,000 for the implementation of the Public Space Protection Measures in the Manly CBD.
 - B. \$100,000 in the draft 2019/20 budget to develop a Public Space Protection Plan.
-

REPORT

BACKGROUND

Manly is considered to be one of the most iconic tourist destinations in Sydney and NSW, and attracts millions of visitors each year. During summer, the Wharf area and Corso can be particularly congested on a normal day and more so during events such as Jazz Festival and New Year's Eve. Council works with event organisers and the NSW Police to implement temporary vehicle intrusion measures for these special events, however there is a clear need to install more permanent measures for normal periods.

Council in cooperation with the Northern Beaches Local Area Command (LAC) has undertaken an analysis of locations in the Manly area that could potentially be susceptible to vehicle intrusion. This analysis has found that Manly Corso and Manly CBD are key sites that warrant the installation of better measures.

In response, Council has identified a number of physical barriers that will be installed at the entrances to The Corso, Manly Wharf Area and the Manly beachfront. These relatively inconspicuous but effective barriers include engineered bollards, strategic mature tree planting and anchored planter boxes that would provide an appropriate level of protection while remaining unobtrusive.

The project has been estimated to be approximately \$800,000 however there is uncertainty regarding the final cost until detailed construction drawings are developed due to the number of underground services present in these areas.

As reported to Council on 16 October 2018, Council applied to the Federal Government Safer Communities Fund for funding and has been offered a grant of \$400,000. While the funding was lower than Council's estimate for the works, it is recommended that project planning and design work commence as soon as possible so that on-ground works can commence in the 2019/20 financial year. This preliminary work can be covered within existing resources. It is further recommended that staff include a proposal for funding the remaining \$400,000 within the draft 2019-2020 capital works program (from working capital) to deliver the works in a timely manner.

Council and the LAC also recognise that other highly used areas in the Northern Beaches could be susceptible to vehicle intrusion. Following the model established by City of Sydney, it is proposed that Northern Beaches Council develop a Public Space Protection Plan to achieve the following objectives:

- Identify risks
- Develop appropriate controls and concept plans
- Prepare costings and associated budgets
- Develop a prioritised implementation program

This exercise will require specialist assistance and it is estimated that the cost of the consultancy will be approximately \$100,000 which is to be funded from the 2019/20 draft budget.

CONSULTATION

Council has worked very closely with the LAC to develop the strategy for Manly CBD. Council will engage local businesses directly and the Chamber of Commerce to discuss the proposed works, any impact associated with the works and any changes it may cause to their operating routines.

Council will establish a joint working group with the LAC to manage the development of the Public Space Protection Plan. Council will provide Councillors with briefings as appropriate on the Plan during its development.

TIMING

It is planned that vehicle mitigation measures for the Manly CBD will be completed by June 2020. Pending approval of the budget, it is anticipated the development of a Public Space Protection Plan will be completed by March 2020.

FINANCIAL CONSIDERATIONS

As noted elsewhere in this report, the full cost of the Manly CBD measures is anticipated to be approximately \$800,000. Council applied for a Federal Government Grant to fund the full cost of the project, however was only successful in obtaining \$400,000 which will be used for the implementation of the works. This income is expected to be received in the 2019/20 financial year.

The remaining \$400,000 of funding required to implement the Manly CBD measures is proposed to be funded by working capital as part of the 2019/20 capital works program.

A broader Public Space Protection Plan is recommended for the Northern Beaches. The Plan is anticipated to cost approximately \$100,000 to be funded from the 2019/20 draft budget.

SOCIAL CONSIDERATIONS

Manly CBD is a vibrant and popular area and a key thoroughfare from the Wharf to the beach and visited by millions every year. Protection measures will be designed to be effective but also low-key and unobtrusive. They will be installed in a manner that minimizes any impact to local businesses or other key stakeholders.

ENVIRONMENTAL CONSIDERATIONS

There may be some general minor short-term environmental impacts caused by the construction works (e.g. noise, vibration). Appropriate environmental controls will be used particularly around the Wharf area to ensure there is no impact to the nearby Fairy Penguin colonies and no water quality issues from runoff.

The strategically located planter boxes and planting of very mature trees should have a positive overall effect on the environment particularly as the introduction of more trees will reduce urban heat from the paved areas.

GOVERNANCE AND RISK CONSIDERATIONS

It is recommended that this work commence as soon as possible in order to maintain the safety of our local and tourist communities.

ITEM 10.3	AVALON BEACH RESERVE DOG OFF-LEASH AREA TRIAL
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2019/129675
ATTACHMENTS	1 Summary of Community Feedback and Council's Response 2 Avalon Beach Dog Off - Leash Area Concept Plan dated March 2019

SUMMARY

PURPOSE

To consider the community feedback on the trial Avalon Beach Reserve dog off-leash area and the proposal that a section of the reserve becomes a permanent dog off-leash area.

EXECUTIVE SUMMARY

At the meeting held 8 August 2017, Council resolved, amongst other things, that the:

Avalon Beach Reserve (north western section) is declared as an unleashed dog exercise area on a trial basis for 6 months and that a review of the trial be the subject of a future report to Council. Temporary fencing, signage and other requirements are to be installed and key stakeholders and nearby residents appropriately notified before implementation.

In February 2018 fencing, signage, a bin and tap were installed at Avalon Beach Reserve to create a trial dog off-leash area. From February 2018 to July 2018 Council sought community feedback on the proposal that this section of the reserve become a permanent off-leash area. A report on the feedback received was considered at the Council meeting held 18 December 2018. Following consideration of this report, Council resolved that:

This matter be deferred for 3 months during which time Council seeks comment and submissions from directly affected residents, the community and Pittwater Unleashed.

The trial continue however all priority maintenance matters be checked subject to the Chief Executive Officer's approval.

From January 2019 to February 2019 Council sought further community feedback on the off-leash area. The submission period closed Sunday 24 February 2019. 179 on-line survey responses were received regarding the proposal that a section of the reserve become a permanent off-leash area. A summary is outlined below:

- 177 responses were received from people living on the Northern Beaches and 2 responses from outside the Northern Beaches.
- 153 responses (85.5%) supported the proposal, 19 responses (10.5%) did not support the proposal, 7 responses (4%) were unsure.
- 91 responses (51%) were from people living in Avalon. 85% supportive, 11% not supportive, 4% unsure.
- 130 responses (73%) were from people living in the nearby suburbs of; Mona Vale, Newport, Bayview, Bilgola, Avalon, Clareville, Church Point and Palm Beach. 84.5% supportive, 11.5% not supportive, 4% unsure and
- 25 people attended the drop-in session, 21 people supported the proposal, 4 people were not supportive.
- Pittwater Unleashed supports the Council creating more spaces for dogs and supports the Avalon Beach Reserve off-leash area proposal.

Upon consideration of the community feedback received in both stages of consultation it is recommended that a section of Avalon Beach Reserve is declared an off-leash area as shown in Attachment 2 - Avalon Beach Dog Off - Leash Area Concept Plan dated March 2019. Further, that Council undertakes the maintenance/infrastructure works as indicated in Table 1 of this report.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That Council:

- A. Declares a section of Avalon Beach Reserve as an off-leash area under Section 13(6) of the Companion Animals Act (1998) as shown in Attachment 2 (*Avalon Beach Dog Off - Leash Area Concept Plan dated March 2019*).
 - B. Implements the infrastructure upgrades at Avalon Beach reserve listed in Table 1 of this report.
-

REPORT

BACKGROUND

In response to community engagement undertaken in May and June 2017 Council resolved 8 August 2017, amongst other things, that the:

Avalon Beach Reserve (north western section) is declared as an unleashed dog exercise area on a trial basis for 6 months and that a review of the trial be the subject of a future report to Council. Temporary fencing, signage and other requirements are to be installed and key stakeholders and nearby residents appropriately notified before implementation.

In February 2018 fencing, signage, a bin and tap were installed at Avalon Beach Reserve to create a trial off-leash area. Community engagement was undertaken to obtain feedback on the proposal that a section of the reserve become a permanent off-leash area.

From February 2018 to July 2018 Council sought community feedback on the trial dog off-leash area. The submission period closed 31 July 2018. A report on the feedback received was considered at the Council meeting held 18 December 2018. A summary of this feedback is outlined below:

- 103 responses were received from people living on the Northern Beaches, 2 responses from outside the Northern Beaches and 3 responses where their location was not stated.
- 58 responses (53%) supported the proposal, 50 responses (47%) did not indicate support.
- 88 responses (81%) were from people living in the nearby suburbs of; Mona Vale, Newport, Bilgola, Avalon Beach, Clareville, Whale Beach, Palm Beach. 52% were supportive, 48% did not indicate support.
- 52 responses (48%) were from people living in Avalon, 56% were supportive, 44% did not indicate support.
- The majority of local respondents were supportive of the off-leash area at Avalon Beach Reserve. However, some residents living nearby were strongly opposed.

Following consideration of this report, Council resolved that:

This matter be deferred for 3 months during which time Council seeks comment and submissions from directly affected residents, the community and Pittwater Unleashed.

Community Engagement January 2019 to February 2019

From January 2019 to February 2019 Council sought further community feedback on the off-leash area proposal. The submission period closed Sunday 24 February 2019. Community engagement involved:

- An online feedback form available on Council's website via Your Say Northern Beaches.
- One community drop-in session held at the reserve 9 February 2019.

Community engagement opportunities were publicised on Council's website and promoted through local media and signs on-site. E-mails were also sent to; key stakeholders, people who registered an interest in the first stage of engagement and to the Northern Beaches What's On registered members. Letters were also sent to nearby residents.

The proposal was discussed again with Pittwater Unleashed and the Manly Dogs group at a meeting held 31 January 2019. The Pittwater Unleashed and the Manly Dog group representatives supported the Council creating more spaces for dogs and supports the Avalon Beach Reserve off-leash area proposal.

Community Feedback

179 on-line survey responses were received regarding the proposal that a section of the reserve become a permanent off-leash area, a summary is outlined below:

- 177 responses were received from people living on the Northern Beaches and 2 responses from outside the Northern Beaches.
- 153 responses (85.5%) supported the proposal, 19 responses (10.5%) did not support the proposal, 7 responses (4%) were unsure.
- 91 responses (51%) were from people living in Avalon. 85% supportive, 11% not supportive, 4% unsure.
- 130 responses (73%) were from people living in the nearby suburbs of; Mona Vale, Newport, Bayview, Bilgola, Avalon, Clareville, Church Point and Palm Beach. 84.5% supportive, 11.5% not supportive, 4% unsure.
- 25 people attended the drop-in session, 21 people supported the proposal, 4 people were not supportive.

Council's responses to the feedback received via the on-line survey are collated in Attachment 1.

In the previous engagement there were residents living close to the trial area who submitted multiple responses strongly opposing the proposal. Their concerns related to; increased traffic and increased demand for parking in an already busy area, noise, smell, reduced opportunities for other recreational use, the change in the outlook of a green park to an 'ugly' 'unsightly' space with worn out grass and muddy areas.

As part of the current engagement staff met these residents to discuss actions that might allay their concerns, including:

- Moving the northern fence to the south so that dogs and users are further away from homes across the road from the reserve (on Central Road).
- Plant vegetation on the road edge and adjacent to the northern fence to screen the off-leash area from nearby homes.
- Undertake more regular maintenance to ensure the aesthetic qualities of the reserve are retained.

Maintenance Improvements

As indicated above, Council staff discussed a number of improvements to the reserve that could support an off-leash dog area. These improvements are recommended to be installed and funded as indicated in the following table.

Table 1 – Maintenance improvements

Maintenance Item	Timeframe
1) Relocate and upgrade the fencing and gates.	By 30 June 2019
2) Permanent signage (regulatory and etiquette).	By 30 June 2019
3) Upgrades to the grass areas.	By 30 June 2019
4) Additional tap outside the area and relocate/upgrade the existing tap.	By 30 June 2019
5) Two new bench seats and an additional bin and	By 30 June 2019

Maintenance Item	Timeframe
relocate existing bin.	
6) Screen planting and new path on the northern edge of the reserve.	By 30 June 2019

Summary

Upon consideration of the community feedback received in both stages of consultation it is recommended that a section of Avalon Beach Reserve is declared an off-leash area (see attached concept plan). Further, that Council undertakes the upgrades (see attached concept plan) and maintenance as outlined in Table 1.

CONSULTATION

Community engagement to obtain feedback on the proposal that a section of the reserve become a permanent off-leash area has been undertaken in two stages:

- Stage 1 engagement February 2018 to July 2018. The submission period closed 31 July 2018.
- Stage 2 engagement January 2019 to February 2019. One community drop-in session held at the reserve 9 February 2019 and meetings were held with local residents. The submission period closed 24 February 2019.

For both stages the trial was publicised on Council's website and promoted through local media and signs on-site. Letters were sent to nearby residents and e-mails sent to key stakeholders and Council's Community Engagement Register contacts. The proposal was also discussed with Pittwater Unleashed and a number of nearby residents.

TIMING

Should Council agree to the proposal that a section of the reserve become a permanent off-leash area the upgrades outlined in this report are planned to be undertaken by June 2019.

FINANCIAL CONSIDERATIONS

In response to the community feedback received from both stages of consultation a number of infrastructure items are proposed (see Table 1). Funds are available in the Parks & Recreation 2018/19 budget for these works.

An ongoing planned maintenance program has been proposed in future budgets to ensure that the quality, aesthetics and functionality of the area and infrastructure are at a high standard and reflects community needs.

SOCIAL CONSIDERATIONS

Council recognises both the benefits of off-leash dog areas to community well-being and the importance of managing impacts on nearby residents and other park users. In response to community feedback the Avalon Beach Reserve off-leash area is to be maintained to a high standard and more regular ranger visits have been requested to provide feedback and advice on appropriate use.

ENVIRONMENTAL CONSIDERATIONS

Relevant environmental requirements will be met.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed infrastructure and maintenance aligns with the principles for upgrading unleashed dog exercise areas outlined in the report to Council 27 February 2018.

There is a requirement for Council to maintain and manage this off-leash area to ensure that the quality, aesthetics and functionality of the area and infrastructure are at a high standard.

Online Survey Community Feedback – Site Based Comments (summarised by theme)	Response
a) Good location (22 responses), close to Bilgola (1 response), convenient (5 responses), walkable from Avalon (9 responses). Not a good location (4 responses). Provides opportunities for social interaction and contributes to community well-being (21 responses). Safe space (1 response).	a) It is proposed to declare the Avalon Beach Reserve as an off-leash area.
b) The off-leash area restricts access to the reserve for other recreation activities (9 responses).	b) This area of the reserve was not previously well used for sport, informal or community activities as there are other more suitable parks nearby.
c) Move the off-leash area further away from the homes on Central Road to the southern part of the reserve (7 responses). Too close to homes (3 responses).	c) It is proposed to move the northern fence 20m to the south and the southern fence 23m to the south to enlarge the off-leash area and to shift the area away from nearby homes (see attached concept plan). The fencing cannot be moved any further south without impacting the grass netball courts located at the southern end of the reserve.
d) During the trial; there are muddy areas after rain (11 responses), loss of grass due to the dogs (2 responses), the area smells (2 responses), and the use has made the reserve an 'ugly' 'unsightly' 'unappealing' space (11 responses) and is now not peaceful (2 responses).	d) In February 2019 drainage was installed to reduce the likelihood of muddy areas forming after rain and some turf laid to repair the grass. Further grass upgrades are proposed in 2019. An ongoing planned maintenance program has been established to ensure that the quality, aesthetics and functionality of the grass area and infrastructure are consistently at a high standard.
e) Poorly maintained (4 responses), more weeding (2 responses) and more mowing (3 responses) needed.	e) see d)
f) Inconsiderate behavior of some dog owners e.g. not picking up faeces (8 responses). There is noise from barking dogs (3 responses)	f) Council supports a proactive approach to barking by; providing community education and training for dog owners, investigating reports of persistent barking and taking appropriate action to remove nuisance caused by barking. Pet owners have an obligation to care for their pets as well as a duty to ensure their dog's activities don't unreasonably disturb neighbours or affect the environment – this includes ensuring they pick up after their dogs. Etiquette signage proposed will include messages about being mindful of nearby residents particularly in regard to whistling, calling out to dogs and picking up after dogs.
g) Consider additional bins (10 responses). Empty bins more often (1 response).	g) An additional bin is proposed and the Waste Services Team has been requested to monitor the emptying of bins at this reserve and to service as needed.

h) Fence the entire perimeter of the off-leash area (14 responses) particularly along the main road edge (4 responses) and along the open drain (1 response). Make the fence green not black (1 response). Upgrade gates (2 responses).	h) It is proposed to fence the entire perimeter. There may be different styles of fence at certain points. The gates will be upgraded to be more secure and the colour of the fence is black. And see c) and attached concept plan.
i) Make the off-leash area larger (40 responses). The off-leash area is an adequate size (7 responses). Though is more suitable for smaller dogs (8 responses).	i) see c)
j) Provide seating (22 responses), more bins (10 responses), shade (15 responses), noticeboard (1 response), table (1 response) and more water stations (7 responses).	j) Should Council agree to the proposal the following will be installed and undertaken; permanent signage (regulatory and etiquette signs), upgrades to grass areas, additional fencing and fencing upgrades, tap upgrades, an additional bin and tap, two new bench seats, screen planting, access path (see attached concept plan). No shade is proposed.
k) Rangers to patrol more often (2 responses).	k) This matter has been referred to the Environmental Compliance Unit.
l) Lack of parking (3 responses), easy to park (1 response), new car-park needed in the southern section of this reserve (1 response).	l) There are grass netball courts located at the southern end of the reserve and there is a need to retain these courts (see Sportsgrounds Strategy 2017). From the feedback received the trial has increased the use of this park, increased traffic and demand for parking in Central Road. These parking matters will be referred to the Transport and Civil Infrastructure Unit for review and action as deemed necessary.
m) Entire reserve to be available to be used for parking for the annual Avalon Market Day (1 response)	m) This matter to be considered by the Parks and Recreation Unit and the Place and Economic Development Team together with the organisers of the Avalon Market Day to explore potential alternatives.
n) Potential environmental impacts (2 responses).	n) Relevant environmental requirements will be met.
o) Hot and dusty (1 response).	o) The planned maintenance program will ensure the grass areas are well cared for and see d).
Note that some respondents provided multiple comments in their submission.	

Online Survey Community Feedback – More General Comments (summarised by theme)	Response
<p>a) Support for dogs on beaches (31 responses) of which there was support for timed access (18 responses) and swimming (9 responses). Approve Station Beach to be an off-leash area (7 responses).</p> <p>Support for no access to beaches (9 responses).</p>	<p>a) Council is considering whether or not to trial a dog off-leash area at Station Beach, Palm Beach. The submission period for community engagement on this proposal closed 28 February 2019. A review of the feedback received on the proposal will be the considered at a Council meeting in coming months.</p>
<p>b) Support for more off-leash areas (82 responses).</p>	<p>b) Council has resolved to consider the provision of additional off-leash dog areas (see resolution from Council meeting 27/2/18).</p>
<p>c) Support for access to sports fields (1 response) and no access to sports fields (1 response).</p>	<p>c) d) e) f) For consideration in Council's dog management policy review in 2019.</p>
<p>d) Consider an off-leash area on the Palm Beach Golf Course (1 response), Newport Beach north track (1 response).</p>	<p>c) d) e) f) For consideration in Council's dog management policy review in 2019.</p>
<p>e) A more diverse range of off-leash areas is needed (1 response).</p>	<p>c) d) e) f) For consideration in Council's dog management policy review in 2019.</p>
<p>f) Flatter off-leash areas preferred (1 response).</p>	<p>c) d) e) f) For consideration in Council's dog management policy review in 2019.</p>
<p>g) Who pays for off-leash areas? (1 response).</p>	<p>g) Council's Parks and Recreation Unit is responsible for management of off-leash areas and is provided with budget for maintenance and improvements.</p>
<p>h) Open the pedestrian bridge adjacent to the reserve (15 responses).</p>	<p>h) This matter has been referred to the Capital Projects Unit which is managing replacement of this bridge.</p>
<p>i) More free parking (2 responses), more unrestricted parking (1 response).</p>	<p>i) This matter has been referred to the Transport and Civil Infrastructure Unit.</p>
<p>j) Pedestrian path from Elaine Ave to the bridge adjacent to the reserve (1 response).</p>	<p>j) This matter will be considered by the Parks and Recreation Unit.</p>
<p>k) More festive decorations in Avalon during Christmas (1 response) and community garden for Avalon (1 response).</p>	<p>k) These matters have been referred to the Place and Economic Development Team.</p>



ITEM 10.4	ROWLAND RESERVE - PUBLIC EXHIBITION RESULTS
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/129214
ATTACHMENTS	1 ↓ Rowland Reserve Public Exhibition Results - Community Comments

SUMMARY

PURPOSE

To report to Council, the results from the public exhibition regarding the proposed change to the fees and charges at Rowland Reserve, to seek endorsement to adopt the proposed fees and charges and to increase the amount of free 1P spaces.

EXECUTIVE SUMMARY

A Northern Beaches Parking Permit is available to residents and rate payers which allows them to park in most pay and display carparks across the Northern Beaches. The Northern Beaches Parking Permit is not valid at Rowland Reserve carpark, Church Point carpark, Illuka/Woorak Reserve and Pittwater Park.

Each of the former Councils had different car parking fee structures and this financial year the fees and charges were harmonised across the three areas to provide one fee structure for all pay and display parking. Predominantly these changes did not affect residents as the single beach parking sticker provides for free parking in almost all of Council's pay and display parking areas.

As reported to Council in December 2018, the increase in the fees and charges at Rowland Reserve has resulted in a reduction in the amount of vehicles parking in the main section of the carpark. There is one row of free 1P parking along one side of the carpark which is enjoyed by dog walkers and recreational users whilst visiting Bayview Park. This is often full and users often fail to find a parking space in this space which forces them onto neighbouring streets.

Council approved the exhibition of a proposal to increase the amount of free 1P parking spaces and to reduce the fees and charges at Rowland Reserve. Minor amendments to the exhibited proposal have been made to address the comments received and other feedback, namely changing a day rate (i.e. the ticket would expire at 11.59pm regardless of the time purchased) to a 24-hour rate (where the user pays for and receives a full 24hrs of parking regardless of whether it spans two days). Any individual may purchase a specific annual Rowland Reserve Parking Permit. Such permit-holders are not expected to be affected by this proposal as there is significant under-utilisation of existing parking spaces.

The proposed fees and charges has been set in line with the previous financial year when the usage patterns were more acceptable and were put on public exhibition for a period of 42 days.

The current parking fees are:

- \$8 per hour off-peak (1 May – 30 Sept)
- \$35 per day off-peak (1 May – 30 Sept)
- \$10 per hour peak (1 Oct – 30 April)
- \$40 per day peak (1 Oct – 30 April).

The proposed parking fees are:

- \$5 per hour off-peak (1 May – 30 Sept)
- \$22 per 24 hours off-peak (1 May – 30 Sept)
- \$6 per hour peak (1 Oct – 30 April)
- \$25 per 24 hours peak (1 Oct – 30 April).

There will be a minor cost impact to provide new signage, tariff cards and update the pay and display machines, however this is expected to be offset by increases in the pay and display income as the carpark is utilised by more long terms parkers using the regional boating facility.

The community was generally supportive of the proposal however 16% expressed a view that Rowland Reserve should be free or at a reduced rate for residents, rate payers or anglers. Unfortunately, this is not possible due to the terms of a grant that Council received under the NSW Waterways Infrastructure 'Boat Launch Construction Program'. While the terms of the grant stated that Council may charge for parking in the adjoining reserve, the charge is to apply equally to residents and non-residents. As such the Northern Beaches Parking Permit is not valid at this location and Council is unable to offer a reduced fee or discount to rate payers and residents.

The reduced fees and the introduction of the additional row of free one hour parking is expected to commence in April should Council endorse this approach.

Council anticipates that the usage of the carpark will increase as more vehicles with trailers will park in Rowland Reserve and more recreational users will be able to find free short term parking. This will result in less vehicles parking in local residential streets.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That Council:

- A. Adopt the following proposed fees and charges for parking at Rowland Reserve.
- \$5 per hour off-peak (1 May – 30 Sept)
 - \$22 per 24 hours off-peak (1 May – 30 Sept)
 - \$6 per hour peak (1 Oct – 30 April)
 - \$25 per 24 hours peak (1 Oct – 30 April).
- B. Approve the conversion of a row of existing pay and display parking spaces into free 1P parking spaces at Rowland Reserve.
-

REPORT

BACKGROUND

Council has 40 pay and display carpark and reserves across the Northern Beaches. Each of the former Councils had different car parking fee structures and this financial year the fees and charges were harmonised across the three areas to provide one fee structure for all pay and display parking. Predominantly these changes did not affect residents as the single beach parking sticker provides for free parking in almost all of Council's pay and display parking areas.

Rowland Reserve is used by residents and non-residents as well as dog walkers and other recreational users, who enjoy one-hour free parking along one side of the carpark whilst visiting Bayview Park. Rowland Reserve contains a regional boating facility and the boat ramp was upgraded as part of a grant from the Department of Primary Industries. It was constructed with the NSW Waterways Infrastructure Development Program under the 'Boat Launch Construction Program'. The terms of the grant stated that Council may charge for use of the facility (e.g. through parking), however the charge is to apply equally to residents and non-residents. Therefore, the Northern Beaches Parking Permit is not valid at this location and Council is unable to offer a reduced fee or discount to rate payers and residents.

There are 304 parking spaces in Rowland Reserve, of which five are accessible spaces and 28 are one-hour free parking spaces. There are an additional 55 parking spaces in the adjacent Bayview Park Reserve which is connected to the unleashed exercise area by a pedestrian walkway.

It is considered that the current fees at Rowland Reserve are having unintended consequences, with the utilisation of the carpark having decreased in comparison to previous years, meaning it is not being used as intended. It is therefore proposed that the fees and charges are changed to a more appropriate level commensurate with the location and use.

The increase in parking fees has resulted in potential customers of Rowland Reserve choosing to park their vehicles and trailers on local residential streets which has impacted the ability of residents to park outside their homes.

The below table illustrates the reduction in utilisation of the carpark noted this year:

Transactions for Rowland Reserve July 1 - October 31 2017	6421
Transactions for Rowland Reserve July 1 - October 31 2018	3542
Reduction in transactions 2017 - 2018	2879
% of transaction 18/19 compared to same period 17/18	55%

The current parking fees are:

- \$8 per hour off-peak (1 May – 30 Sept)
- \$35 per day off-peak (1 May – 30 Sept)
- \$10 per hour peak (1 Oct – 30 April)
- \$40 per day peak (1 Oct – 30 April).

The proposed fees are:

- \$5 per hour off-peak (1 May – 30 Sept)
- \$22 per 24 hours off-peak (1 May – 30 Sept)
- \$6 per hour peak (1 Oct – 30 April)
- \$25 per 24 hours peak (1 Oct – 30 April).

It is recommended that the fees and charges be reduced to the new rate. In addition, minor amendments to the exhibited proposal have been made to address the comments received and other feedback, namely changing a day rate (i.e. the ticket would expire at 11.59pm regardless of the time purchased) to a 24hr rate (i.e. where the user pays for and receives a full 24hrs of parking regardless of whether it spans two days). The change to the 24hr rate is expected to encourage more boat trailer parking within Rowland Reserve.

It is considered that an extra row of 1P free parking spaces (converted from a row of existing Pay and Display parking spaces) would be appropriate to increase the amount of spaces that dog walkers and other short term users may utilise, further encouraging cars to use the carpark rather than adjoining streets.

CONSULTATION

The proposed fees and charges and increase to the amount of free 1P spaces available was put on public exhibition for comment from 14th January 2019 to 28th February 2019.

Council advertised the exhibition of the proposed change to the Rowland Reserve fees and charges using the following platforms:

- Manly Daily advertisement on Saturday 19th January 2019
- Council's Your Say webpage, which has recorded 141 visits.

Council received 141 submissions during the public exhibition period of which 1 was a duplicate.

85 fully supported the proposal, 23 wanted the carpark to be free or a reduced rate for residents, rate payers or anglers, 12 thought the proposed fee was still too high, 5 wanted the free 1P spaces to be increased to 2P, 2 specifically mentioned to not increase to 2P in order to allow turnover and space for those to use, and 2 were against the proposal and wanted the fees to remain the same to allow more spaces for those who have purchased a Rowland Reserve Parking Permit.

Please refer to Attachment 1 for a selection of the community comments. Please note that they are a summary of the issues and comments received during the engagement process and not the full list.

TIMING

The reduced fees and the introduction of the additional row of free one hour parking is expected to commence in April should Council endorse this approach.

FINANCIAL CONSIDERATIONS

Reduced carpark utilisation rates have resulted in a 15% reduction in Council revenue. Although there has been 55% less occupancy during the period, it is only a 15% reduction in revenue due to the increase in fees and charges this financial year. It is considered this change will reverse this position based on the data from previous financial years. New signage will have to be installed however this should be mitigated by the increase in usage.

There will be a minor cost impact to provide new signage, tariff cards and update the pay and display machines, however this is expected to be offset by increases in the pay and display income as the carpark is utilised by more long terms parkers using the regional boating facility.

SOCIAL CONSIDERATIONS

Some feedback during the consultation process was that fees should remain high to ensure the availability of spaces for Rowland Reserve Parking Permit holders. These permit-holders are not expected to be affected by this proposal as there is significant under-utilisation of existing parking spaces.

In general, the changes to parking at Rowland Reserve should have a positive impact on those who wish to use the regional boating facility and those who use the carpark for short periods as there will be more parking spaces available for 1P free parking. This should reduce the amount of vehicles parking and trailers in local residential streets.

The increase in the amount of 1P spaces available for recreational users should mean there are more vacant spaces and promote a healthier life style for those who wish to take advantage of the boat ramp, or dog park at Rowland Reserve.

ENVIRONMENTAL CONSIDERATIONS

Due to an anticipated increase in use of the carpark, this would result in less traffic congestion and pollution due to less vehicles seeking car parking in local residential streets.

GOVERNANCE AND RISK CONSIDERATIONS

The consultation process was conducted in accordance with Council's community engagement framework. It has provided a transparent approach to the proposed parking fees and charges and thus minimised risks to the organisation as a result of the changes.

The new signage will be installed in accordance with RMS guidelines.

Rowland Reserve Public Exhibition Results – Community Comments 26 March 2019

1

Community Comment

<p>The parking charges are still excessive and need to be reduced further. The council have been gouging park users for far too long and have not spent sufficient money on the park to justify such excessive charges. The extra row of free parks should be further increased to another 2 for short term dog park users. This will have no impact upon boat users as the parks are only full twice a year on certain public holidays.</p>
<p>The council have ripped off the community for decades. Make amends and make it free for rate payers. This council doesn't deserve a cent until they can save and spend appropriately.</p>
<p>I would strongly support an additional parking lane of 1 hr free parking at Rowland Park. We go there frequently with our dog and the parking can often be difficult and we have to wait for a park. Well done for suggesting this change. I also believe that any reduction for the oaks at the park is a good thing. The economic benefit would be great and we should be encouraging activities on the water and getting people to come to our district. I support the reduction of parking fees. Also the proposal for more 1 hr free parking. I am a member of Marine Rescue that operate from this reserve.</p>
<p>Great idea as present parking fees too high</p>
<p>My preference would be to have no fee attached to parking in Rowland Reserve.</p>
<p>Very good idea, often hard to find a free spot for the off leash dog park.</p>
<p>PLEASE don't make it harder to get a free parking spot at Rowland Reserve. Please keep the free spots to one hour.</p>
<p>RE Station Beach proposed dog access.</p>
<p>great news, Council is to be applauded for making access to this very popular open space more affordable for many people, less fees may also encourage boat owners to use the reserve instead of the roadside Many thanks</p>
<p>I strongly support the parking fee reduction at Rowland Reserve. I use these boat ramps and parking area regularly and find it extremely expensive to take my family of friends out boating on Pittwater for the day.</p>
<p>The proposed fee reduction is fair and the amendment should be accepted. The increase in the 'free' short-term parking for one hour is also welcome.</p>
<p>I fully support the extra row of 1 hour free parking at Rowland Reserve. For most of the year, the large carpark sits empty.... while the people who are using the dog park have to vie for a car park on the one strip. The extra row is needed often and will be well utilized by dog owners visiting the park, as well as dragon boaters and hikers. Great idea. I also support the reduction in ticket price.</p>
<p>I would like to see the 1 hour free parking extended to 2 hours as one hour is not enough time and we generally spend around 1.5 to 1.75 hrs at the park most days, also I would like to see additional parking spaces as these quickly fill up especially in the evening and weekends prime time.</p>
<p>The current rates are extremely expensive for regular recreational boat users. It has actually deterred boat owners such as myself to use alternative facilities and waterways as it is too expensive. I have a national parks permit which allows me to park at boat ramps at a much lower cost. If the rates would return to a sensible and acceptable level, I would consider using Rowland reserve again. It is a shame that boat ramp facilities in my own council area are just too expensive to use! Please reconsider this cost, especially for regular and local users.</p>

Rowland Reserve Public Exhibition Results – Community Comments 26 March 2019

2

Fees are unrealistic. Council is just being extremely greedy. \$5 an hour should be the limit and \$20 a day
That sounds like a great idea!! Then we would actually use the boat ramp!
1. Warringah residents who display their current parking sticker should receive free parking
2. The summer & winter daily (24hrs) rates should be the same and be a maximum of \$20
3. The summer and winter hourly rates should be the same and a max of \$2
Keep the fees up for day users and put the fees down for residents purchasing yearly pass.
I believe it is a very well thought out proposal to reduce the fees and will be warmly welcomed by users.
This is a great decision. The prices have been way to excessive causing people to park a mile down the road unnecessarily especially when going out boating for 2 or 3 nights. Good move guys.
I would like fees to remain at the current rate as I believe this exorbitant rate keeps the numbers down and non-residents will park/fish elsewhere. As I don't want to wait for punters to get their boat out as there are already too many rude, inconsiderate users now. What we need is another boat ramp on the peninsula. Have been a consistent annual ticket holder at Iluka Reserve at Palm beach, but continual Non boat owner users i.e. Barge operators, Basin goers, Wedding photographers, non-confident reversers, have choked it.
I support the proposal to reduce the fees. As it is now the area is under used because of the fees. Some of the boat user would rather park on the street and walk back to their boat than pay the fees, so by reducing the fees will also benefit the surrounding neighbouring area.
That's why the Carpark is empty. Too expensive. \$20 per day is still highway robbery but better than \$40.
I write on behalf of the 100 members of the Bei Loon Dragon Boat club who train all year out of Rowland Reserve. We fully support your fee reduction initiative. We were highly embarrassed when visiting paddlers had to pay \$40 to park when competing in our annual Regatta.
This has my total support - great idea!!
This is a great proposal. Good to get the community out walking and exercising with increased one hour parking spaces.
Total support for the proposal

ITEM 10.5	COLLARROY CAR PARK TIME RESTRICTION CHANGES
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2019/130105
ATTACHMENTS	1 Collaroy Parking Changes Booklet (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council endorsement of changes to the current time restrictions to the four Council off-street parking areas in the Collaroy Beach Precinct, to provide a mix of time restrictions that better meets the needs of the users of the facilities adjoining the car parks.

EXECUTIVE SUMMARY

Since the introduction of the B-Line in November 2017, commuter parking availability along the route has generally been provided through the construction of new commuter parking facilities at each of the B-Line stops. The exception is at Collaroy where no new commuter parking was provided due to limited suitable space. The existing beach parking areas in Collaroy have been used by commuters to access the B-Line Service, at times impacting on the availability of parking for the local businesses and the adjoining recreational and beach facilities.

In response, Council staff identified a number of proposed changes to time restrictions in local carparks. Initial community consultation was undertaken in October and November 2018 and a final proposal was taken to local stakeholders and the local community in February 2019.

The feedback on the initial proposal indicated that the community did not support some of detail in the proposal and would like more long term parking during the week to help with the commuter parking issue, whilst providing a mix of parking turnover options on weekends. The community identified a need for some changes to allow users of the playground to park in the off-street area for safety. The major concern was around the displacement of the commuters from the carparks to the adjoining local streets if changes were made during the week.

The revised proposal was discussed with the local community and major stakeholder groups (Commuters, Businesses, and the Surf Club), and is as follows:

Collaroy Beach North:

- 82 spaces - 12P 7am-7pm Every day
- 38 spaces - 12P 7am-7pm Mon-Fri and 4P 7am-7pm Sat, Sun, Public Holidays.

Middle (Little):

- 10 spaces - 1P 7am-7pm Every day.

Collaroy Beach Playground:

- 45 spaces - 12P 7am-7pm Mon-Fri and 6P 7am-7pm Sat, Sun, Public Holidays
- 27 spaces - 4P 7am-7pm Every day.

Collaroy Street Council carpark

- 18 spaces - 2P 7am-7pm Every day.

The changes apply equally to all users including permit holders (noting that while permit holders are subject to time restrictions, they are not subject to the parking fees as with other locations).

There is a risk that some users will be unhappy with the changes and it will require some ongoing education and a staff presence for the initial implementation to advise car park users that the changes have been implemented and why.

To further support the implementation of better parking arrangements for the Collaroy area, it is proposed that Council write to the Minister for Transport requesting an extension of the On-Demand Transport service, and a review into further commuter parking options at Collaroy, Narrabeen and Warriewood to further support the community in moving to public transport options.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That Council:

- A. Approve the implementation of the proposed changes in the off-street parking areas in Collaroy as outlined in this report.
 - B. Review the implemented changes after the peak season in summer 2019/2020
 - C. Write to the Minister for Transport requesting an extension of the On-Demand Transport service/s to include the commuter catchment for the Collaroy B-Line stop.
 - D. Write to the Minister for Transport requesting an investigation into additional commuter parking options at Collaroy, Narrabeen, and Warriewood to support the ongoing success of the B-Line service and further increase public transport patronage on the Northern Beaches.
-

REPORT

BACKGROUND

Collaroy's beautiful beach, busy playground, cafes, shops and cinema attract many visitors who compete for parking with commuters in the local Council carparks.

This makes it difficult to find a car parking space when stopping for lunch, going to the movies or visiting the beach or playground. We also know that business operations have changed from the traditional Monday-to-Friday and half-day Saturday to now trading a full seven-day week and into the evening.

Council has received numerous complaints about the lack of parking availability in the Collaroy Beach Precinct since the introduction of the B-Line bus service in November 2017. This is mainly due to the lack of new dedicated commuter parking in the area to support the increased number of commuters.

The main limitation to increasing dedicated commuter parking in Collaroy is the local topography and the lack of suitable space to build or otherwise acquire commuter parking. As a result, the existing beach car park is used as commuter parking which reduces availability for the other users. The majority of the parking areas that are the subject of this report allow free 12-hour parking to holders of a Northern Beaches Parking Permit or at a cost through the existing pay and display system.

The main areas of complaint are the lack of available parking for the users of the all abilities playground, Surf Club and the beach during the week, however the weekend patronage is also affected by the one-time restriction approach currently in place in the two main car parks.

Council staff have undertaken usage and turnover assessments and noted the main carparks are operating at around 95 percent capacity between 7am and 7pm seven days a week, with minimal availability for shorter term users.

To provide for all users including commuters, local businesses and recreational needs, Council is proposing to make changes to the mix of time restrictions across the four off-street car parks in the Collaroy Beach precinct.

PROPOSAL

Our proposed changes will introduce shorter-term parking in some of the Collaroy carparks so more people can enjoy local attractions and support local businesses.

However, Council also recognises it is important to provide commuter parking when it is most needed, so the proposed changes continue to provide all-day parking in the Collaroy Beach commuter carpark Monday to Friday.

Changes to parking restrictions are proposed in the following four areas:

- **Area 1: Collaroy Beach Carpark (North) – Main Car Park, north of The Collaroy.**
 - Current Parking Restrictions are 12P: 7am - 7pm, permit holders excepted, every day including Public Holidays, providing 120 spaces
 - Proposed Parking Restrictions would split the area into two sections with Section 1 being 12P: 7am - 7pm, Monday to Sunday providing 82 spaces and Section 2 12P: 7am - 7pm, Monday to Friday and 4P: 7am - 7pm, Saturday, Sunday and Public Holidays providing 38 spaces. The time restrictions would apply to both Pay and Display ticket and permit holders. There would be no change to disabled car parking spaces.

- **Area 2: Middle carpark - south of The Beach Club**
 - Current Parking Restrictions: No Parking Restrictions currently apply in this carpark that provides 10 spaces.
 - Proposed Parking Restrictions would provide 10 spaces with 1P 7am - 7pm, every day with no change to disabled car parking spaces. Pay and display is not proposed however time restrictions will apply to all users.
- **Area 3: Collaroy Beach Playground carpark**
 - Current Parking Restrictions are 12P 7am - 7pm, permit holders excepted every day, including Public Holidays providing 72 spaces.
 - Proposed Parking Restrictions would split the area into two sections with Section 1 being 12P 7am - 7pm, Monday to Friday and 6P 7am - 7pm, Saturday, Sunday and Public Holidays providing 45 spaces and Section 2 being 4P 7am - 7pm, every day providing 27 spaces with no change to disabled car parking spaces. The time restriction will apply to all users including permit holders.
- **Area 4: Collaroy Street Council carpark**
 - Current Parking Restrictions are 3P Monday to Friday and 2P Saturday with no restrictions applying on Sunday providing 18 spaces.
 - Proposed Parking Restrictions 2P: 7am - 7pm, Everyday 18 spaces. The time restriction will apply to all users including permit holders.

CONSULTATION

Two rounds of consultation have been conducted prior to this report being presented to Council.

The objective of the initial round of engagement for this project was to raise awareness about proposed changes to parking conditions in the Collaroy area and to seek community participation. Council staff proposed a change to the parking time restrictions that would have resulted in the time restrictions being on a 7 day a week basis. This would have affected the local commuters' ability to park off-street and would have led to an adverse impact on the amenity of local streets.

More specifically, the initial proposal was for the Southern (playground and surf club) car park to be 4P every day and the southern portion of the Northern Carpark to have a 2P everyday restriction implemented.

Council's engagement approach provided opportunities for the community to comment both online and in writing as well as face to face through engagement 'pop ups'. During this time a total of 84 written submissions and 189 Your Say comments were received. A further 163 comments were received on sticky notes during the drop in sessions.

Generally the feedback indicated that the community wanted to retain the parking used by commuters during the week and also wanted to have a mix of parking time restrictions in the southern carpark on weekends to facilitate the surf club patrols, time at the beach, cinema and restaurant customers.

The second round of consultation was targeted more directly at the key stakeholders and the local community once the earlier feedback had been considered. Northern Beaches Council's Transport Network team hosted two information sessions on this revised proposal for Collaroy Beach Parking as presented in the attached brochure. The information sessions were attended by around 25 community members who were generally supportive of the revised proposal. Many attendees indicated Council had taken their feedback on board and made changes that reflected the majority of their needs.

The main concerns raised were around the lack of alternatives to driving to the B-Line stop from Collaroy Plateau and Wheeler Heights; and the Collaroy Street carpark to remain 3 hour parking. This feedback was used to finalise the proposal.

TIMING

The proposed changes, subject to endorsement by Council, would be presented to the next available Northern Beaches Local Traffic Committee Meeting for approval.

Prior to implementation, the local community will be notified via stakeholder email, newspaper advertising, temporary signage and through the use of Visual Messaging trailers at the entry points to the major carparks. Businesses would also be briefed prior to the changes being enacted.

FINANCIAL CONSIDERATIONS

There will be a minor cost impact to provide the new signage across the car parks; however, this is expected to be offset by increases in Pay and Display income. From a community perspective, there is also the potential for increases in business turnover in the precinct due to increased availability of customer parking.

SOCIAL CONSIDERATIONS

It is expected that introducing changes to local parking will increase transport access during the week with parking availability for the users of the playground and surf club areas increased on weekends when there is increased need.

After the second round of consultation was undertaken and the needs of the community were taken into account including those of the surf club members, commuters, and businesses, the overall impact on the local residents has been minimized.

ENVIRONMENTAL CONSIDERATIONS

No environmental issues are expected with this project.

GOVERNANCE AND RISK CONSIDERATIONS

The public and stakeholder consultation process that has been conducted has maximized the likelihood of acceptance and support for the changes. By following the implementation with a future review, Council will reduce the ongoing risk of these changes and can make further adjustments if required.

The parking will be in line with the RMS guidelines and would be approved by the Northern Beaches Local Traffic Committee meeting prior to implementation.

The impact to the overall community has been reduced as a result of the changes made between the initial proposal and the final proposal.

ITEM 10.6	1ST ELANORA HEIGHTS SCOUTS GROUP HALL
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2019/129681
ATTACHMENTS	1 Site Inspection Report (Included In Attachments Booklet)

SUMMARY

Note: This item was deferred from the Council Meeting of 26 February 2019

PURPOSE

To report on the present condition of the 1st Elanora Heights Scouts Group Hall (the Scout Hall), and recommend remedial works to bring the building in line with present and foreseeable requirements.

EXECUTIVE SUMMARY

Last year, after investigation, it was discovered that the Scout Hall located at Bilarong Reserve, Wakehurst Parkway, North Narrabeen had been impacted so significantly by termite damage that the building was required to be taken off-line. The Scouts have been unable to use the building since mid-2018 and will not be able to use the building until the structural issues are addressed.

This report considers the following four options in regards to the damage caused by the termite infestation:

1. Demolish the building and retain only the public toilets
2. Carry out repairs to re-establish the building to its original design/purpose
3. Carry out repairs as above but using non-timber framing materials
4. Full demolition and rebuild as a multi-use facility.

This report recommends progressing with Option 3 as the most cost effective solution that is likely to prevent any future damage from termite infestation. Should this option be approved the works are planned to commence early in the 2019/20 financial year and are likely to take approximately 6 months to complete.

This renewal aligns with Council's Building Asset Management Plan and approach to renewing buildings in the poorest condition. It is proposed to fund the proposed works from the draft 2019/20 Community Buildings Capital Works Program.

Council will also need to consider an appropriate lease or licence with the 1st Elanora Heights Scouts Group including whether the renewed building is to be multi-use while still meeting the use requirements of the 1st Elanora Heights Scouts Group.

**RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND
INFRASTRUCTURE**

That:

- A. Council endorse the strategy to repair and upgrade the 1st Elanora Heights Scout Hall using metal frames, and non-timber cladding and internal linings.
 - B. Council propose a suitable budget via the 2019/20 budget process to progress the project via a tender process.
-

REPORT

BACKGROUND

The Scout Hall located at Bilarong Reserve, Wakehurst Parkway, North Narrabeen, was built in approximately 1993 and is leased to the 1st Elanora Heights Scouts for their exclusive use on a community based lease until February 2025. The building is constructed primarily of timber frames, flooring, wall panels and piers, and has a metal roof. The building has an internal floor area of approximately 380 m². There is a brick and concrete public toilet building attached to the scout hall which was built at a later date.

On October 2018 Council resolved (Resolution 309/18)

That:

- A. *Staff prepare a report on Council's overall building asset management plan by February 2019.*
- B. *Staff as part of this report to Council report on and make recommendations in relation to:*
 - a. *The present condition and adequacy of the 1st Elanora Heights Scouts Group Hall*
 - b. *Options to bring the building into line with present and foreseeable requirements*
 - c. *The funding options available, for a new or upgraded building, including Government Grants.*
- C. *Staff meet with the 1st Elanora Heights Scout group in the next four weeks to update them on the next steps and that the Mayor and Ward Councillors be invited to attend.*

Building Asset Management Plan

The Building Asset Management Plan has been prepared and was listed on the agenda for the February 2019 meeting of the Audit Risk and Improvement Committee and the elected Council was briefed in March 2019.

Condition and Adequacy of the 1st Elanora Heights Scout Hall

The Scout Hall has had a number of cases of termite activity detected and treated over the past 4 years, with a Nemesis Baiting System installed in February 2016 by a contracted pest control company. However, in July 2017, structural damage was uncovered in the bathroom and kitchen timber wall frames due to this past termite activity.

In the first half of 2018 a range of investigations were done to determine the extent of the damage, and following discussions with the Elanora Heights Scouts, it was determined that they would need to vacate the building to allow for detailed examination of the damage to be carried out. These investigations revealed the termite damage was significant and widespread throughout the entire building.

Engineering company, James Rose Consulting, were initially engaged to undertake a visual inspection of the exposed termite damage and provide structural advice on required remediation repairs. Their attached Site Inspection Report highlighted extensive termite damage throughout the building including the top and bottom plate of wall frames, wall frames and columns and LVL roof beam that required further investigation. It also noted that although the majority of the wall tiles in the bathrooms had not been removed allowing a complete inspection, based on the extent of the damage to the kitchen wall which was visible and the other walls at the eastern end of the building, it is anticipated that the bathroom walls will be significantly affected by termite damage. The report also noted that the timber piers had no ant-capping installed.

Building Repair Options

Due to the extent of the works required to repair the termite damage, the following options have been investigated and estimated for consideration:

1. Demolish the building and retain only the public toilets

The main hall building and storage area impacted by the significant termite damage could be demolished and returned to park/reserve use. The public toilet building which is predominately constructed of brick and concrete and is not impacted by termite damage, would be retained.

2. Carry out repairs to re-establish the building to its original design/purpose

Based on the engineering report from James Rose Consulting, the building can be repaired. This would retain the current layout and timber frame design. Due to likely termite damage to the bathroom and kitchen walls these areas would be extensively refurbished as part of the repairs. Termite or ant caps would also need to be installed on each of the piers supporting the building to limit future termite access.

3. Carry out repairs as above but using non-timber framing materials

Whilst the installation of termite or ant caps will reduce the risk of future termite activity it will not eliminate the risk. Consideration was therefore given to utilising non-timber (steel) framing as part of the repairs. This would again retain the current layout of the building but would substantially reduce the risk of future termite damage.

It is possible, based on building industry advice, to replace the wall frames, external cladding and internal lining with non-timber building materials whilst retaining the existing roof structure. Alternatively, the roof structure could also be replaced which would renew the building from the floor up.

4. Demolition and rebuild as a multi-use facility

The site is flood prone so there are likely to be restrictions placed on any potential rebuild.

At a minimum, these would lead to higher than normal costs for the build. With a building area of 380 m² this would require a budget of approximately \$2m, potentially as a multi-use community facility based on a building of around the same dimensions, including consultancy fees and design costs.

Table 1:

Option	Estimated Cost*	Est. Timeframes
1. Demolish the building and retain only the public toilets	\$60,000	6 months from project approval
2. Carry out repairs to re-establish the building to its original design/purpose	\$275,000 including a 10% contingency	6-8 months from project approval
3. Carry out repairs as above but using non-timber building materials	\$300,000 - \$350,000	6-8 months from project approval
Option that includes a new roof structure	\$500,000	
4. Demolition, redesign and rebuild as a multi-use facility	\$2,000,000**	2 years from project approval

* All cost estimates are subject to market testing via a public tender.

** Indicative cost estimate based on similar sized building projects with no allowance for extra design considerations due to flood and bushfire risks

Building Functionality

The building currently works well as a Scout Hall but would require modifications to enable it to function effectively as a community centre.

Planning Approval Considerations

Demolition of the building is exempt development under the provisions of Subdivision 13 of SEPP (Exempt & Complying Development Codes) 2008. No approvals are required for this option provided the demolition complies with *Australian Standard 2601-2001 The demolition of structures*.

Renovating the existing building does not require Development Consent, as Division 12, Clause 65 of SEPP (Infrastructure) 2007, states that development for any purposes can be carried out without consent if the development is for the purposes of implementing a plan of management. The Bilarong Reserve Plan of Management gives a works program that includes investigating refurbishment requirements for the Scout Hall. As such, this option would require preparation of a Part 5 assessment, however this would only be to renovate the building in its current form, not to add anything to it.

Any new building would need to be a minimum of 1.5 metres above natural ground level, and contain two storeys to allow for shelter in place. Accessibility would need to be via ramps and stairs and the building would need to be built to withstand flood events. There may be additional bushfire and parking requirements. Consideration should also be given to whether it is appropriate to locate a new community facility in an area with poor public transport links, where the nearest bus stop is nearly a kilometre away and in an area which is known to flood regularly.

Recommended option

Council staff recommend progressing with Option 3 (without the inclusion of the new roof structure) as the most cost effective solution that is likely to prevent any future damage from termite infestation. This solution will deliver a renewed building that will be fit for purpose for the 1st Elanora Heights Scout Group for an extended period of time while also enabling the potential use by other community groups. To enable this to happen Council will also need to consider an appropriate lease or licence with the 1st Elanora Heights Scouts Group including whether the renewed building can be multi-use while still meeting the use requirements of the 1st Elanora Heights Scouts Group.

CONSULTATION

Council has met with representatives of the Scouts to provide feedback on the status of the building condition assessment and also to understand the needs of the Scouts. This information has been used to inform the recommendations in this report.

TIMING

Depending on the solution agreed, the works are estimated to take from 6 months to 2 years to complete, as per Table 1.

FINANCIAL CONSIDERATIONS

No funds have currently been allocated to carry out any works on the Scout Hall. The Scouts have been approached and indicated that they are unable to provide any funding for these works at this time.

It may be possible to make an application for some funding from the Crown Reserves Improvement Fund Program (CRIFP) as the Scout Hall building is located partially on Crown Land, however should this not be available then it is proposed to prioritise renewal funding in the 2019/20 Council Capital Works budget to complete these works.

SOCIAL CONSIDERATIONS

The Scout Hall is a well-used Community facility with a variety of community groups using it for events. Scouts Australia aim to provide fun youth development activities to build resilient boys and girls in the 5 to 25 age range.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations.

GOVERNANCE AND RISK CONSIDERATIONS

There are no governance and risk considerations.

ITEM 10.7 **MINOR OUTSTANDING WORKS FOR SURF LIFE SAVING CLUBS**

REPORTING MANAGER **EXECUTIVE MANAGER PROPERTY**

TRIM FILE REF **2019/144127**

ATTACHMENTS **NIL**

BRIEF REPORT

PURPOSE

To seek Council's approval to fund the delivery of a range of minor outstanding building works on Surf Life Saving Club buildings.

REPORT

During recent discussions with a number of Surf Life Saving Clubs (SLSCs) requests have been made to Council to rectify or contribute to a range of buildings works and/or improvements. These building works are mostly minor in nature and the completion of these works will assist in the delivery of surf life saving activities on the Northern Beaches.

The works requested are:

Surf Life Saving Club	Building Works Requested	Estimated Cost
Collaroy SLSC	Installation of CCTV - The Club has noted that the precinct surrounding the Collaroy Surf Club has been experiencing an increase in anti-social behaviour that has resulted in the building being repeatedly graffitied, the public toilets being vandalised as well as attempts to break into the Surf Club. The request has been for the installation of CCTV that can then be monitored and used in conjunction with Council and the local Police. While the Club has made the request, the benefit is principally to surrounding public areas.	\$23,000
Narrabeen Beach SLSC	Rectification of corroded structural steelwork – the building has seen a degradation of the structural columns and concrete spalling that will need rectification. They have requested that these works be brought forward to match in with the timeframe for a grant the club has recently been awarded to replace the existing badly worn timber flooring. As this is a Council asset, funding this work is an important part of maintaining its operability.	\$150,000
Queenscliff SLSC	Funds requested to meet the shortfall in the project to refurbish the hall and associated areas. The budget to complete the project is \$610,000.00. The following funds have already been received for the works: 1. \$310,000 from NSW Government surf club facility program in 2017. 2. \$150,000 from Northern Beaches Council via the merger funds in August 2017.	\$150,000

South Narrabeen SLSC	The Club has requested the reconfiguration and resurfacing of the car park to allow for a greater number of parking spaces as well as better traffic flow through the space for both cars and pedestrians. Additionally, the Club has requested the building be repainted (including the repairs of some minor spalling) in a manner that will assist in raising the visibility of the building, as this is a noted issue for the South Narrabeen SLSC. Both the carpark and the Club itself are Council assets in need of maintenance work.	\$140,000
Whale Beach SLSC	Whale Beach SLSC applied to the Community Building Partnership Grant Program 2018/19 to replace the club's existing four roller doors that have come to the end of their useful life. The total cost of the works is estimated to be \$35,000 and the Club received a grant to the value of \$25,012. The Club has asked Council to fund the remainder of the costs of these works.	\$10,000
		\$473,000

It is recommended that these building requests be approved and funded.

FINANCIAL CONSIDERATIONS

It is proposed that the funds for these works are allocated from the savings identified in the second quarter Operational Budget re-forecast. The timing of the works delivery would range from immediate to completion in the next financial year.

SOCIAL CONSIDERATIONS

These works will assist in the ongoing positive delivery of surf life saving activities for the local community.

GOVERNANCE AND RISK CONSIDERATIONS

The noted projects will be delivered utilising Council's established project management methodology and associated governance structures.

RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That Council approve the allocation of \$473,000 from the surplus identified in the second quarter Operational Budget review for the delivery of the additional minor Surf Life Saving Club building capital works.

11.0 PLANNING PLACE AND COMMUNITY DIVISION REPORTS

ITEM 11.1	UPDATE - ASSISTANCE TO DROUGHT STRICKEN RURAL AREAS
REPORTING MANAGER	GENERAL MANAGER PLANNING, PLACE AND COMMUNITY
TRIM FILE REF	2019/098894
ATTACHMENTS	1 ↓ Letter - Brewarrina Shire Council 2 ↓ Letter - Gunnedah Shire Council 3 ↓ Letter - Gunnedah Shire Council - Scholarship Fund

SUMMARY

PURPOSE

To provide Councillors with an update on the assistance Council is providing to drought stricken rural areas.

EXECUTIVE SUMMARY

Council at its meeting on 25 September 2018, resolved to provide Councilors with an update on the assistance Council is providing to drought stricken rural areas.

At present vast expanses of New South Wales west of the Great Dividing Range are either in Drought or Intense Drought, a position that has not changed since this matter was previously brought before Council.

Following the financial assistance provided by Council in late 2018, further opportunities to support regional communities affected by drought have been identified that include staff exchanges, assistance with strategic planning, art projects and tourism.

The NSW Government has also identified a \$500 million drought assistance package that is in the process of being rolled out across the State. Numerous local initiatives such as "fiver for a farmer" also continue to raise funds for affected communities.

Some grants funding for larger projects will be required and staff are actively seeking opportunities for this type of assistance. It is noted that the Commonwealth Bank recently estimated the economic cost of the present drought to be as high as \$12 billion.

There is also evidence to suggest that the drought will also see a higher incidence of social isolation for regional communities that can have flow on effects such as an increased incidence of depression and other mental health conditions.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Continue to work with our existing rural Sister City councils Brewarrina and Gunnedah, to identify projects that will have benefits for all councils and communities involved, within current resources.
 - B. Identify grant opportunities that might assist in activating proposals which require additional resources.
-

REPORT

BACKGROUND

Council at its meeting on 25 September 2018 resolved to provide financial aid to 2 councils in drought stricken rural areas.

That Council allocate \$2,000 to each of Gunnedah and Brewarrina Councils to aid in their scholarship and youth programs in recognition of the severe hardship being caused by the intense and extended drought affecting the State.

Council also resolved to provide councillors with an update on the assistance Council is providing to regional councils impacted by the drought.

That staff prepares a brief report to the November Council meeting examining opportunities how Northern Beaches Council or the local community can provide assistance in kind to an appropriate regional NSW Council which currently has its Local Government Area / community impacted by the devastating drought which is gripping the nation.

Letters were sent to Gunnedah and Brewarrina Shire Councils in October, informing both councils about the \$2000 to support their youth programs, with the funds then being forwarded to them.

The letters also informed them of the second resolution regarding any additional assistance we might provide, and requested they contact us with any further ideas. As the extended drought has impacted the majority of the State it was seen as pertinent that any assistance from Council be through its existing country relationships. Both regions have been heavily impacted by the drought.

Response letters have been received from the Mayors of both rural councils expressing their gratitude for the contributions to their communities. Unfortunately, they did not provide any additional information on what further assistance might be provided.

See responses attached:

1. Letter - Brewarrina Shire Council
2. Letter - Gunnedah Shire Council
3. Letter - Gunnedah Shire Council – Scholarship Fund.

There has been a large government response to the ongoing drought. In August 2018 the Federal Government announced \$1.8 billion in extra funding to help farmers and communities. The New South Wales Government's drought assistance now exceeds \$1 billion.

In addition, the community has undertaken a huge amount of fundraising and aid activities. Locally, examples of the response include; the Fiver for a Farmer campaign, which has raised over \$680,000. This has been championed by Jack Berne, an inspiring 10-year-old from Freshwater. Council staff were involved in gathering party clothing for rural High School formals, a drought relief skate day and Council sponsored the Bush to Beach Drought Relief Rugby Gala.

Other local initiatives include the Playground to Paddock (P2P) Drought Relief Fundraiser by Curl Curl North Public, to deliver aid packages to Cudal Primary School (west of Orange), along with raising \$12,000. There are dozens of other similar events that have taken place.

Council staff have held further conversations with staff from Gunnedah Shire Council and with Brewarrina Shire Council during their recent visit, as part of the annual Youth Exchange, to assess potential areas of assistance. Possible projects discussed include:

Staff Exchange

In 2015 instead of young people from Brewarrina coming to the Northern Beaches for the annual Youth Exchange (operating since 2000), a group of Brewarrina Shire Council staff came and spent a week embedded with their cohorts at the former Warringah Council. This included the areas of Community Services, Governance, IT and Childcare. This was seen as highly beneficial for the staff involved and also gave Northern Beaches Council staff some insights into what it was like to live and work in a small rural community.

Assistance with Planning

Smaller rural councils can lack the capacity to undertake longer term and higher level planning. Brewarrina staff have indicated that it would be highly beneficial to receive some guidance with their Tourism, Economic and Strategic Plans. This planning would also then make them eligible for Destination NSW Tourism Grant Funding opportunities. This project might be achieved with minimal resources if collaboration takes place via electronic means (email, phone, Skype). Costs and resources would escalate if staff are required to visit the rural area.

Art Projects

An Artists Exchange has been considered previously with Brewarrina, as part of an Arts Grant application, which was not successful. There are many local artists in both regions, who would benefit from experiencing the very different environments each area has to offer, with the possibility of joint exhibitions at the conclusion. This would require additional resources, or re-aligning existing resources and programming.

Large scale murals have become highly popular tourist drawcards in remote rural towns. Examples can be seen at Coonamble (NSW), Portland (Vic) and Gulargambone (NSW). There may be opportunities for Council to arrange arts staff and/or artists from the Northern Beaches to assist the local artists and community to complete a large scale mural in one, or both of our Sister Cities. These arts projects will require significant resources and funding. This might be achieved through future grant funding.

Note that all Sister and Friendship Cities arrangements are in the process of being reassessed by the Mayor and Councillors' Office, since being inherited from the previous three councils.

CONSULTATION

Consultation with Gunnedah Shire Council and Brewarrina Shire Council has been undertaken. Further engagement with local schools and community groups has been completed to identify particular projects or initiatives that are in play. It is noted that there are many programs underway particularly from schools that are seeking to raise cash donations to provide stock feed and water.

TIMING

Grant funding opportunities can arise throughout the year to assist in the completion of projects that are beyond the scope of the adopted budget.

The NSW Government in July 2018 announced and implemented further drought assistance programs for farmers to assist with the provision of essential stock feed and water to drought-stricken communities.

FINANCIAL CONSIDERATIONS

The recommendations of this report indicate that no additional cost to Council is envisaged. Should Council seek to apply for grant funding to a particular program, preparation costs will be able to be absorbed into the existing program.

The Reserve Bank reported in August 2018 that the drought across New South Wales, southern Queensland and northern Victoria would likely have a “significant” effect on the economy and food prices. Further in August 2018, a report by the Commonwealth Bank put the potential economic cost of the drought at up to \$1.2 billion.

SOCIAL CONSIDERATIONS

The Australian Government, Australian Institute of Family Studies has a wealth of research papers on the social impacts of drought in Australia of which recent papers are noted below:

The Australian Rural Mental health study prepared in July 2018, investigates stress among farmers in New South Wales, both in general and related to drought, and the factors that influence this stress. Data is taken from the Australian Rural Mental Health Study (ARMHS), for participants identifying as living or working on a farm. It finds that these farmers experience significant stress about the effects of drought on themselves, their families, and their communities, with younger age, financial hardship, and isolation figuring as particular risk factors. The findings also support previous studies that found that drought-related stress may contribute to general psychological distress, but is distinguishable from it.

ENVIRONMENTAL CONSIDERATIONS

The recommendations of this report have minimal environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

Grant funding opportunities will be sought through the appropriate channels if funds become available. It is also noted that Council staff are reviewing Council's sister city and Friendship agreements including those with Gunnedah Shire Council and Brewarrina Shire Council.



Scanned 28-11-2018

The Mayor of the Shire of Brewarrina

SHIRE OFFICE
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Brewarrina NSW 2839
PO Box 125
Brewarrina NSW 2839
Telephone 02 6830 5106
Fax: 02 6839 2100
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PRIVATE
KANIMBLA
Brewarrina NSW 2839
Email: phillip.oconnor6@bigpond.com

OUR REF: 2035
YOUR REF: 2018/631662

Monday, 19 November 2018

Councillor Michael Regan
Mayor
Northern Beaches Council
P.O Box 1336
Dee Why NSW 2099



Dear Michael,

Re; Drought Assistance – Councils Youth Programs

It is with heartfelt appreciation that Council acknowledge the gesture of your Council in offering a scholarship for youth programs to the youth of our district in recognition of the hardship facing many on rural properties during this prolonged drought.

Such gestures are greatly appreciated and send a very positive message that extends the bonds of friendship between our two communities. I can assure you that the money will be allocated to provide assistance with travel and accommodation costs to encourage youth to participate in educational, sporting and cultural activities outside of the district.

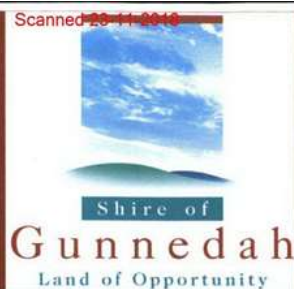
A big thankyou, to you and your Council.

Yours faithfully

Councillor Phillip (Ocker) O'Connor
MAYOR



Scanned 20-11-2018



Jamie Chaffey



MAYOR OF GUNNEDAH SHIRE COUNCIL

PO Box 63, Gunnedah NSW 2380

tel: 02 6740 2115

mobile: 0467 402 412

email: council@infogunnedah.com.au

Mayor Michael Regan
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

16 November 2018

Dear Mayor Regan

SCANNED
NORTHERN BEACHES
COUNCIL

23 NOV 2018

20__

RECEIVED
NORTHERN BEACHES
COUNCIL

23 NOV 2018

MAIL ROOM

Thank you to Northern Beaches Council's donation of \$2,000 to the Gunnedah Community Scholarship Fund, resolved at your September Council meeting. This donation will assist in benefiting our local students who will head off to further tertiary studies in the New Year.

I also write to you today to follow up on your correspondence earlier this year in relation to having a Sister Cities Relationship with Northern Beaches Council (formerly Manly Council). You noted in your letter that a review was to take place given that the mergers between three Council had recently taken place.

Gunnedah Shire Council would like to rekindle the sister city relationship between the Northern Beaches Council (formerly Manly). From my research it appears that the formal agreement was established in 2005. The relationship was based on the principles of equality and mutual benefits and through frequent exchange of information; both Councils will actively encourage and promote technology, arts, sports and tourism. The agreement also formally acknowledged both Councils interest in our famous poet Dorothea Mackellar.

Our next Sister Cities and Friendly Relationship Working group meeting is scheduled for Monday 3 December 2018 and I would like to be able to inform our working group members if our Sister Cities Relationship will continue, therefore I respectfully ask if a formal reply could be provided to me before our scheduled meeting date of Monday 3 December 2018.

I look forward to hearing from you soon.

Yours faithfully


Councillor Jamie Chaffey
MAYOR

Contact: 02 6740 2100
Reference: 1182458
jc:tm



Scanned 07-12-2018



Gunnedah Community Scholarship Fund

SUPPORT OUR YOUTH SUPPORT OUR COMMUNITY

Northern Beaches Council
PO Box 82
MANLY NSW 1655

3 December 2018

Dear Northern Beaches Council

2019 Gunnedah Community Scholarship Fund

I would like to thank you sincerely for your generous donation of **\$2000** towards the 2019 Gunnedah Community Scholarship Fund (GCSF), which was received on 30/10/2018.

The Scholarship Fund grows each year and continues to benefit the academic dreams of the young people of the Gunnedah Shire. Your donation makes a huge difference at a local level.

As part of the Silver Package you are entitled to the following benefits:

- Logo placement on printed and digital materials and the GSC website relating to GCSF
- Acknowledgement on all promotional material and advertising
- Banners to be supplied by Sponsors to be placed in the foyer of The Civic
- Invitation to attend the Scholarship Presentation Ceremony

In order to make the most of your donor benefits, please ensure you provide us with your banner before Friday, 18 January 2019.

Please see the Key Dates for the 2019 GCSF below:

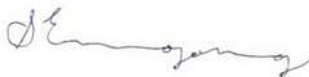
- GCSF Presentation Ceremony, Thursday, 31 January 2019 - 2019 GCSF recipients announced

More information about upcoming GCSF events will be provided in the coming weeks.

On behalf of the Gunnedah Community Scholarship Committee, I would like to take this opportunity to thank you again for your generous donation. The Fund could not continue without the financial and in-kind support of our local businesses and organisations.

If you require any further information please do not hesitate to contact me on (02) 6740 2275.

Yours faithfully



Sewa Emojong
Youth Development Officer

Contact: 02 6740 2275, sewaemojong@infogunnedah.com.au

Gunnedah Shire Council
63 Elgin Street, PO Box 63 GUNNEDAH NSW 2380
Administration Tel: (02) 6740 2100. Fax: (02) 6740 2119
E-mail: council@infogunnedah.com.au
Web: www.infogunnedah.com.au



ITEM 11.2	DRAFT NORTHERN BEACHES DEVELOPMENT CONTRIBUTIONS PLAN 2019 - FOR PUBLIC EXHIBITION
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/101373
ATTACHMENTS	<ol style="list-style-type: none"> 1 Local Infrastructure Contributions Strategy for Infill Development (Included In Attachments Booklet) 2 Draft Northern Beaches Council Section 7.12 Development Contributions Plan 2019 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's endorsement to publicly exhibit the new *draft Northern Beaches Contributions Plan 2019*.

EXECUTIVE SUMMARY

The Northern Beaches population and workforce is growing. To support the provision of appropriate infrastructure to cater for the demand created by the current and future population, it is proposed to create one contributions plan for all non-growth areas of the Northern Beaches. This excludes Warriewood Valley and Dee Why Town Centre as they have separate contributions plans.

Development contribution plans provide the framework for Council to fund the provision of public infrastructure to support the needs of the current and future population. Council may only levy a contribution if it is in accordance with a contributions plan. It is vital that Council's contributions plans are contemporary, prepared in accordance with relevant legislation and indicative of community need.

An internal review of the Council's existing development contributions plans has been undertaken. The existing Contributions Plans include:

- *Northern Beaches Council Section 94A Plan 2018 (applying to the former Warringah LGA)*
- *Manly Section 94 Contributions Plan 2004 as amended (applying to the former Manly LGA)*
- *Pittwater Section 94 Contributions Plan for Residential Development (applying to the former Pittwater LGA).*

This review analysed the current collection methodology for development contributions to determine the most appropriate method of funding the provision of local infrastructure. The review resulted in the preparation of the *Local Infrastructure Contributions Strategy for Infill Development* (the Contributions Strategy) (Attachment 1).

The Contributions Strategy demonstrates a strong case for shifting to a single contributions plan for Council's infill or non-growth areas based on Section 7.12 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). By adopting a single fixed rate levy contributions plan across most of Council's area, it will ensure consistency in Council processes, provide a simplified approach for development contributions balanced by the community expectations for continued service levels and infrastructure provision and significantly increase the level of funding available for local infrastructure over the long term.

The preparation of a new single development contributions plan to apply across the Northern Beaches will be based on a percentage of the cost of development as follows:

Cost of Development	Contribution Payable to Council
Less than \$100,000	No contribution
Between \$100,000 and \$200,000	0.5% of the development cost
Above \$200,000	1% of the development cost

Analysis has shown that, over the past five years, 52% of development in the LGA would not attract any contribution requirement as it would fall below the \$100K threshold.

The new contributions plan will not apply to Warriewood Valley Release Area (as there is a specific plan applying to this growth area) and the Dee Why Town Centre (as there is a draft Contributions Plan for this area in preparation).

The *draft Northern Beaches Section 7.12 Contributions Plan 2019* (the “draft Plan”) has been prepared in accordance with section 7.12 of the EP&A Act and is contained in Attachment 2. If agreed by Council, the draft Plan will be publicly exhibited in accordance with the *EP&A Regulation 2000*.

The outcomes of this exhibition will be reported back to Council and if adopted the draft Plan will repeal the existing contributions plans.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council endorse the public exhibition of the *draft Northern Beaches Section 7.12 Contributions Plan 2019* for a period of 28 days in accordance with the requirements of the *Environmental Planning & Assessment Act Regulation 2000*.
 - B. The outcomes of the public exhibition be presented to Council following the conclusion of the exhibition period.
-

REPORT

BACKGROUND

Legislative Context

Development Contributions form an important part of Council's funding for the provision of new or augmented local infrastructure on the Northern Beaches. The *Environmental Planning & Assessment Act 1979* (EP&A Act) provides Councils with two options to levy new development to fund the provision of local infrastructure:

1. A development contributions strategy based on a demonstrated nexus between additional development and the resulting additional demand for public infrastructure in accordance with section 7.11 of the EP&A Act.
2. A fixed rate levy based on the value of development works in accordance with section 7.12 of the EP&A Act.

Prior to a legislative change on 1 March 2018, the approaches to development contributions were known as Section 94 and Section 94A respectively.

Local Infrastructure Contributions Strategy for Infill Development

Consistency in Council's processes including a simplified approach for development contributions balanced by the community's expectations for continued service levels and infrastructure provision led to a review of the three Contributions Plans applying in various areas of the Northern Beaches, namely:

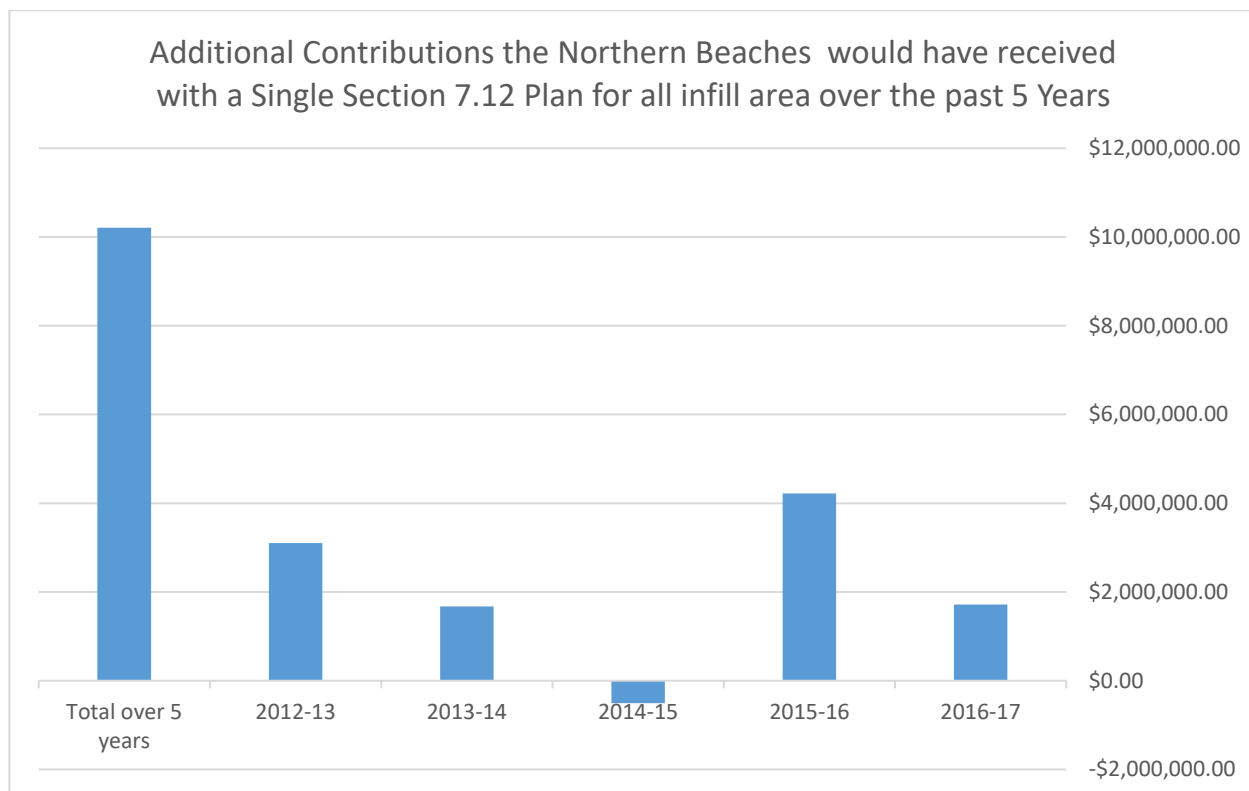
Northern Beaches Council Section 94A Plan 2018	Applying to land under Warringah LEP	Rate based on the percentage of estimated development cost. If the work is:
		Less than \$100,000 = No contribution
		\$100,001-\$200,000 = 0.5% of cost of works
		Greater than \$200,000 = 1% of cost of works
Manly Section 94 Contributions Plan 2004 as amended	Applying to land under Manly LEP	\$20,000 per dwelling
		Manly CBD Commercial = \$28,036.34/100m ² GFA, and \$37,392.78/ carspace if parking offset required
		Other Areas Commercial = \$15,233.49/100m ² GFA, and \$18,902.17/ carspace if parking offset required
		Tourist development at \$4,099.08 per bed
Pittwater Section 94 Contributions Plan for Residential Development 2015	Applying to land under Pittwater LEP except Warriewood Valley	\$20,000 per new dwelling (does not apply to secondary dwellings, based on Council resolution)

Analysis of the collection methodology and key features of the three abovementioned contributions plans was undertaken to determine the best benefits to the community in the long term, including:

- Analysis of historic development trends
- Projection of long term financial impacts
- Economic impacts
- Impact on housing affordability
- The financial and resource cost of potential options
- Consideration of transitional arrangements.

A review of historic development contributions received by Council from the 2012/13 financial year was undertaken as well as an analysis to determine what Council's contributions would have been if a single fixed rate levy contributions plan was in force.

While development contributions are highly impacted by economic factors beyond the control of Council, the Contributions Strategy found that Council could have received up to an additional \$10 million in development contributions over a 5-year period under a single fixed rate levy contributions plan as identified below.



The Contributions Strategy found that in addition to collecting more funds for the provision of new or augmented local infrastructure, a single fixed rate levy plan for infill areas would reduce administrative and legal costs. A move to a fixed rate contribution plan would also result in contributions being more evenly spread across developments. However, despite increasing the base of contributing development, it is important to note that over the past 5-years historical data indicates that 52% of development across the Northern Beaches would not have attracted a fixed rate development contribution.

The Contributions Strategy recommends:

- A. That Council develop a single development contributions plan for the infill areas under the provisions of Section 7.12 of the EP&A Act based on the maximum fixed levies within Clause 25K of the EP&A Regulation 2000.
- B. That Council maintain the financial accounts of the plans to be repealed and spend all funds in these accounts in the areas in which they were collected until all funds are exhausted.
- C. That any future report to Council adopting the new plan clearly articulate that any previous resolutions making exceptions for development types such as secondary dwelling within the former Pittwater Council are overridden and subject to the fixed development consent levy within the plan to avoid any inconsistency.

Draft Northern Beaches Section 7.12 Contributions Plan 2019

Following the findings and recommendations of the Contributions Strategy the *draft Northern Beaches Council Section 7.12 Contributions Plan 2019* (the “draft Plan”) has been prepared. This draft Plan will apply to all of the Northern Beaches excluding Dee Why Town Centre and Warriewood Valley. Specific section 7.11 contribution plans apply to these areas which require a greater level of local infrastructure to support the projected growth in these locations.

The draft Plan will facilitate a broader range of infrastructure and services to be funded by development contributions in the infill areas. When development is approved, a condition will be imposed on the development consent requiring the payment of a monetary contribution of up to 1% of the cost of the work (when over \$100,000). This approach is already in place for land under Warringah LEP 2000 and 2011.

Formerly, secondary dwellings on land under Pittwater LEP 2014 were not required to pay development contributions due to the Council’s decision at its meeting of 20 October 2008. The Contributions Strategy recommended that this exemption should be removed given that the contribution applicable will be on a fixed percentage based on the cost of development. This new approach provides consistency across the Northern Beaches, and is considered a fair and equitable approach towards public infrastructure provision. If agreed to by Council, it endorses the approach that all development types will, subject to the threshold set in the EP&A Regulation 2000, be required to contribute towards public infrastructure.

Local infrastructure to be funded by the draft Plan is identified in Appendix 1 of the plan. The draft Plan will be regularly reviewed to ensure the works schedule aligns with Council’s 4-year CAPEX Program, of which development contributions are a significant funding source.

The draft Plan is not proposed to fund public infrastructure until the 20/21 financial year. This will allow the plan to begin collecting funds for a period of time before any expenditure is drawn down. In the interim public infrastructure will continue to be funded by the existing contributions plan reserves. These reserves will be used to continue to fund local infrastructure in the areas which they were originally collected. Expenditure from these existing reserves may be supplemented with income collected under the new draft Plan to ensure the efficient delivery of infrastructure. This is considered a fair and equitable approach that complies with all legislative requirements and best practice guidelines.

Transitional Arrangements

Central to the process of transitioning to a new contributions plan is the management of the remaining funds collected under the plans to be repealed. All funds collected under contributions plans by Northern Beaches Council (and the three former councils), are held as restricted assets until they are spent. All development contribution income (including interest earned from fund held in reserves) is reported in Note 17 of the Annual Financial Report.

This annual report is reviewed by an external auditor to ensure that Council is meeting all legislative and best practice requirements for financial management.

Development contribution accounts are isolated from other Council income to ensure they are only spent for the purpose that they were collected. Funds in these accounts are only used for the provision, augmentation or extension of public infrastructure in the catchment area which they were collected. Council is expected to receive income under repealed contributions plans for development consents that are already approved for up to 5 years (or up to 10 years in the case of deferred commencement conditions).

It is recommended to maintain the existing development contribution accounts for the corresponding contributions plans that are to be repealed until these funds are exhausted and all existing development consents expire. The money in these accounts will be restricted to fund the provision of public infrastructure within the areas which they were originally collected. For example, contributions received for a DA levied under the Manly S94 Contributions Plan will only be spent on public infrastructure identified in the new contributions plan in the former Manly LGA. The expenditure of these existing reserves could be supplemented with income received under the new fixed development consent levy plan to ensure the efficient delivery of infrastructure. This method is considered a fair and equitable approach that complies with all legislative and best practice guidelines.

As a result of the change to a Section 7.12 plan some existing development consents that would have paid a significant development contribution will attempt to have their contributions reduced to the lower rate within the new plan. It is recommended that the new single fixed development consent plan include transitional arrangements to manage live consents that were issued under the plans to be repealed.

It is recommended that the new plan stipulate that development consents issued before the date the plan the new plan is in force are subject to the rates of the previous plans. This is an approach taken by several Councils around the state.

Applicants will however be able to reduce their contribution by lodging a new development application or Complying Development Certificate. The new application would be subject to the latest planning rules however the costs and time associated with this may discourage many from doing so.

CONSULTATION

If agreed by Council, the draft Plan will be placed on public exhibition for a period of 28 days in accordance with the requirements of the EP&A Regulation 2000.

Copies of the exhibited documents will be made available for viewing at the Dee Why, Mona Vale, Avalon and Manly Customer Service Centres. A public notice will also be placed in the Manly Daily and information on the Draft Plan will be published on Council's website in accordance with Council's Community Engagement Policy.

At the conclusion of the exhibition period, all submissions received will be considered and any necessary changes will be made to the draft Plan. The outcomes of the public exhibition will be reported back to Council for its consideration.

FINANCIAL CONSIDERATIONS

The draft Plan seeks to ensure an equitable and sustainable funding source for the range of required public infrastructure across the Northern Beaches. The Contributions Strategy identified that Council is likely to receive greater funding for public infrastructure under a single contributions plan, and reduce administrative and legal costs associated with managing contributions prepared under section 7.12 of the EP&A Act.

SOCIAL CONSIDERATIONS

The draft Plan will facilitate the timely funding and delivery of public infrastructure such as public domain including public art, open space, pedestrian/cycle networks, and community facilities which will enhance social outcomes for current and future residents and workers across the Northern Beaches.

ENVIRONMENTAL CONSIDERATIONS

The draft Plan will contribute to improved environmental outcomes across the Northern Beaches through the provision of critical public amenities and infrastructure. All potential environmental impacts resulting from the delivery of the proposed works program will be mitigated through appropriate environmental assessment and management.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Plan has been prepared to ensure that Council's mechanism for funding public infrastructure is contemporary and in accordance with all legislative requirements. To ensure a sound level of risk management, an ongoing review of the draft Plan will be undertaken.

ITEM 11.3	DRAFT DEE WHY TOWN CENTRE DEVELOPMENT CONTRIBUTION PLAN - FOR PUBLIC EXHIBITION
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/103095
ATTACHMENTS	1 📄 Draft Dee Why Town Centre Development Contributions Plan (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's endorsement to publicly exhibit the *Draft Dee Why Town Centre Development Contributions Plan*.

EXECUTIVE SUMMARY

In August 2013, Council adopted the *Dee Why Town Centre Masterplan 2013* (the Dee Why Masterplan). The Dee Why Masterplan established the vision and subsequent planning direction for Dee Why Town Centre. At the time, the NSW Government *Metropolitan Strategy North East Subregion – draft Subregion Strategy* (July 2007) identified Dee Why as a Major Centre.

The Dee Why Masterplan led to subsequent amendments of the *Warringah Local Environmental Plan 2011* (Warringah LEP) and the Warringah Development Control Plan (Warringah DCP). Council adopted the amendments on 25 September 2018 and 26 February 2019 respectively. On 25 July 2017, Council resolved to endorse the preparation of a draft contributions plan for the Dee Why Town Centre. The *draft Dee Why Town Centre Development Contributions Plan* (the draft Contribution Plan) responds to the expected future development in the Dee Why Town Centre facilitated by the amendments to the Warringah LEP and DCP recently adopted by Council.

The Dee Why Masterplan also identified a range of public infrastructure improvements to support the increasing population in the Dee Why Town Centre including upgrading roads, streetscape, open space areas and stormwater drainage facilities.

A development contributions plan provides the legislative framework for Council to levy a contribution on new development in the Town Centre to fund the delivery of new or augmented public infrastructure.

The draft Contributions Plan identifies required local infrastructure upgrades to support the demand of future residents and workers in this area.

The draft Contribution Plan will deliver high quality functional, useable and much needed facilities in the Dee Why Town Centre.

The contribution rates applying to the types of development in Dee Why Town Centre are:

Contribution Rate	Development Type
\$6,249.17	per person for residential development such as boarding houses & hostels
\$9,373.75	per studio/1 bed dwelling
\$13,748.17	per 2 bed dwelling
\$19,997.34	per 3 or more bed dwelling
\$16,404.07	per 100m ² of additional non-residential GFA

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council endorse the public exhibition of the *draft Dee Why Town Centre Development Contributions Plan* for at least 28 days in accordance with the requirements of the *Environmental Planning & Assessment Regulation 2000*.
 - B. The outcomes of the public exhibition be presented to Council following the conclusion of the exhibition period.
-

REPORT

BACKGROUND

Infrastructure Upgrades under the Dee Why Town Centre Masterplan

In August 2013, Council adopted the Dee Why Masterplan which outlined a number of public infrastructure upgrades and improvements to:

- Create a well-connected town centre through two new roads, new pedestrian connections and intersection upgrades
- Enhance open spaces including embellishment of parks
- Reduce flood impacts and associated hazards
- Incorporate water sensitive urban design infrastructure into public land
- Provide safe and enjoyable public spaces
- Generate investment through creating an attractive and vibrant town centre
- Foster community sense of pride of place.

At the time, Council had applied a fixed rate levy approach on developments on land under the Warringah LEP to fund infrastructure delivery, as follows:

Cost of Development	Contribution payable to Council
Up to \$100,000	No contribution
between \$100,00 and \$200,000	0.5% of the value
\$200,000 and upwards	1.0% of the value

The full development potential of the Dee Why Town Centre cannot be realised without significant investment in infrastructure improvements. The contributions under this approach being restricted to 1% of the cost of development are insufficient to deliver all the infrastructure identified in the Dee Why Masterplan. Delivery of the necessary infrastructure would require a significantly greater than 1% levy to be applied against the value of new development.

Any increase to a fixed rate levy under Section 7.12 of the *Environmental Planning and Assessment Act* (EP&A Act) a former Section 94A requires Ministerial approval. The process to obtain that approval is not clearly established. In January 2016, Council submitted an application to the NSW Department of Planning & Environment to increase the fixed rate levy. Despite the provision of supporting information justifying the proposed change and significant correspondence regarding the application, by March 2017 the Department of Planning & Environment could not give a clear indication of the pathway or timeframe for an approval. Given the time already elapsed, Council at its meeting on 25 July 2017 resolved:

"That

- Council endorses the preparation of a draft Section 94 Plan for the Dee Why Town Centre.*
- A report is provided to Council on the draft Section 94 Plan prior to its public exhibition in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000."*

A contributions plan may be prepared under section 7.11 of the EP&A Act without Ministerial approval so long as:

1. The residential contribution rate does not exceed \$20,000 per dwelling
2. There is a demonstrated nexus between the expected future development and the corresponding demand for public infrastructure
3. The infrastructure funded by this plan falls in the “essential works list”.

On 1 March 2018, the NSW Government amended the EP&A Act to, among other things, renumber the clauses of the legislation. Section 94 is now known as Section 7.11 under the EP&A Act.

The draft Contributions Plan

Since the adoption of the Dee Why Masterplan in 2013, Council has significantly invested in local infrastructure in the Town Centre. The infrastructure improvements recommended by the Dee Why Masterplan totals \$87.5 million, with approximately half of the infrastructure improvements already delivered (to the value of \$43.3 million in infrastructure investment).

The remaining development capacity in the Dee Why Town Centre is an additional 1,456 dwellings and 35,426sqm of non-residential GFA. This is equivalent to 35% of total development in the Dee Why Town Centre. The draft Contributions Plan identifies that there is an appropriate nexus for this new development to contribute a similar apportionment towards the total cost of providing infrastructure in the Dee Why Town Centre.

The remaining development anticipated in the Dee Why Town Centre will require additional infrastructure to support this growth. The development will increase the resident and employee population into the Town Centre creating additional demand on facilities and services beyond what is already existing. These additional facilities and services were identified in the Dee Why Masterplan as infrastructure improvements and it is appropriate that future growth in the Town Centre fund this delivery. It is unreasonable for existing residents to be burdened with the cost of funding additional infrastructure commensurate with the Town Centre’s future development.

The infrastructure, contained in Appendix 1 of the draft Contributions Plan, is a total infrastructure investment of \$24,099,761. Development contributions that can be collected under the proposed draft Contributions Plan, far exceed what can be collected under the existing *Northern Beaches Council Section 7.12 Plan 2018* which only levies at a rate of up to 1% of the cost of development. Therefore, it is recommended that Council support the preparation and exhibition of the draft Contributions Plan.

CONSULTATION

If agreed by Council, the draft Contributions Plan will be placed on public exhibition for a minimum of 28 days in accordance with the requirements of the EP&A Regulation.

Copies of the exhibited documents will be made available for viewing at the Dee Why, Mona Vale, Avalon and Manly Customer Service Centres. A public notice will also be placed in the Manly Daily and information on the draft Contributions Plan will be published on Council’s website in accordance with Council’s Community Engagement Policy.

All property owners in the Dee Why Town Centre will be notified of the public exhibition.

At the conclusion of the exhibition period all submissions received will be considered and any necessary changes will be made to the exhibited documents. The outcomes of the public exhibition will be reported back to Council for its consideration.

FINANCIAL CONSIDERATIONS

The draft Contributions Plan seeks to ensure an equitable and sustainable funding source for the range of required infrastructure in the Town Centre. The draft Contributions Plan forecasts approximately \$24.1 million in future income by 2036 to fund the delivery of the infrastructure identified in the works schedule.

The income and expenditure assumptions underpinning the draft Contributions Plan will be regularly reviewed to ensure consideration of economic conditions and community priorities.

SOCIAL CONSIDERATIONS

The draft Contributions Plan facilitates funding for the timely delivery of infrastructure such as open space and public domain improvements on Council land, which will enhance social outcomes for the future residents and workers of the Town Centre.

ENVIRONMENTAL CONSIDERATIONS

The draft Contributions Plan will significantly improve flooding outcomes in the Town Centre through the provision of critical public infrastructure.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Contributions Plan has been prepared to ensure that Council's mechanisms for funding local infrastructure in the Town Centre is contemporary and in accordance with all legislative requirements. To ensure a sound level of risk management, an ongoing review of the draft Contributions Plan will be undertaken.

ITEM 11.4	PLANNING PROPOSAL FOR 28 LOCKWOOD AVENUE BELROSE - WITHDRAWAL
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2019/124564
ATTACHMENTS	1 ↓ Letter from the NSW Department of Planning and Environment dated 11 December 2018

SUMMARY

Note: This item was deferred from the Council Meeting of 26 February 2019

PURPOSE

To seek Council approval to withdraw the Planning Proposal for 28 Lockwood Avenue, Belrose following a request from the Department of Planning and Environment (the Department) to withdraw the proposal and submit a revised proposal (Attachment 1).

EXECUTIVE SUMMARY

At its meeting on 19 December 2017, Council resolved to submit a Planning Proposal to the Department to permit additional land uses of “residential flat building” and “multi dwelling housing” on part of the former Belrose Library site and to establish a minimum floorspace ratio for commercial uses on the land (Council did not support the applicant’s proposal to increase the maximum height of buildings control on the site from 8.5 metres to 15 metres).

The Planning Proposal was submitted to the Department on 11 January 2018 and Council subsequently met with Department officers and provided further information as requested.

By letter dated 11 December 2018 the Department requested that Council withdraw the Planning Proposal and submit a revised proposal. This request was made on the grounds that the Planning Proposal as submitted did not result in “...*improved planning outcomes for the site, or the community, beyond which could be achieved under the current LEP controls*”.

Council staff does not agree with the reasons outlined by the Department to consider revising the Planning Proposal. Having regard for the time taken to date, lack of a clear forward path and that the fees for the Planning Proposal have been expended, it is recommended that the Planning Proposal be withdrawn.

Council considered a report on this matter at its meeting on 26 February 2019 and resolved as follows:

That this item be deferred and be brought back to the Ordinary Council meeting on 26 March 2019.

At the time of writing of this report Council had not received any further submissions by the proponent on the Planning Proposal.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council advises the Department of Planning and Environment that it wishes to withdraw the Planning Proposal for 28 Lockwood Avenue, Belrose and that it will not be submitting a revised Planning Proposal for the reasons outlined in this report.
 - B. Council advises the Proponent of its decision.
-

REPORT

BACKGROUND

Council at its meeting on 19 December 2017 resolved that:

- A. *Council does not support a Planning Proposal which changes the height standard for 28 Lockwood Avenue, Belrose.*
- B. *Council supports an amended Planning Proposal which:*
 - (a) *Permits additional land uses of “residential flat building” and “multi dwelling housing” on that part of the land fronting Lockwood Avenue only.*
 - (b) *Prohibits the granting of development consent for a residential flat building or multi dwelling housing on the land unless a minimum Floor Space Ratio of 0.5:1 is provided on the site for commercial premises.*
 - (c) *Negotiates and finalises a formal Voluntary Planning Agreement offer from the proponent which addresses pedestrian connections through the site, the provision of affordable rental housing, public space, and retention of green space to be included with the exhibition of the Planning Proposal following the Gateway Determination.*

A Planning proposal was subsequently lodged with the Department of Planning and Environment (the Department) on 11 January 2018.

Consultation with Department

Since the lodgement of this Planning Proposal, Council has provided further details and clarifications to the Department on a number of occasions in response to requests received. Council also met with the Department to discuss the Planning Proposal and submitted additional information.

Despite regular contact with the Department about progress of the Planning Proposal, the Department advised by letter dated 11 December 2018 that the Planning Proposal was not supported and asked that Council withdraw it and submit a revised Planning Proposal.

Response to the Department's Reasons for Request to Withdraw

The Department's reasons for the request to withdraw the Planning Proposal and Council's responses are outlined below:

1. *The retention of the B2 zone has not been justified given the site is predominantly envisaged for residential purposes*

The site is not predominantly envisaged for residential purposes (see comments under Point 4). In addition, Council in correspondence with the Department dated 10 April 2018 advised that it had not sought to rezone land fronting Lockwood Avenue to a residential zone as an alternative because:

- There is no Study or Strategy known to Council that would support the downsizing of this B2 Local Centre zone for sole residential purposes.
- The land zoned B2 Local Centre, including 28 Lockwood Avenue, comprises a diversity of retail, business, entertainment and community uses that serve the needs of the local community as required under the LEP objectives for this zone. In this regard the B2 zone provides for a mixed use development with both residential and non-residential uses which are compatible with this locality.

- 28 Lockwood Avenue is a single parcel of land which Council anticipates will be redeveloped as a singular mixed use development. The introduction of a dual zoning for the site would potentially constrain flexibility in future quality design outcomes for the site.
 - The future redevelopment of 28 Lockwood Avenue is made possible under the initiatives of the Belrose Revitalisation Project and Masterplan in 2013. Public investment in local centre improvements has been partly realised by the disposal of this site for redevelopment. The retention of the B2 zone is considered appropriate to provide opportunities for the revitalisation of the Local Centre with a range of uses which serve the local community.
- 2. *The introduction of a minimum floorspace requirement for commercial premises is not justified given it is not required on other B2 zoned sites and there is no economic evidence that it is required***

The 'requirement' was included in the proponent's original submission to Council to ease potential concerns that providing for an additional permitted use on the site would result in a loss of potential retail floorspace in any redevelopment.

A key purpose of the Council's Planning Proposal has been to kerb the extent of residential uses for the site and not provide for an entirely residential use of the site, but rather provide for a locally determined solution with both residential and commercial street frontages.

- 3. *The retention of the 8.5 metre height limit is not justified when Council has indicated that additional density and a height of three storeys is expected***

The current Planning Proposal contemplates a potential minor increase in residential density, resulting from additional permitted uses (multi dwelling housing and residential flat building) in lieu of street fronted shops on that part of the land fronting Lockwood Avenue. Council specifically resolved not to support an increase to the 8.5 metre height limit.

- 4. *The exclusion of all permitted land uses other than residential on the Lockwood frontage of the site is not justified whilst retaining the B2 zone for this part of the site***

This comment seemingly demonstrates a misunderstanding of the Planning Proposal submitted to the Department. Council in correspondence with the Department dated 10 April 2018 confirmed:

"The Planning Proposal submitted for Gateway Determination is not intended to 'limit the use of land fronting Lockwood Avenue to residential uses only', but rather to provide for additional residential uses at that side of the site...This limitation is proposed in order to retain the integrity of the existing local centre/B2 zone."

- 5. *The Planning Proposal does not explain any consistency or inconsistency with SEPP 65 – Design Quality of Residential Apartment Development***

As the Planning Proposal included only schematic drawings and is not reliant upon these drawings to proceed, it was not considered necessary to assess the drawings against SEPP 65. Council has not been previously advised of this concern.

- 6. *The Planning Proposal incorrectly refers to consistencies with relevant 9.1 Directions***

It is unclear what this comment refers too.

7. *The Planning Proposal is not supported by key technical information including a traffic study to demonstrate the impact on the road network as a result of the uplift*

As mentioned in Point 3 above, the Planning Proposal contemplates only a minor increase in residential density, offset by a minor reduction in retail floorspace on the site. Given that residential development generally generates less traffic than retail development and given the scale of the changes proposed, it was not considered necessary to support the Planning Proposal with a traffic study.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with the withdrawal of the Planning Proposal. As the fees for the Planning Proposal have been expended, any future Planning Proposal for the site would be subject to a new set of fees.

SOCIAL CONSIDERATIONS

Social matters were considered in the preparation and lodgement of the Planning Proposal and the withdrawal of the Planning Proposal is based on a request from the Department of Planning.

ENVIRONMENTAL CONSIDERATIONS

Environmental matters were considered in the preparation and lodgement of the Planning Proposal with the Department. There are no environmental considerations associated with the withdrawal of the Planning Proposal.

GOVERNANCE AND RISK CONSIDERATIONS

There are no Governance or risk considerations associated with the withdrawal of the Planning Proposal being initiated by the Department.



IRF18/6073

Mr Ray Brownlee
Chief Executive Officer
Northern Beaches Council
PO Box 82
MANLY NSW 1655

Attention: Mr Neil Cocks

Dear Mr Brownlee

Planning proposal for 28 Lockwood Avenue, Belrose (former Belrose Library)

I refer to Council's planning proposal to amend the Warringah Local Environmental Plan (LEP) 2011 as it relates to land at 28 Lockwood Avenue, Belrose (Lot 1 DP 1199795) seeking to introduce 'residential flat buildings' and 'multi-dwelling housing' as additional permitted uses on land fronting Lockwood Avenue and a clause requiring the provision of a minimum floor space ratio of 0.5:1 (with respect to the total site area) for commercial premises before development consent can be granted for a 'residential flat building'.

I appreciate Council's vision to revitalise the site and create for a mixed-use development that provides additional housing and new commercial opportunities in Belrose.

I understand that the planning proposal is an amended version of a proposal lodged by Willana Urban on behalf of Property Platinum Advisors Pty Ltd. At Council's meeting of 19 December 2017, Council resolved to support an amended planning proposal to enable the site's redevelopment. These amendments included not agreeing to any increase in the maximum building height standard as sought by the proponent, requiring that residential development be permitted only to the land fronting Lockwood Avenue and that there be a minimum floor space ratio for commercial development on the site.

I am advised that the Department of Planning and Environment has had ongoing communications with Council representatives and the proponent to clarify what the planning proposal seeks to achieve.

Following the discussions, the Department has formed a view that Council's request for a Gateway determination for the planning proposal as submitted cannot be supported. The Department therefore asks that Council withdraw the proposal and submit a revised proposal.

The Department notes that the planning proposal does not demonstrate how the proposed amendments to the Warringah LEP 2011 will result in improved planning outcomes for the site, or the community, beyond that which could be achieved under the current LEP controls for the site.

In particular the Department is concerned that the following matters have not been adequately explained or justified:

- the retention of the B2 Local Centre zone when the site is predominantly envisaged for residential uses;
- the introduction of a minimum floor space requirement of 0.5:1 for commercial premises, when this is not required of other B2 Local Centre-zoned sites in the remaining parts of the village centre and there is no economic evidence of this requirement being necessary;
- that there be no increase in the maximum permitted building height standard of 8.5m, yet the indication from Council is that development on the site is expected to achieve additional density and scale of three storeys in height; and
- the exclusion of all permitted land uses and permitting only residential development on the land fronting Lockwood Avenue, and yet retaining the B2 zone for this part of the site.


The planning proposal does not explain any consistency, or inconsistency, with relevant state environmental planning policies (SEPPs), particularly SEPP No 65 – Design Quality of Residential Apartment Development. The planning proposal also incorrectly refers to consistencies of the proposal with the relevant section 9.1 Directions.

Additionally, the planning proposal is not supported by key technical information including a traffic study to demonstrate the impact on the road network as a result of the eventual uplift.

I encourage Council to liaise with the Department prior to submitting a revised planning proposal and to work with the proponent to address the above matters. The Department is willing to work with Council on potential options to align with Council's visions for the site.

Should you have any questions in relation to this matter, please contact Ms Yolande Miller, Senior Planner, Sydney Region East, at the Department on 9274 6500.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

11/12/2018

ITEM 11.5	PARKING FINE CONCESSIONS
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/059941
ATTACHMENTS	1 Letter to Council from NSW Treasurer

SUMMARY

PURPOSE

To advise Council of the option available to reduce the fine amount for 52 types of parking fines.

EXECUTIVE SUMMARY

On 30 November 2018 the NSW Treasurer the Hon Dominic Perrottet MP wrote to Council outlining changes to legislation which enable councils to opt in and reduce the parking fine amounts for 52 common parking fines.

Council is being asked whether or not it wishes to opt in to reduce parking fines within Northern Beaches Council.

A copy of the Treasurer's letter is provided in attachment 1. Pages five and six of this attachment list the 52 parking offences covered by the opt in process. They include:

- Park continuously for longer than permitted
- Park without paying meter fee
- Park after meter expired
- Not park and 90° angle
- Park vehicle not wholly within marked parking space.

These parking offences fall under the Road Rules 2014 and Local Government Act 1993.

A Notice of Motion was raised on this matter at Council's meeting of 26 February 2019, and it was resolved for staff to analyse parking infringements issued in 2018 to determine the potential financial impact of opting in to reduce parking fines.

An initial analysis estimates that parking fine income would be reduced by approximately \$1.5m per year if Council were to opt in.

Based on this analysis the largest reductions in fine income would be expected to come from the following fines based on volumes issued:

- Park in ticket parking area not display ticket as required
- Park continuously longer than indicated
- Park without current ticket displayed
- Park without paying meter fee.

Parking restrictions assist Council in optimising parking availability and equity of use. Turn-over of parking and availability of spaces benefits all of our community, including local businesses, who rely on customers parking nearby.

Council has in place robust processes to establish parking restrictions, including undertaking advertisement and consultation, and in the case of restriction on roads, determinations are made by Council's Traffic Committee.

The applicable fines are currently set at \$112 and would be reduced to \$80 per fine should Council choose to opt in. Council currently pays \$19.79 processing to Revenue NSW for every fine issued. The processing fee will not change.

Whilst reducing these fine amounts may result in a financial saving for some residents, parking fines play an important role in managing parking availability and equity and reducing the fine amounts could reduce the effectiveness of this deterrent.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council does not opt in to reduce parking fine amounts.

REPORT

BACKGROUND

On 30 November 2018 NSW Treasurer the Hon Dominic Perrottet MP wrote to Council outlining changes to legislation which enable Councils to opt in and reduce the parking fine amounts from \$112 to \$80 for 52, level 2 (non-safety related) parking fines.

A copy of the Treasurer's letter is provided in attachment 1. Pages five and six of this attachment list the 52 parking offences covered by the opt in process. They include;

- Park continuously for longer than permitted
- Park without paying meter fee
- Park after meter expired
- Not park and 900 angle
- Park vehicle not wholly within marked parking space.

These parking offences fall under the Road Rules 2014 and Local Government Act 1993.

Council is being asked whether or not it wishes to opt in to reduce parking fines within Northern Beaches Council.

The fines are currently set at \$112 and would be reduced to \$80 per fine should Council choose to opt in. Council currently pays \$19.79 processing to Revenue NSW for every fine issued. This amount is subject to increase each year with CPI applied. For this fee Revenue NSW undertake collection and debt management of all fines, and also manage all requests for review of fines on behalf of Council.

A Notice of Motion was raised on this matter at Council's meeting of 26 February 2019, and it was resolved for staff to analyse parking infringements issued in 2018 to determine the potential financial impact of opting in to reduce parking fines.

Whilst parking fine amounts are set by NSW Government, the opt in process gives Councils a role in determining whether or not to reduce the fine level, by 25% for the 52 identified parking offences.

In 2017/18 total revenue from parking fines in Northern Beaches Council was \$7.904m.

An initial analysis conducted based on parking infringements (64,000 fines) issued for the 2018 calendar year, estimates that parking fine income would be reduced by approximately \$1.5m per year, had the reduction been applied.

Based on this analysis the largest reductions in fine income would be expected to come from the following fines based on volumes issued:

- Park in ticket parking area not display ticket as required
- Park continuously longer than indicated
- Park without current ticket displayed
- Park without paying meter fee.

In order to maintain an appropriate deterrent and manage availability of parking and minimise any impact on Council services from reduced income it is recommended that parking fine amounts are not reduced.

CONSULTATION

No public consultation has been carried out by Council in relation to this matter.

TIMING

The initial deadline for councils choosing to opt in to reduce the specified parking fine amounts was 1 January 2019, with changes to fine amounts being implemented on 1 March 2019. Further opportunities are available for councils to opt in; the next deadline being 1 April 2019, with fine changes being implemented on 1 June 2019. Further opportunities are provided on 1 July 2019 and 1 October 2019 and thereafter annually on 1 April.

FINANCIAL CONSIDERATIONS

Parking fine income is estimated to reduce by \$1.5m per year should Council resolve to opt in and reduce parking fine amounts.

SOCIAL CONSIDERATIONS

NSW Government have advised that the identified fines are for non-safety related parking offences, however they assist Council in optimising parking availability and equity of use. Turn-over of parking and availability of spaces benefits all of our community, including local businesses, who rely on customers parking nearby. Without effective regulation, including deterrent, parking restrictions alone are not effective in managing parking behaviour. A reduction in the fine amounts could reduce the effectiveness of this deterrent.

Council has in place robust processes to establish parking restrictions, including undertaking advertisement and consultation, and in the case of restriction on roads, determinations are made by Council's Traffic Committee.

Whilst residents may directly benefit from a financial saving resulting from a reduction in parking fines, it is worth noting that many recipients of parking fines are not Northern Beaches residents. For example, approximately 50% of the identified reduction in parking fine income relates to fines issued for offences concerning pay and display parking, the majority of which are at beaches and reserves where residents can park without a ticket using their Beach Parking Permit.

Council is preparing educational information to help improve awareness of the road rules, particularly those that are not well known or misunderstood, in order to improve public safety and reduce the number of offences being committed.

ENVIRONMENTAL CONSIDERATIONS

No specific environmental impacts have been identified in relation to parking fine reduction. However, should any reduction in income result in reduced service levels then this may impact the resources available to investigate environmental incidents.

GOVERNANCE AND RISK CONSIDERATIONS

Amendments to legislation were made by NSW Government which enable councils to legally opt in to reduce parking fines.

The estimated financial impacts are based on an analysis of parking infringements issued in the 2018 calendar year. There are numerous factors which influence parking behaviours and impact the number and type of parking infringements issued and ultimately the parking fine income received.



The Hon Dominic Perrottet MP
Treasurer and Minister for Industrial Relations

Clr Michael Regan
Mayor
Northern Beaches Council
PO Box 882
MONA VALE NSW 1660

Dear Mayor,

ACT NOW TO TAKE ADVANTAGE OF PARKING FINE CONCESSIONS FOR YOUR CONSTITUENTS

In June this year the NSW Government announced plans to make parking fines fairer for residents across the state.

Parking fines play an important role in maintaining order and safety on our streets. But the penalty should not be out of proportion to the offence. At present, parking fines in NSW are much higher than in many cities in Australia and overseas, including Melbourne, Brisbane, London, and New York.

So we are taking action.

As a first step we reduced a range of State Government issued parking fines by 25 per cent.

Many Councils have noted they have no power to reduce parking fine amounts, which are set at a \$112 minimum under State legislation, and the Government has committed to providing Councils the freedom and flexibility to reduce their parking fines too.

Following broad consultation which revealed overwhelming support from the community for fine reductions, I am pleased to advise that the Government has now made the regulatory changes necessary for Councils to reduce their fines.

What are the changes?

Under the new framework, Councils can reduce their fines from \$112 to \$80. These concessions do not apply automatically. To make this change Councils must opt in, by advising me in writing by 1 January 2019. You can do this by completing the slip enclosed.

Councils that opt in by 1 January 2019 to reduce their fines will be recorded in the relevant regulation, which will be published on the NSW Government Legislation website, and will be able to charge lower fine amounts from 1 March 2019. A list of Councils who have opted in will be made public after 1 January 2019.

If you do not opt in by 1 January 2019, you will have further opportunities to opt in at later points in the next year, but the benefits to your constituents will be delayed.

The current arrangements for parking fines to be indexed annually will continue.

Grace Period

As well as reducing fines, I am pleased to advise that the Government will introduce a 10 minute grace period for paid parking of more than one hour, commencing on 31 January 2019.

The new grace period, which has also received overwhelming public support, will apply to all fining authorities, including Councils, and will be subject to certain exceptions in the interests of safety and preventing congestion (such as at the commencement of a clearway zone).

You should advise your parking inspectors of the grace period by 1 January 2019, as the grace period is required to be implemented by all parking issuing authorities from 31 January 2019.

More information about the changes to parking fines can be found in the enclosed attachments, and online at nswfinesreview.com.au. If you have any questions about the changes, please contact Claudia Solomon at NSW Treasury on 02 9228 4774 or FinesReview@treasury.nsw.gov.au.

The NSW Government's reforms to fines will make NSW a fairer place for the people who live and work here, and will reduce the financial burden on citizens across the state.

While Councils have previously been unable to reduce parking fines, there is now an opportunity to do the right thing by constituents and opt in to the new regulations.

I strongly encourage you to fill in the slip provided and return to me by 1 January 2019 so we can put the changes into effect as soon as possible.

Yours sincerely,



Dominic Perrottet MP
Treasurer
Minister for Industrial Relations

Attached:

Return Slip to Opt In to Lower Parking Fines

Attachment A – Administrative Arrangements to be listed in Schedule 5A

Attachment B – Parking offences

Attachment C – Grace period for certain parking offences

cc: General Manager of your Council

FILL IN THIS SLIP AND RETURN BY 1 JANUARY 2019

Yes, my council has agreed to opt in to charge lower parking fine amounts of \$80 instead of \$112, indexed annually as per current practices.

I understand that by advising you before 1 January 2019, the changes will take effect from 1 March 2019.

Name of Mayor _____

Name of Council: _____

Date of Council decision/resolution: _____

Signature: _____

Date: _____

RETURN TO:

The Hon. Dominic Perrottet MP
Treasurer
GPO Box 5341
SYDNEY NSW 2001

Or

office@perrottet.minister.nsw.gov.au

Administrative Arrangements to be listed in Schedule 5A

Attachment A

As per clause 123B (2) of the Road Transport (General) Amendment (Parking Fine Flexibility and Grace Period) Regulation 2018, Councils must advise the Treasurer in writing if they wish to opt in to charge \$80 instead of \$112 for penalty notices issued by its enforcement officers in relation the relevant offences.

Those Councils who opt in will then be listed in Schedule 5A as a Council which has opted in to the lower fines. If a Council has not opted in, then they will not be listed in Schedule 5A and the higher penalty of \$112 will continue to apply.

Note that the current indexation arrangements for parking fines will continue. Thus, as annual indexation occurs, the reduction in parking fines will be from, for example, \$114 to \$82 in 2019-20 (compared with \$112 to \$80 in 2018-19).

Arrangements to opt in to Schedule 5A	
Due date for written advice to Treasurer to opt in:	Implementation date for opt in:
For 2019	For 2019
1 January 2019	1 March 2019
1 April 2019	1 June 2019
1 July 2019	1 September 2019
1 October 2019	1 December 2019
From then on annually	From then on annually
1 April 2020	1 July 2020
1 April 2021	1 July 2021
Arrangements to opt out of Schedule 5A	
Due date for written advice to Treasurer to opt out:	Implementation date for opt out:
On an annual basis	On an annual basis
1 April 2020	1 July 2020
1 April 2021	1 July 2021

Note that the lead time between opting in and the implementation date reflects the time needed for the NSW government to make system changes, along with the time needed for both NSW government and Councils to update relevant manuals for parking issuing authorities.

Parking Offences

Attachment B

The NSW government reduced ten level 2 parking offence amounts from 1 July 2018 (excluding those offences which might impact road safety), when issued by NSW Government authorities. The Government will reduce a further 42 level 2 parking offences with effect from 1 January 2019.

When Councils choose to opt in to charge lower parking fines for the initial ten level 2 parking offences from 1 July 2018, they will be also opting in to charge \$80 instead of \$112 for the additional 42 level 2 parking fines from 1 January 2019.

Currently Reduced Parking Fine Offences

Item	Law	Description
	ROAD RULES 2014	
1	Rule 168-1 (1)	Stop/park in restricted parking area
2	Rule 205	Park continuously for longer than permitted
3	Rule 207-1 (6)	Park without paying meter fee
4	Rule 207-1 (11)	Park after meter expired
5	Rule 207-3 (1)	Park without current ticket displayed
6	Rule 207-3 (4)	Park after ticket expired
7	Rule 179-1 (1)	Park without current loading zone ticket
8	Rule 179-1 (5)	Park after loading zone ticket expired
	LOCAL GOV'T ACT 1993	
9	Sec 650 (1)	Stand vehicle in area longer than allowed
10	Sec 650 (4)(a)	Not stand vehicle in marked parking space

Further Reduced Parking Fine Offences

Item	Law	Description
	ROAD RULES 2014	
		ANGLE PARKING
11	Rule 210 (1)	Not park at 90° angle
120	Rule 210 (1)	Not park at 45° angle
13	Rule 210 (1)	Not park as on parking control sign/road marking
14	Rule 210 (1)	Not position vehicle correctly - front/rear (90° angle parking)
15	Rule 210 (1)	Not position rear of vehicle correctly (45° angle parking)
		PARKING BAYS
16	Rule 211 (2)	Not park wholly within parking bay
17	Rule 211 (3)	Use more parking bays than necessary
		MINIBUS ZONE
18	Rule 184 (1)	Stop in minibus zone (other)
		METER PARKING

19	Rule 207-1 (1)	Park outside metered space
20	Rule 207-1 (12)	Park for longer than allowed by metered signs
21	Rule 207-2 (a)	Park in occupied metered space
22	Rule 207-2 (b)	Park across markings of metered space
		TICKET PARKING
23	Rule 207-3 (5)	Park for longer than allowed by ticket signs
24	Rule 207-4 (a)	Park in occupied ticket space
25	Rule 207-4 (b)	Park across marking of ticket space
		COUPON PARKING
26	Rule 207-5 (1)	Park without current coupon
27	Rule 207-5 (4)	Display more than 3 coupons at a time
28	Rule 207-5 (5)	Park after coupon expired
29	Rule 207-5 (6)	Park for longer than allowed by coupon signs
30	Rule 207-6 (a)	Park in occupied coupon space
31	Rule 207-6 (b)	Park across markings of coupon space
32	Rule 207-7	Park in pay parking area or space that is closed
		PARKING IN PHONE PARKING AREAS/SPACES
33	Rule 207-8 (1)	Park in phone parking area not pay parking fee as prescribed
34	Rule 207-8 (4)	Remain parked in phone parking area paid period expired
35	Rule 207-8 (5)	Remain parked in phone parking area beyond permissible
36	Rule 207-9 (1)(a)	Park in phone parking space while other vehicle in space
37	Rule 207-9 (1)(b)	Park in phone parking space not wholly inside markings
		TICKET LOADING ZONE
38	Rule 179-1 (4)	Display more than one loading zone ticket
39	Rule 179-1 (6)	Replace expired loading zone ticket
40	Rule 179-1 (7)	Park in discontinued ticket loading zone
	LOCAL GOV'T ACT 1993	PARKING
41	Sec 650 (1)	Stand vehicle in area other than time permitted
42	Sec 650 (4)(b)	Stand vehicle in occupied marked parking space
43	Sec 650 (4)(c)	Not stand vehicle wholly in marked parking space
44	Sec 650 (5)	Fail to comply with parking direction
45	Sec 650 (5)	Fail to comply with vehicle movement direction
46	650A (1)	Park vehicle in strata parking area etc contrary to sign
47	650A (1)	Park vehicle strata parking area etc not at times permitted
48	650A (1)	Park vehicle strata parking area etc not for time permitted
49	650A (4)(a)	Park vehicle not in marked parking space
50	650A (4)(b)	Park vehicle in marked parking space with other vehicle
51	650A (4)(c)	Park vehicle not wholly in marked parking space
52	650A (5)	Not comply with direction regarding parking or movement of vehicle

Grace period for certain parking offences**Attachment C**

A grace period of ten minutes will apply to paid parking of least one hour, where a coupon or ticket is purchased for the hour immediately before the grace period commences, from 31 January 2019.

To avoid adverse impacts on road safety or congestion, the grace period will not be available in the following circumstances:

(1) shared zones within the meaning of the *Road Rules 2014*; and

(2) where a prescribed parking control sign applies to the same length of road or area as that in which the relevant vehicle is parked for a:

- bus lane
- transit lane
- no stopping
- clearway
- loading zone
- bus zone
- mail zone
- special event parking.

It should be noted that the grace period does not apply to free parking, or where paid parking is at a meter (due to the additional complexity of determining whether a full hour of paid parking occurred before the meter expired).

ITEM 11.6	FIRE & RESCUE NSW INSPECTION REPORT - 42 NORTH STEYNE, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/111649
ATTACHMENTS	1 ↓ Fire & Rescue NSW Inspection Report dated 11 February 2019 - Sugar Lounge - 42 North Steyne, Manly

SUMMARY

PURPOSE

To table an inspection report from Fire & Rescue NSW (FRNSW) for 42 North Steyne, Manly in accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

EXECUTIVE SUMMARY

Where the FRNSW carries out an inspection of a building under Section 9.32 of the EP&A Act, they must provide an Inspection Report with recommendations to Council.

Council must table such reports and recommendations at the next meeting of Council to determine whether or not it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Council received an Inspection Report from FRNSW as shown in attachment 1, in relation to the premises at 42 North Steyne, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued on the building owners to ensure that adequate fire safety systems are provided.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Give Notice of Intention to issue Fire Safety Order number 1 to adequately address all matters raised in the FRNSW Report pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to the owners of 42 North Steyne, Manly.
 - B. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received a Fire & Rescue NSW (FRNSW) Inspection Report dated 11 February 2019 in relation to the premises currently known as the Sugar Lounge and Brklyn Bar at 42 North Steyne, Manly, as shown in attachment 1.

- Part 8 of Schedule 5, section 17 (2), (3) and (4) of the EP&A Act requires Council to table such reports and any recommendations made at the next meeting of Council.
- Council is also to determine whether or not to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

FRNSW conducted an inspection of the building in the company of Officers from the NSW Police Force on 27 October 2018 and are of the opinion that there are inadequate provisions for fire safety within the building as identified their Inspection Report.

Council staff inspected the building on 15 February 2019 to investigate the matter and are also of the opinion that the fire safety and egress provisions are inadequate. A Fire Safety Order number 1 is therefore recommended requiring the owners to address the matters listed in the FRNSW report.

Council previously received a FRNSW Inspection Report on 17 July 2018 concerning inadequate provisions of fire safety for the building and the report was Tabled at the Council Meeting held on 28 August 2018. Council resolved for a Fire Safety Order to be issued to provide Council with an Annual Fire Safety Statement for the building. As a result, a complete Fire Safety Statement was received on 2 October 2018 and the matter was finalised.

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS18/3235 (2326) & BFS19/273 (6167)
TRIM Ref. No: D19/7692
Contact: Mark Knowles

11 February 2019

General Manager
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

Email: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
"SUGAR LOUNGE & BRKLYN NIGHTCLUB"
42 NORTH STEYNE, MANLY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 27 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was also conducted in the company of Officers from the NSW Police Force.

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.
- Parts of the building where access was available at the time of inspection including the ground floor (Sugar Lounge) and basement level (Brklyn Nightclub).

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7437
F (02) 9742 7483

www.fire.nsw.gov.au

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COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

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

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm System:

- a) Fire Indicator Panel (FIP): The automatic smoke detection and alarm system did not appear to be capable of operating to the standard of performance from when it was first designed and installed in contravention with the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The following issues were identified as concerns at the time of inspection.
 - i. The FIP was displaying two (x2) alarms.
 - ii. The FIP was displaying two (x2) isolations.

A re-inspection of the premises on 7 November 2018 found that the system was clear of all alarms and isolations.

- b) The detection system throughout the premises appeared to consist of thermal detectors in lieu of smoke detectors, contrary to the requirements of Specification E2.2a of the NCC. It is unclear whether approval has been given to permit thermal detectors in areas where smoke detectors would generally be required.

1B. Exit signs – The following issues were identified as concerns at the time of inspection:

- a) The exit sign in the ground floor kitchen (Sugar Lounge) was not illuminated and had not maintained, contrary to the requirements of Clause 182 of the EP&A Regulation.
- b) Where an exit is not readily apparent to the persons occupying or visiting the building, directional exit signs shall be installed in appropriate positions to indicate the direction to a required exit in accordance with Clause NSW E4.6 and Clause E4.8 of the NCC.

Unclassified

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In this regard, inadequate directional exit signage was provided throughout the basement level (Brklyn Nightclub) to direct the occupants to the exits.

- 1C. Annual Fire Safety Statement (AFSS) – a copy of the current was not prominently displayed within the building in accordance with Clause 177 of the EP&A Regulation.

2. Generally

- 2A. Subsequent to the inspection, FRNSW received correspondence on 26 January 2019, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *Nightclub operating in basement has had fire detection and hence evacuation warning isolated due to constant alarms.*
- *There is an issue with Building maintenance with a water leak causing alarms approx 7 in a week.*
- *Today it was noted zone directly above and in egress path of underground nightclub also isolated.*
- *Lessee / occupant has been cooperative, and has had service company attending, but ongoing building maintenance by owner is an issue.*
- *Underground nightclub and holiday rental units above.*

- 2B. FRNSW previously conducted an inspection of the premises which identified items of concern as detailed in a FRNSW Inspection Report to Council, dated 17 July 2018, File Ref. No. BFS17/2876 (2126) (see Appendix 1). The inspection on 27 October 2019, identified the same items of concern.

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.

Unclassified

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3235 (2326) & BFS19/273 (6167) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Attachments: [Appendix 1 – Inspection Report – Ref BFS17/2876 (2126)]

Unclassified

Unclassified

Appendix 1 – Inspection Report dated 17 July 2018 [Ref: BFS17/2876 (2126)]



File Ref. No: BFS17/2876 (2126)
TRIM Ref. No: D18/49586
Contact: Station Officer Paul Scott

17 July 2018

The General Manager
Northern Beaches Council
Civic Centre
725 Pittwater Road
Dee Why NSW 2299

E-mail: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir Madam,

**Re: INSPECTION REPORT
SUGAR LOUNGE AND APARTMENT BUILDING
42 NORTH STEYNE MANLY ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence in relation to the adequacy of the provision for fire safety in or in connection with 'the premises'.

The correspondence stated that:

- *This restaurant may be operating as a night club with a large number of people occupying a basement area. The fire exit door leading from the basement area has been wedged open and there are obstructions along the fire exit.*

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 7 May 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit 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	Locked Bag 12	T (02) 9742 7434
Fire Safety Compliance Unit	Greenacre NSW 2160	F (02) 9742 7483
firesafety@fire.nsw.gov.au	Page 1 of 9	© Copyright State Govt NSW



Unclassified

Unclassified

Unclassified

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(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 during the inspection:

1. Essential Fire Safety Measures

1A. Certification:

- a) An Annual Fire Safety Statement (AFSS) was not displayed in a prominent location contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

1B. Fire Hydrant Installation:

- a) The fire hydrant booster assembly is installed within the building. Adequate protection is not afforded the fire hydrant booster assembly in accordance with Clause 7.3 of Australian Standard (AS) 2419.1-2005. In this regard, firefighters are required to enter the compartment to commence firefighting operations utilising the hydrant installation.

1C. Smoke Detection and Alarm Systems:

- a) The Fire Indicator Panel (FIP) displayed three faults, three isolations and one alarm. The FIP maintenance books indicate that the alarm and isolation associated with the level one restaurant had been present prior to 29 November 2016. FRNSW is of the opinion that the smoke detection and alarm system is not being maintained in accordance with Clause 182 of the EP&A Regulation.
- b) A smoke detector located on Level three (3) residential was held in place by duct tape and may not be serviced on a regular basis contrary to the requirements of Clause 182 of the EP&A Regulation.

2. Access and Egress

2A. Multiple exits paths of travel to an exit were obstructed and potentially obstructed, contrary to the requirements of Clause 186 of the EP&A Regulation. The following items were identified at the time of the inspection:

- a) Vacuum cleaners, mops and ladders were stored in the fire isolated stairwell on all residential levels.



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b) Building material were stored in the stairway providing egress from the 'Brklyn' nightclub.

c) Gas cylinders were stored in the path of travel to an exit at the base of the fire isolated stairwell.

3. Generally

3A. Compartmentation:

a) The fire door installed at the kitchen of Sugar Lounge was held open with a wedge and did not have a self-closing device installed to return the door automatically to the fully closed position after each manual opening, contrary to the requirements of Clause C3.5 of the of the National Construction Code 2016 Volume One, Building Code of Australia (NCC).

b) The fire isolated stairwell does not discharge to a roadway or open space, contrary to the requirements of Clause D1.7 of the NCC. In this regard the fire stairs discharge into a passage way open to the garbage room which associated with the Sugar Lounge restaurant.

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

FIRE SAFETY ORDER NO. 1

The inspecting Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW issued an Order No. 1, dated 8 May 2018, in accordance with the provisions of Section 9.34 of the EP&A Act, to have item no. 1C(a) through to item no. 3A(a) of this report rectified.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of the Order is attached for your information. FRNSW has conducted further inspections of the building to assess compliance with the terms of this Order

In this regard, FRNSW does not consider Council is required to take action in relation to item 1C(a) through to item no. 3A(a) of this report.

RE-INSPECTION

Pursuant to the provisions of Section 9.32(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 189(a) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), an inspection of 'the premises' on 16 May 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.



Unclassified

Unclassified

Unclassified

At the time of the inspection, the terms of 'the order' issued on 'the premises' were partially compliant.

FRNSW issued a Show Cause to the Owners of the premises. Further inspections were conducted 31 May 2018 and 18 June 2018 and found the terms of the Order compliant.

Please be advised that 'the order' is not an exhaustive list of non-compliances, it is at Council's discretion to inspect and address any other deficiencies identified on 'the premises'.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address item no. 1 through to item no. 3 of this report and any other deficiencies identified on 'the premises'.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Station Officer Paul Scott of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS17/2876 (2126) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Building Surveyor
Fire Safety Compliance Unit

Attachment: [Appendix 1 – Emergency Order 1 – Three pages]
[Appendix 2 – Show Cause Letter - Two pages]



Unclassified

ITEM 11.7	FIRE & RESCUE NSW INSPECTION REPORT - 75 THE CORSO, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/111984
ATTACHMENTS	1 ↓ Fire & Rescue NSW Inspection Report dated 11 February 2019 - 75 The Corso, Manly

SUMMARY

PURPOSE

To table an inspection report from Fire & Rescue NSW (FRNSW) for 75 The Corso, Manly in accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

EXECUTIVE SUMMARY

Where the FRNSW carries out an inspection of a building under Section 9.32 of the EP&A Act, they must provide an Inspection Report with recommendations to Council.

Council must table such reports and recommendations at the next Council meeting to determine whether or not it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Council received an Inspection Report from Fire & Rescue NSW (FRNSW) as shown in attachment 1, in relation to the premises known as The Steyne Hotel at 75 The Corso, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued on the building owners to have a Building Code of Australia (BCA) Audit and Upgrade Report carried out by an Accredited Certifier to ensure that the current fire safety measures are adequate.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Give Notice of Intention to issue Fire Safety Order number 1 for a BCA Audit and Upgrade Report to be carried out by an Accredited Certifier pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to the owners of 75 The Corso, Manly.
 - B. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received a Fire & Rescue NSW (FRNSW) Inspection Report dated 11 February 2019 in relation to the premises known as The Steyne Hotel at 75 The Corso, Manly as shown in attachment 1.

- Part 8 of Schedule 5, section 17 (2), (3) and (4) of the EP&A Act requires Council to table such reports and any recommendations made at the next meeting of Council.
- Council is also to determine whether or not to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

FRNSW conducted an inspection of the building in the company of Officers from the NSW Police Force on 27 October 2018 which identified concerns regarding several of the essential fire safety measures in the building. The concerns are detailed in their Inspection Report.

The Inspection Report was referred to Council recommending the deficiencies identified in the FRNSW report be addressed appropriately.

Council staff inspected the building on 15 February 2019 and confirmed there are fire safety measures installed in the building, however in addition to the concerns raised by FRNSW, further concerns regarding the existing fire safety measures were observed.

Given the concerns raised in both the report from FRNSW and Council's inspection, a Fire Safety Order number 1 is recommended for the owners to engage the services of an Accredited Certifier to carry out a BCA Fire Safety Audit of the subject premises to upgrade the fire safety aspects of the building.

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS18/3096 (5251)
TRIM Ref. No: D19/6970
Contact: Mark Knowles

11 February 2019

General Manager
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

Email: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
"THE STEYNE HOTEL"
75 THE CORSO, MANLY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 27 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was also conducted in the company of Officers from the NSW Police Force.

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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Unclassified

Unclassified

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

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

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm System ("the system"):

- a) Fire Indicator Panel (FIP): The automatic smoke detection and alarm system did not appear to be capable of operating to the standard of performance from when it was first designed and installed in contravention with the requirements of Clause 182 of the EP&A Regulation. The following issues were identified as concerns at the time of inspection.

- i. The FIP was displaying two (x2) sensor faults
 - ii. The FIP was displaying six (x6) isolations.

- b) Duct tape was covering the smoke detector in the ground floor TAB area.

A re-inspection of the premises on 7 November 2018 found that the duct tape had been removed from the smoke detector.

- c) The FIP is located in the garbage room and is not adequately signposted to assist attending fire-fighters in locating the FIP.

1B. Exit signs-

- a) Where an exit is not readily apparent to the persons occupying or visiting the building, directional exit signs shall be installed in appropriate positions to indicate the direction to a required exit in accordance with Clause NSW E4.6 and Clause E4.8 of the NCC. In this regard, inadequate directional exit signage was provided throughout the Level 2 bar/restaurant to direct the occupants to the exits.

Unclassified

Unclassified

- b) The exit signs installed throughout the Level 2 bar/restaurant are permitted for areas of low illumination levels (i.e. theatres, cinemas, etc.). In this regard, areas of normal illumination would require standard internally illuminated exit signs in accordance with the requirements of Clause 6.4 of AS2293.1-2005.

- 1C. Annual Fire Safety Statement (AFSS) – A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 177 of the EP&A Regulation.

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

NOTICE OF INTENTION TO SERVE AN ORDER NO. 1

The inspecting Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW issued a Notice of Intention to Serve an Order (1) dated 29 October 2018, in accordance with the provisions of Section 9.34 of the EP&A Act, to have item no. 1A(a) of this report rectified.

In this regard, FRNSW does not consider Council is required to take action in relation to item no. 1A(a) of this report.

In accordance with the provisions of Schedule 5, Part 6, Section 12 of the EP&A Act, a copy of the Notice is attached for your information.

An inspection was conducted on 7 November 2018 in accordance with Section 9.32 of the EP&A Act, which found that the FIP was clear of all faults and isolations. Please be advised that following the inspection, FRNSW has determined not to give an Order in accordance with Schedule 5, Part 7, Section 15 of the EP&A Act.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1A(c) through to item no. 1C 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 Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Unclassified

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3096 (5251) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Attachments: [Appendix 1 – Notice of Intention – Proposed Fire Safety Order]

Unclassified

Unclassified

Appendix 1 – Notice of Intention – Proposed Fire Safety Order



Unclassified

Proposed Fire Safety Order ORDER No. 1

*Under the Environmental Planning and Assessment Act 1979 (EP&A Act)
Part 9 Implementation and Enforcement – Division 9.3 Development Control Orders
Fire Safety Orders in accordance with the table to Part 2 - Schedule 5.
Intend to give an Order in accordance with Section 9.34(1)(a)*

I, **Mark Knowles** **Building Surveyor** **904279**
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Schedule 5, Part 8, Section 16 of
the *Environmental Planning and Assessment Act 1979*, and duly authorised for the
purpose, hereby order:

Steyne Hotel Properties Pty Ltd **Owner**
(name of person whom Order is served) (position i.e. owner, building manager)

with respect to the premise

'THE STEYNE HOTEL'
75 THE CORSO, MANLY ("the premises")
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Ensure the Automatic Smoke Detection and Alarm System installed in 'the premises'
is fully operational, by:
 - a. Repairing all faults and isolations displayed on the Fire Indicator Panel (FIP).

The terms of the Order are to be complied with:

By no later than **7 days** from the date of the order,

FIRE AND RESCUE NSW ABN 12 503 473 110 www.fire.nsw.gov.au
Community Safety Directorate 1 Amara Ave, T (02) 9742 7434
Fire Safety Compliance Unit Greenacre NSW 2190 F (02) 9742 7483
firesafety@fire.nsw.gov.au **Unclassified** Page 1



Unclassified

Unclassified

The reasons for the issue of this Order are:

- a. At the time of the inspection the FIP was displaying two (2) faults on the system.
- b. At the time of the inspection the FIP was displaying six (6) isolations on the system.
- c. To ensure that the Automatic Smoke Detection and Alarm System is capable of operating in accordance with the standard of performance it was designed and installed to.
- d. To ensure that fire safety measures installed throughout the premises are maintained and operating to their standard of performance.
- e. To do, or refrain from doing such things that are specified in the Order, so as to ensure or promote adequate fire safety or fire safety awareness.

Appeals

Pursuant to Section 8.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act), there is no right of appeal to the Court against this Order, other than an order that prevents a person using or entering premises.

Non-Compliance with the Order

Failure to comply with this Order may result in further Orders and/or fines being issued.

Substantial penalties may be imposed under Section 9.37 of the EP&A Act for failure to comply with an Order.

NOTE: Representations are to be made in writing and should be received by FRNSW by no later than close of business **5 November 2018**.



Mark Knowles
Building Surveyor
Fire Safety Compliance Unit

This **Proposed Fire Safety Order No. 1** was sent by mail on **29 October 2018**.

Unclassified

ITEM 11.8	FIRE & RESCUE NSW INSPECTION REPORT - 27 THE CORSO, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/112062
ATTACHMENTS	1 ↓ Fire & Rescue NSW Inspection Report dated 8 February 2019 - 27 The Corso, Manly

SUMMARY

PURPOSE

To table an inspection report from Fire & Rescue NSW (FRNSW) for 27 The Corso, Manly in accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

EXECUTIVE SUMMARY

Where the FRNSW carries out an inspection of a building under Section 9.32 of the EP&A Act, they must provide an Inspection Report with recommendations to Council.

Council must table such reports and recommendations at the next meeting of Council to determine whether or not it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Council received an Inspection Report from FRNSW as shown in attachment 1, in relation to the premises known as The Ivanhoe Hotel at 27 The Corso, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued on the building owners to ensure that adequate fire safety systems are provided.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Give Notice of Intention to issue Fire Safety Order number 1 to adequately address all matters raised in the FRNSW report pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to the owners of 27 The Corso, Manly.
 - B. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received a Fire & Rescue NSW (FRNSW) Inspection Report dated 8 February 2019 in relation to the premises known as The Ivanhoe Hotel at 27 The Corso, Manly, as shown in attachment 1.

- Part 8 of Schedule 5, section 17 (2), (3) and (4) of the EP&A Act requires Council to table such reports and any recommendations made at the next meeting of Council.
- Council is also to determine whether or not to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

FRNSW conducted an inspection of the building in the company of Officers from the NSW Police Force on 27 October 2018 and are of the opinion that there are inadequate provisions for fire safety within the building as identified in their Inspection Report.

Council staff inspected the building on 15 February 2019 to investigate the matter and are also of the opinion that the fire safety and egress provisions are inadequate. A Fire Safety Order number 1 is therefore recommended requiring the owners to address the matters listed in the FRNSW report.

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS18/3255 (5389)
TRIM Ref. No: D19/7870
Contact: Mark Knowles

8 February 2019

General Manager
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

Email: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
"THE IVANHOE HOTEL"
27 THE CORSO, MANLY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 27 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was also conducted in the company of Officers from the NSW Police Force.

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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.auCommunity Safety Directorate
Fire Safety Compliance Unit1 Amarina Ave
Greenacre NSW 2190T (02) 9742 7437
F (02) 9742 7483www.fire.nsw.gov.au

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Unclassified

Unclassified

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

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

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm System:

- a) Fire Indicator Panel (FIP) - The FIP was displaying four (x4) isolations. The isolations were individual smoke detectors located in the male/female toilets on Level 2 (x2) and also on Level 1 (x2).

Discussions with the Manager (Mr Doug Brooker) at the time of the inspection revealed the isolations were due to minimising unwanted false alarms cause by smoke machines and smoking in the toilets. The Authorised Fire Officers from FRNSW advised Mr Brooker that it was an offense to isolate/interfere with smoke detection system and that the isolations should be removed and the practice of isolating the system should be ceased.

Mr Brooker provided email correspondence following the inspection, along with a photograph of the FIP, confirming the isolations had been removed from the system.

A re-inspection of the premises on 7 November 2018 found that the system remained clear of any isolations.

1B. Exit signs – The following issues were identified as concerns at the time of inspection:

- a) Where an exit is not readily apparent to the persons occupying or visiting the building, directional exit signs shall be installed in appropriate positions to indicate the direction to a required exit in accordance with Clause NSW E4.6 and Clause E4.8 of the NCC. In this regard, inadequate directional exit signage was provided throughout Level 2 (covered outdoor area) to direct the occupants to the required exits.

Unclassified

Unclassified

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. 1A through to item no. 1B 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 Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3255 (5389) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Unclassified

ITEM 11.9	FIRE & RESCUE NSW INSPECTION REPORT - 55 NORTH STEYNE, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/112657
ATTACHMENTS	1 Fire & Rescue NSW Inspection Report dated 4 February 2019 - 55 North Steyne Manly

EXECUTIVE SUMMARY

PURPOSE

To table an inspection report from Fire & Rescue NSW (FRNSW) for 55 North Steyne, Manly in accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

EXECUTIVE SUMMARY

Where the FRNSW carries out an inspection of a building under Section 9.32 of the EP&A Act, they must provide an Inspection Report with recommendations to Council.

Council must table such reports and recommendations at the next meeting of Council to determine whether or not it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Council received an Inspection Report from FRNSW as shown in attachment 1, in relation to the premises known as Daniel San (Manly Pacific Hotel) at 55 North Steyne, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued on the building owners to ensure that adequate fire safety systems are provided.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Give Notice of Intention to issue Fire Safety Order number 1 to adequately address all matters raised in the FRNSW report pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to the owners of 55 North Steyne, Manly.
 - B. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received a Fire & Rescue NSW (FRNSW) Inspection Report dated 4 February 2019 in relation to the premises known as Daniel San (Manly Pacific Hotel) at 55 North Steyne, Manly, as shown in attachment 1.

- Part 8 of Schedule 5, section 17 (2), (3) and (4) of the EP&A Act requires Council to table such reports and any recommendations made at the next meeting of Council.
- Council is also to determine whether or not to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

FRNSW conducted an inspection of the building in the company of Officers from the NSW Police Force on 27 October 2018 and are of the opinion that there are inadequate provisions for fire safety within the building. The many concerns are detailed in their Inspection Report.

Council staff inspected the building on 15 February 2019 to investigate the matter and are also of the opinion that the fire safety and egress provisions are inadequate. A Fire Safety Order number 1 is recommended requiring the owners to address the matters listed in the FRNSW report.

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS18/3233
TRIM Ref. No: D19/5837
Contact: Conor Hackett

4 February 2019

The General Manager
Northern Beaches Council
PO Box 882
MONA VALE NSW 1660

Email: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT
'DANIEL SAN'
55 NORTH STEYNE, MANLY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 27 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was conducted in the company of Officers from the NSW Police Force.

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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Unclassified

Unclassified

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

1A. Fire Hydrants –

- i. The fire hydrant valve within the cupboard adjacent to the main entry, is facing towards the door frame directly in front. The clearance to the front of the outlet appears to be less than 1000mm, contrary to the requirements of Clause 3.5.1 of AS 2419.1-2005.
- ii. Storz aluminium alloy delivery couplings, which are compatible with FRNSW appliances and equipment, are not provided to all hydrant valves throughout the premises, contrary to the requirements of Clauses 7.1 and 8.5.11.1 of AS 2419.1-2005.
- iii. The maintenance tags attached to the fire hydrant valve within the cupboard adjacent to the main entry and the first-floor hydrant cupboard, indicated that the last regular service of the outlets was in November 2017, contrary to the requirements of Clause 182 of the Environmental Planning & Assessment Regulation 2000 and Clause 4.4 of AS 1851-2012 which requires routine servicing every six months.

- 1B. Exit Signs - An exit sign was missing above the double doors at the southern side of the ground floor bar, which provides egress to the exit at the corner of North Steyne and Raglan Street, contrary to the requirements of Clause E4.5 of the NCC.

- 1C. Portable Fire Extinguishers (PFE) - The PFE in the first-floor fire hydrant cupboard, contained service labels/tags, indicating the PFE has not received any routine servicing since November 2017, contrary to the requirements of Clause 10.4 of AS 1851-2012.

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

Unclassified

Unclassified

RECOMMENDATIONS

FRNSW recommends that Council:

Inspect and address any other deficiencies identified on 'the premises', and require items no. 1A, 1B & 1C 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 Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Conor Hackett of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3233 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Unclassified

ITEM 11.10	FIRE & RESCUE NSW INSPECTION REPORT - EAST ESPLANADE, MANLY (MANLY WHARF)
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/112921
ATTACHMENTS	1 ↓ Fire & Rescue NSW Inspection Report dated 11 February 2019 - Manly Wharf Hotel - East Esplanade, Manly

SUMMARY

PURPOSE

To table an inspection report from Fire & Rescue NSW (FRNSW) for East Esplanade, Manly (Manly Wharf) in accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

EXECUTIVE SUMMARY

Where the FRNSW carries out an inspection of a building under Section 9.32 of the EP&A Act, they must provide an Inspection Report with recommendations to Council.

Council officers must table such reports and recommendations at the next meeting of Council to determine whether or not it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Council received an Inspection Report from FRNSW as shown in attachment 1, in relation to Manly Wharf (Retail Wharves and Jetties) at East Esplanade, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued on the building owners to ensure that adequate fire safety systems are provided.

This will result in the building owners and tenants being required to upgrade fire safety measures to the minimum acceptable standard as identified by FRNSW.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Give Notice of Intention to issue Fire Safety Order number 1 to adequately address all matters raised in the FRNSW report pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to the owners of Manly Wharf Retail Wharves and Jetties, Manly.
 - B. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received a Fire & Rescue NSW (FRNSW) Inspection Report dated 11 February 2019 in relation to Manly Wharf (Retail Wharves and Jetties) at East Esplanade, Manly, as shown in attachment 1.

- Part 8 of Schedule 5, section 17 (2), (3) and (4) of the EP&A Act requires Council to table such reports and any recommendations made at the next meeting of Council.
- Council is also to determine whether or not to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

FRNSW conducted an inspection of the building in the company of Officers from the NSW Police Force on 27 October 2018 and are of the opinion that there are inadequate provisions for fire safety within the building. The many concerns are detailed in their Inspection Report.

Council staff inspected the building on 15 February 2019 to investigate the matter and are also of the opinion that the fire safety and egress provisions are inadequate. Further, Council does not have a current Annual Fire Safety Statement that encompasses the whole of the Manly Wharf property. A Fire Safety Order number 1 is therefore recommended requiring the owners to undergo a Fire Safety Upgrade and to also address the matters listed in the FRNSW report.

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS18/3099 (5254)
TRIM Ref. No: D19/7214
Contact: Mark Knowles

11 February 2019

General Manager
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

Email: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
"MANLY WHARF HOTEL"
EAST ESPLANADE, MANLY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 27 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was also conducted in the company of Officers from the NSW Police Force.

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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Unclassified

Unclassified

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

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

1. Essential Fire Safety Measures

- 1A. The Automatic Fire Detection and Alarm System - It is noted that the detection system within the tenancy forms part of the 'Manly Wharf' system. Whilst the Fire Indicator Panel (FIP) indicated the 'Hotel' tenancy was clear of any faults or isolations, the following issues associated with the site wide system were identified at the time of the inspection:

- a) The FIP located within the Fire Control Room, was displaying two (2) faults and nine (9) isolation.

Discussions with the Asset and Property Manager from TMG Developments following the inspection and a subsequent re-inspection of the FIP on 7 November 2018 it was revealed that seven (x7) isolations remained on the system. FRNSW were advised that the isolations remaining on the system were attributed to the current fit-out works associated with multiple tenancies (Queen Chow, Aldi, Betty's Burgers and Sake Restaurant) within the Manly Wharf building.

- 1B. Exit signs – The following issues were identified as concerns at the time of inspection:

- b) Multiple exit signs throughout 'the premises' were not illuminated and had not maintained, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).
- c) Where an exit is not readily apparent to the persons occupying or visiting the building, directional exit signs shall be installed in appropriate positions to indicate the direction to a required exit in accordance with Clause NSW E4.6 and Clause E4.8 of the NCC. In this regard, inadequate directional exit signage was provided throughout to direct the occupants to the exits.

Unclassified

Unclassified

1C. Fire Hose Reels (FHR's):

- a) Non-fire equipment and/or services were installed within the FHR cabinets throughout the tenancy, contrary to Clause 10.4.4 of AS2441-2005.
- b) The FHR's located within the VIP Lounge, was provided with radial clearances of less than 100mm, contrary to the requirements of Clause 10.4.4 and Figure 10.2 of AS2441-2005.

1D. Annual Fire Safety Statement (AFSS) – A copy of the current was not prominently displayed within the building in accordance with Clause 177 of the EP&A Regulation.

2. Access and Egress

- 2A. Materials were stored/located within the path of travel to the exits (in the back of house passageway which serves multiple tenancies), contrary to the requirements of Clause 184 and 186 of the EP&A Regulation. The materials included, but was not limited to, garbage bins, shelving, chairs trolleys and boxes, bags of linen.
- 2B. The private function area was enclosed by a wire gate which was fitted with a slide bolt latch which is capable of being locked and preventing egress from the area, contrary to the requirements of 185 of the EP&A Regulation.
- 2C. Exits – The eastern exit door to the pedestrian concourse (identified with an exit sign above) was "roped off" and sign posted "use the other exits" and the automatic sliding door was disabled from opening, contrary to the requirements of Clause 185 of the EP&A Regulation. The Manager advised FRNSW, that it was a requirement of their conditions of consent, that the exit door be closed for noise restriction purposes. FRNSW recommend a review of the exit strategy for the tenancy be undertaken to determine compliance with Clauses D1.4, D1.5, D1.6, E4.5 and NSW E4.6 of the NCC, should Council require the exit to be closed off at time whilst the venue is operating.

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.

Unclassified

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3099 (5254) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Unclassified

ITEM 11.11	FIRE & RESCUE NSW INSPECTION REPORT - 69-71 THE CORSO, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/113054
ATTACHMENTS	1 ↓ Fire & Rescue NSW Inspection Report dated 11 February 2019 - 69-71 The Corso, Manly

SUMMARY

PURPOSE

To table an inspection report from Fire & Rescue NSW (FRNSW) for 69-71 The Corso, Manly in accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

EXECUTIVE SUMMARY

Where the FRNSW carries out an inspection of a building under Section 9.32 of the EP&A Act, they must provide an Inspection Report with recommendations to Council.

Council staff must table such reports and recommendations at the next meeting of Council to determine whether or not it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Council received an Inspection Report from FRNSW as shown in attachment 1, in relation to premises known as the New Brighton Hotel as 69-71 The Corso, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued on the building owners to adequately address all matters raised in the FRNSW Report.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Give Notice of Intention to issue Fire Safety Order number 1 to adequately address all matters raised in the FRNSW Report pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to the owners of 69-71 The Corso, Manly.
 - B. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received a Fire & Rescue NSW (FRNSW) Inspection Report dated 11 February 2019 in relation to the premises known as the New Brighton Hotel at 69-71 The Corso, Manly, as shown in attachment 1.

- Part 8 of Schedule 5, section 17 (2), (3) and (4) of the EP&A Act requires Council to table such reports and any recommendations made at the next meeting of Council.
- Council is also to determine whether or not to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

FRNSW conducted an inspection of the building in company of Officers from the NSW Police Force on 27 October 2018 which identified concerns regarding some of the essential fire safety measures in the building. The concerns are detailed in their Inspection Report.

The Inspection Report was referred to Council recommending the deficiencies identified in the FRNSW report be addressed appropriately.

Council staff inspected the building on 15 February 2019 which confirmed the concerns raised the FRNSW Report had not been fully addressed.

It is recommended a Fire Safety Order number 1 is issued on the owners to adequately address all matters raised in the FRNSW Report.

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS18/3232 (5366)
TRIM Ref. No: D19/7772
Contact: Mark Knowles

11 February 2019

General Manager
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

Email: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
"NEW BRIGHTON HOTEL"
71 THE CORSO, MANLY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 27 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was also conducted in the company of Officers from the NSW Police Force.

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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Unclassified

Unclassified

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

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

1. Essential Fire Safety Measures

1A. The Automatic Fire Detection and Alarm System:

- a) Fire Indicator Panel (FIP): The automatic smoke detection and alarm system did not appear to be capable of operating to the standard of performance from when it was first designed and installed, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The following issues were identified as concerns at the time of inspection.

- i. The FIP was displaying one (x1) Fault.

- b) Duct tape was covering the detector in the ground floor TAB area (above the pool table).

A re-inspection of the premises on 7 November 2018 found that the system was clear of all faults and the duct tape had been removed from the detector.

1B. Exit signs – The following issues were identified as concerns at the time of inspection:

- a) Where an exit is not readily apparent to the persons occupying or visiting the building, directional exit signs shall be installed in appropriate positions to indicate the direction to a required exit in accordance with Clause NSW E4.6 and Clause E4.8 of the NCC. In this regard, inadequate directional exit signage was provided throughout the Level 2 to direct the occupants to the required exits.

1C. Fire Hose Reels (FHR's):

- a) Non-fire equipment and/or services were installed within the FHR cabinets throughout 'the premises', contrary to Clause 10.4.4 of AS2441–2005.

Unclassified

Unclassified

- 1D. Fire Door & Smoke Doors - Multiple fire doors and smoke doors throughout 'the premises' were chocked open at the time of the inspection, contrary to the requirements of Specification C3.4 of the NCC and Clause 182 of the EP&A Regulation. It is noted that all door chocks were removed at the time of the inspection.
- 1E. Annual Fire Safety Statement (AFSS) – A copy of the AFSS was prominently displayed within the building in accordance with Clause 177 of the EP&A Regulation. However, the AFSS appeared incomplete and did not include all the essential fire safety measures within the building including but not limited to, the following:
- a) The sprinkler system;
 - b) Fire doors and smoke doors.

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. 1B through to item no. 1E 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 Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Mark Knowles of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3232 (5366) for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

ITEM 11.12	FIRE & RESCUE NSW INSPECTION REPORT - 29 SYDNEY ROAD, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/114277
ATTACHMENTS	1 ↓ Fire & Rescue NSW Inspection Report dated 4 February 2019 - 7 Market Place, Manly (Premises known as 29 Sydney Road, Manly)

SUMMARY

PURPOSE

To table an inspection report from Fire & Rescue NSW (FRNSW) for 29 Sydney Road, Manly in accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

EXECUTIVE SUMMARY

Where the FRNSW carries out an inspection of a building under Section 9.32 of the EP&A Act, they must provide an Inspection Report with recommendations to Council.

Council staff must table such reports and recommendations at the next meeting of Council to determine whether or not it will exercise its powers to give a Fire Safety Order. Notice of Council's determination must be given to FRNSW.

Council received an Inspection Report from FRNSW as shown in attachment 1, in relation to the premises known as Donny's Bar at 29 Sydney Road, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued on the building owners to have a Building Code of Australia (BCA) Audit and Upgrade Report carried out by an Accredited Certifier to ensure that the current fire safety measures are adequate.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Give Notice of Intention to issue Fire Safety Order number 1 for a BCA Audit and Upgrade Report to be carried out by an Accredited Certifier pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to the owners of 29 Sydney Road, Manly.
 - B. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received a Fire & Rescue NSW (FRNSW) Inspection Report dated 4 February 2019 in relation to the premises known as Donny's Bar at 29 Sydney Road, Manly, as shown in attachment 1.

- Part 8 of Schedule 5, section 17 (2), (3) and (4) of the EP&A Act requires Council to table such reports and any recommendations made at the next meeting of Council.
- Council is also to determine whether or not to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

FRNSW conducted an inspection of the building in company of Officers from the NSW Police Force on 27 October 2018 which identified concerns regarding some of the essential fire safety measures in the building. The concerns are detailed in their Inspection Report.

The Inspection Report was referred to Council recommending the deficiencies identified in the FRNSW report be addressed appropriately. Further, the Inspection Report nominates the address of the premises as 7 Market Place, Manly. Council's records confirm that the correct address of this premises is 29 Sydney Road, Manly.

Council staff inspected the building on 20 February 2019 and confirmed there are fire safety measures installed in the building, however some of the concerns raised by FRNSW remain evident onsite.

Given the concerns raised in both the report from FRNSW and Council's inspection, a Fire Safety Order number 1 is recommended for the owners to engage the services of an Accredited Certifier to carry out a BCA Fire Safety Audit of the subject premises to upgrade the fire safety aspects of the building.

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS18/3100
TRIM Ref. No: D19/4581
Contact: Conor Hackett

4 February 2019

The General Manager
Northern Beaches Council
PO Box 882,
MONA VALE NSW 1660

Email: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT
'DONNY'S BAR'
7 MARKET PLACE, MANLY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 27 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was conducted in the company of Officers from the NSW Police Force.

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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Fire and Rescue NSW

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Unclassified

Unclassified

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

- 1A. Annual Fire Safety Statement (AFSS) – Clause 177(3)(b) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) requires the AFSS to be prominently displayed in the building. At the time of the inspection the AFSS could not be located.
- 1B. Emergency Lighting – Emergency lighting did not appear to be installed over the rear non-fire-isolated stairway, contrary to the requirements of Clause E4.2 of the NCC.

2. Access & Egress

- 2A. Spiral Stairway - The non-required spiral stairway serving the mezzanine level at the front, which is being used as a circulation stairway, contains goings and risers which would fail to achieve compliance with the requirements of Clause D2.13 of the NCC.
- 2B. Path of Travel - The path of travel to the exits at the bottom of the rear stairway was obstructed by boxes, contrary to the requirements of Clause 184 and 186 of the EP&A Regulation. The boxes were removed at the time of the inspection.
- 2C. Additional latching – A slide bolt was installed at the bottom of the final exit door to the arcade at the side of 'the premises', thereby causing an impediment to the operation of the exit door, contrary to the requirements of Clause 184 and Clause 185 of the EP&A Regulation.

3. Generally

- 3A. FRNSW has concerns relating to the structural adequacy of the timber stairway to the rear of 'the premises'. The stairs display evidence of movement, with treads being springy and heavily worn. An investigation by an appropriately qualified person, to establish the adequacy of the structural components of the stairway is recommended.

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

Unclassified

Unclassified

RECOMMENDATIONS

FRNSW recommends that Council:

Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 3 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 Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Conor Hackett of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3100 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Unclassified

ITEM 11.13	FIRE & RESCUE NSW INSPECTION REPORT - 1-15 CENTRAL AVENUE, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/121325
ATTACHMENTS	1 ↓ Fire & Rescue NSW Inspection Report dated 4 February 2019 - 1/18 Sydney Road, Manly (Premises Known as 1-15 Central Avenue, Manly)

SUMMARY

PURPOSE

To table an inspection report from Fire & Rescue NSW (FRNSW) for 1/18 Sydney Road, Manly in accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

EXECUTIVE SUMMARY

Where the FRNSW carries out an inspection of a building under Section 9.32 of the EP&A Act, they must provide an Inspection Report with recommendations to Council.

Council staff must table such reports and recommendations at the next meeting of Council to determine whether or not it will exercise its powers to give a Fire Safety Order. Notice of Council's

Council received an Inspection Report from FRNSW as shown in attachment 1, in relation to the premises known as In Situ at 1-15 Central Avenue, Manly (Insitu), identified on the FRNSW Report as 1/18 Sydney Road, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued on the building owners to adequately address all matters raised in the FRNSW Report.

RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council:

- A. Give Notice of Intention to issue Fire Safety Order number 1 to adequately address all matters raised in the FRNSW Report pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to the owners of 1-15 Central Road, Manly.
 - B. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received a Fire & Rescue NSW (FRNSW) Inspection Report dated 4 February 2019 in relation to the premises known as In Situ at 1/18 Sydney Road, Manly, known in Council's records as 1-15 Central Road, Manly as shown in attachment 1.

- Part 8 of Schedule 5, section 17 (2), (3) and (4) of the EP&A Act requires Council to table such reports and any recommendations made at the next meeting of Council.
- Council is also to determine whether or not to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

FRNSW conducted an inspection of the building in company of Officers from the NSW Police Force on 27 October 2018 which identified concerns regarding some of the essential fire safety measures in the building. The concerns are detailed in their Inspection Report.

The Inspection Report was referred to Council recommending the deficiencies identified in the FRNSW report be addressed appropriately.

Council staff inspected the building on 20 February 2019 which confirmed the concerns raised the FRNSW Report had not been addressed.

It is recommended a Fire Safety Order number 1 is issued on the owners to adequately address all matters raised in the FRNSW Report.

FINANCIAL CONSIDERATIONS

The recommended actions can be carried out within existing budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS18/3100
TRIM Ref. No: D19/4708
Contact: Conor Hackett

4 February 2019

The General Manager
Northern Beaches Council
PO Box 882
MONA VALE NSW 1660

Email: council@northernbeaches.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT
'INSITU BAR & RESTAURANT'
1/18 SYDNEY ROAD, MANLY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 27 October 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was conducted in the company of Officers from the NSW Police Force.

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.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Fire and Rescue NSW

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Unclassified

Unclassified**COMMENTS**

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

- 1A. Annual Fire Safety Statement (AFSS) – Clause 177(3)(b) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) requires the statement to be prominently displayed in the building. At the time of the inspection the AFSS could not be located.
- 1B. Automatic Smoke Detection and Alarm System –
 - A. The detection system throughout the premises appeared to consist of thermal detectors only. It is unclear whether approval has been given to permit thermal detectors in areas where smoke detectors would generally be required.
 - B. A detector appears to have been removed from the ceiling in the kitchen.
- 1C. Portable Fire Extinguishers (PFE) – PFEs in the kitchen were not readily accessible, contrary to the requirements of Clause 3.2 of Australian Standard (AS)2444.

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

RECOMMENDATIONS

FRNSW recommends that Council:

Inspect and address any other deficiencies identified on 'the premises', and require items no. 1A, 1B & 1C 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 Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Conor Hackett of FRNSW's Fire Safety Compliance Unit on (02)

Unclassified

Unclassified

9742 7434. Please ensure that you refer to file reference BFS18/3100 for any future correspondence in relation to this matter.

Yours faithfully



Mark Knowles
Senior Building Surveyor
Fire Safety Compliance Unit

Unclassified

12.0 NOTICES OF MOTION

ITEM 12.1	NOTICE OF MOTION NO 09/2019 - SEISMIC OIL AND GAS TESTING AND EXPLORATION OFFSHORE OF THE NORTHERN BEACHES
TRIM FILE REF	2019/138479
ATTACHMENTS	NIL

Submitted by: Councillors Natalie Warren and Alex McTaggart

(Originally submitted to the 26 February 2019 Council Meeting)

MOTION

That:

- A. Council oppose both offshore exploration and mining activity due to unacceptable environmental impacts, and negative economic impacts on the recreational and commercial fishing and tourism industries.
- B. Council notes the NSW Government's Minister for Resources, Energy and Utilities, the Hon. Don Harwin MLC, has publically opposed exploration off the NSW coast, asserting that federal approval processes are not robust and do not adequately consider the environment risks of testing.
- C. Council makes a formal submission to the NSW Government that:
 - a. Prohibit the processing and transport of gas produced from wells offshore from the NSW coastline to the NSW mainland.
 - b. Prohibit the construction of infrastructure relating to offshore exploration and mining activities in NSW.
- D. Council makes a formal submission to the Federal Government to request:
 - a. The current approval for exploration activity associated with Petroleum Exploration Permit 11 (PEP 11), including any proposal for further seismic testing, be suspended and reviewed based on a full assessment of the environmental impact of both the exploration activity and the potential mining activity associated with this approval.
 - b. That future offshore oil and gas exploration on the NSW Coast from the Northern Beaches in Sydney to Newcastle be prohibited.
 - c. An explanation of the concerns raised by Minister Harwin and the Federal Government's response to these concerns.
- E. Council liaise with the Newcastle, Port Stephens, Lake Macquarie and Central Coast Councils and relevant community environmental groups to communicate this decision and identify opportunities for collaboration on this matter.

BACKGROUND FROM COUNCILLORS NATALIE WARREN AND ALEX MCTAGGART

Some time prior to February 2018 a Federal Government agency "National Offshore Petroleum Safety Authority" NOPSEMA issued a licence to explore an offshore area from Newcastle to Manly and in some cases only 5km off the coast for oil and gas.

On March 15 to May 31 2018 the prospecting company, using 2D high resolution sonic gun seismic shots tested a small area off Newcastle during the whales' migration season.

The local community was not consulted and minimal "safety" practices were put in place. The prospector now wants to complete a 3D high resolution survey of the entire licence area which extends to Manly. Both Newcastle City Council and Central Coast Council have called for bans on testing and exploration. The NSW Government Minister for Resources, Energy and Utilities, the Hon Don Harwin has also called for a ban. The Northern Beaches community has just woken up to the immediate threat to our beaches, the migratory whales and dolphins and the offshore fishing industry.

ITEM 12.2	NOTICE OF MOTION NO 10/2019 - SUPPORTING RURAL COMMUNITIES IN DROUGHT
TRIM FILE REF	2019/135427
ATTACHMENTS	NIL

Submitted by: Councillor Sue Heins

(Originally submitted to the 26 February 2019 Council Meeting)

MOTION

That Council staff brief Councillors within 2 months on innovative options to assist our drought stricken rural communities noting that Northern Beaches Council is already trialling alternate water equipment options.

BACKGROUND FROM COUNCILLOR SUE HEINS

Noting Councillor Daley's earlier Notice of Motion in assisting our rural communities, our Council is already successfully trialling innovative options in producing water through hydro panels at Currawong. Our residents have asked that our Council support drought affected communities such as Walgett and we should also look at the assistance required by our own sister cities of Brewarrina and Gunnedah. Council can offer assistance with water equipment and supporting these communities in becoming self-sustainable. Given Walgett has been specifically mentioned by people in our community, it would be advisable for our Council to contact Walgett's sister city which I believe is the Central Coast Council to see how we can work together in assisting those communities who can benefit from innovative water technologies.

ITEM 12.3	NOTICE OF MOTION NO 11/2019 - DOG WATER PARKS
TRIM FILE REF	2019/135430
ATTACHMENTS	NIL

Submitted by: Councillor Sue Heins

(Originally submitted to the 26 February 2019 Council Meeting)

MOTION

That Council come back with a report within 5 months with options on providing a park with water features for dogs with a range of water supplies from innovative to traditional.

BACKGROUND FROM COUNCILLOR SUE HEINS

As every coastal council has passionate debates about dogs on beaches up and down the coastline and noting that Northern Beaches Council has 28 dog parks and limited water access at our beaches, it is time to start thinking about the future of water activities for our dogs.

Even though there is a constant call for more access to our beaches for dogs, we are limited to the number of beaches we have. This number will never change and the number of dogs in our LGA is constantly increasing as people welcome more dogs into their families and our local population increases.

However, as Sydney's population grows, the number of people visiting our beaches each year also increases. This is exceptionally visible during Summer periods when many Sydneysiders and tourists visit our beaches. This seasonal influx further exacerbates the tension between dog owners and those afraid of dogs, those who want to enjoy quiet time at the beach and those who don't pick up after their dogs.

As an option, it is time that Council investigate the possibility of adding water features to future or existing dog parks. Whether they are as extensive as what is in the US or Spain or something simple as water features that are currently in parks such as Walter Gors in Dee Why or Manly Corso I believe it is time to investigate alternative options and to also start a conversation with our local community.

ITEM 12.4	NOTICE OF MOTION NO 12/2019 - ECONOMIC AND SOCIAL BENEFITS OF INCREASING SOLAR ELECTRICITY PRODUCTION
TRIM FILE REF	2019/135443
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

(Originally submitted to the 26 February 2019 Council Meeting)

MOTION

That:

- A. Council conduct a review of its annual expenditure on solar panel installation on Council buildings.
 - B. Council undertake financial analysis on increasing expenditure on increased solar panel use in council, its effect in reducing operational expenditure on electricity and modelling on pay back times through reduced operational expenditure.
 - C. Councillors be provided with a briefing on the effect of increased capital expenditure on solar panels upon the budget, prior to the finalisation of the 2019/20 budget.
-

BACKGROUND FROM COUNCILLOR STUART SPROTT

The environment ranks as one of the highest priorities for the residents of the Northern Beaches. We need to protect the natural and built environment from the impacts of climate change and population pressures.

We have an opportunity to reduce the risks of climate change and show real leadership in environmental sustainability. With the increased cost of electricity and council wanting to lead the community in being environmentally aware I am asking for council to lead the way with a look into the economic and social benefits of increasing solar electricity production through roof top and other means of solar installations on council properties.

ITEM 12.5	NOTICE OF MOTION NO 13/2019 - NO RATE RISE
TRIM FILE REF	2019/154486
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

MOTION

That the draft 2019/20 budget to be presented to Council includes:

- A. A .91% reduction of forecast 2019/20 Operating Expenditure.
 - B. A rate increase of only 1.79%, not the IPART allowed increase of 2.7%, noting the Consumer Price Index is 1.8%.
-

BACKGROUND FROM COUNCILLOR RORY AMON

Northern Beaches residents were promised lower rates under an amalgamated Council. Indeed, a scare campaign was run by the former Warringah Council claiming that a failure to amalgamate would result in rate rises of at least 10%. Since amalgamation, rates have risen significantly more than 10%.

Over the past financial year, our community have faced increasing costs of living of 1.8%. Notwithstanding, Councils are permitted to increase rates by more than 50% on top of the increased cost of living. If Council adopts the the full IPART rate rise of 2.7%, that is a 50% increase vis a vis cost of living pressures.

Council Operating Expenditure is forecast to be about \$339,000,000 in 2019/20. In 2018/19 Operating Expenditure was \$328,000,000. This motion calls for a 0.91% reduction/efficiency dividend in relation to the forecast Operating Expenditure which would reduce such Operational Expenditure to approximately \$335,915,100, whilst factoring in a 1.79% rate rise. This is a rate reduction in real terms.

CHIEF EXECUTIVE OFFICER REPORT

In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:

The increase in rates for a 1.79% rate peg is \$2,924,980.

ITEM 12.6	NOTICE OF MOTION NO 14/2019 - TRAFFIC LIGHT AND PEDESTRIAN CROSSING IMPROVEMENTS AT REGENT STREET / FISHER ROAD, DEE WHY
TRIM FILE REF	2019/154911
ATTACHMENTS	NIL

Submitted by: Councillors David Walton and Stuart Sprott

MOTION

That Council write to the Chief Executive of Roads and Maritime Services requesting they bring forward improvements to the Regent Street and Fisher Road, Dee Why traffic lights to include expanded pedestrian crossing arrangements for children, parents, the disabled, cyclists and other pedestrians crossing Regent Street.

BACKGROUND FROM COUNCILLORS DAVID WALTON AND STUART SPROTT

The Northern Beaches Council Local Traffic Committee approved the proposal to install a School Crossing on Regents Street.

(See <https://www.northernbeaches.nsw.gov.au/council/meetings/committees/northern-beaches-council-local-traffic-committee>)

As part of the installation of this crossing, a permanent loss of 4 spaces will occur and the loss of approximately 12 parking spaces during School Drop-Off/Pick-Up hours is anticipated. The Regent Street community were advised that this work is a temporary solution to improve the safety of students crossing at this location until the traffic signals can be upgraded by Roads and Maritime Services (RMS) at the Fisher Rd / Regent St intersection.

As a preferred and long term solution to these risks to children and other pedestrians around the school, local residents are demanding Council advocate for improvements to the current traffic light phasing at the Regent Street and Fisher Road lights. These current traffic light phasing require the community to cross east/west on Fisher Road and then east/west back across Fisher Road to cross safely on Regent Street. This is not efficient and as a result is putting the community at risk as people will ordinarily take the most direct route, i.e. walk across Regents Street with no pedestrian crossing lights.

13.0 RESPONSES TO QUESTIONS ON NOTICE

ITEM 13.1	RESPONSE TO QUESTION ON NOTICE NO 01/2019 - EXPENDITURE OF THE ESPLANADE, MANLY
TRIM FILE REF	2019/059204
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTIONS:

Since amalgamation what have been the total costs for the following at East Esplanade, Manly:

- A. Ranger Patrols and salaries:
 - a. day
 - b. night
 - c. after hours Ranger call out.
- B. Landscaping and capital works.
- C. Rubbish collection:
 - a. on staff to collect rubbish
 - b. to dispose of rubbish
- D. Fireworks and other activities.
- E. Gardening/Maintenance staff salaries.

RESPONSES:

- A. The total estimated cost of Ranger patrols and salaries at East Esplanade since amalgamation to 28 February 2019 are as follows:
 - a. \$39,000
 - b. \$173,000
 - c. \$0
- B. The total estimated cost since amalgamation to 28 February 2019 for Landscaping is \$39,339.68 and Capital Works is \$443,873.85.
- C. Rubbish collection:
 - a. The cleansing schedule has been amended to commence at East Esplanade around 4.15am to pick up litter and dumped rubbish. Further detailed cleansing works around trees, benches and bins occurs generally from 7.00am daily. These works do not incur any additional employee costs.
 - b. The Waste Team has added an additional four hour shift on Saturday, Sunday, Monday and public holidays. Costs for additional shifts for waste collection in the period 14 December 2018 to 28 February 2019 were \$9,262.00. Disposal costs are estimated to be less than \$1,000.00 for this period.

- D. The event management to support the delivery of the free community New Year's Eve Fireworks event which is held annually at Manly, includes an extensive road closure plan that extends from West Esplanade at Commonwealth Parade through to the intersection of Ashburner Street and East Esplanade and includes multiple road closures and detour points along West Promenade, Belgrave Street, Sydney Road and Whistler Street. Throughout this area the is managed by licenced traffic controllers, security personnel and Council staff. The total cost of the 9pm family fireworks at Manly from 2016 -2018 is \$86,000.
- E. The total estimated cost since amalgamation to 28 February 2019 for gardening / maintenance staff salaries is \$43,117.65.

ITEM 13.2	RESPONSE TO QUESTION ON NOTICE NO 02/2019 - MANLY CINEMA
TRIM FILE REF	2019/090903
ATTACHMENTS	NIL

Submitted by: Councillor Candy Bingham

Question

The Manly Twin Cinema at East Esplanade has remained empty since 2013, with no effort by the owner to find a new lessee despite many attempts by local business people to take over the business.

1. Was it a condition of consent for the redevelopment of the site around 1985 (which was previously the Embassy Cinema opened in 1933 and later the remodeled Odeon Cinema in 1960) that a cinema be part of the new development?
2. Is there any action Council can take to assist in the reinstatement of the operation of a Cinema?

Response

1. The site is known as Unit 25, 43-45 East Esplanade, Manly. Consent 1196/84 did not contain any conditions of consent that mandated a cinema as being part of the development. A 400 seat cinema was part of the approval for the construction of a new building, which also included retail floor space, a restaurant, office, residential and basement car parking. Consent 1196/84 contained the following condition

“Condition 3 The applicant to discuss with Council’s Chief Town Planner the possibility of community uses for the theatre as set out in the applicant’s letter 13 February 1985”

The letter dated 13 February 1985 cannot be located in Council’s records, however the condition does not specify the use must occur. Further, any such condition if placed on the consent could be overcome by a modification of consent, or be superseded by a subsequent Development Application which changed the use of the cinema floor space to another activity.

2. Council cannot require the owner to operate a cinema. The consent is still active and anyone seeking to operate a cinema, could potentially benefit from the 1984 consent.

ITEM 13.3	RESPONSE TO QUESTION ON NOTICE NO 03/2019 - COST OF NEW ORGANISATIONAL STRUCTURE
TRIM FILE REF	2019/090915
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

In view of the new Organisational Structure could the costs for the following please be advised:

- A. Expenditure incurred to Derwent Search for the recruitment of new Directors?
- B. Redundancy payments for the existing General Managers who were unsuccessful in gaining positions in the new structure?
- C. Salary costs for each new respective Director (by each Directorate)?
- D. Advertising and any other costs in relation to recruitment for the new Structure?

ANSWER

- A. \$149,000
- B. \$510,540
- C. The total cost, as per clause 217(1)(c) of the *Local Government (General) Regulations 2005* which prescribes the information which is to be included in the annual report, is \$2,000,000. The net cost associated with Council's new Directorates is \$953,678.

The cost for each Director, by Directorate, is provided in item 14.2 of this agenda in accordance with section 10A(2) of the *Local Government Act 1993*.
- D. \$89,008

14.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

- A. 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:
- a Consider item 14.1 RFT 2019/014 - Building Refurbishment Works and Fit Out for Manly Community Preschool & Youth Centre, Kangaroo Street Manly 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 details of 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 prejudice the commercial position of the person who supplied it.
 - b Receive item 14.2 Response to Part of Question on Notice No 03/2019 - Cost of New Organisational Structure on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) Local Government Act 1993].
- B. 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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15.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

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



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