

# AGENDA

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

**Tuesday 28 August 2018**

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



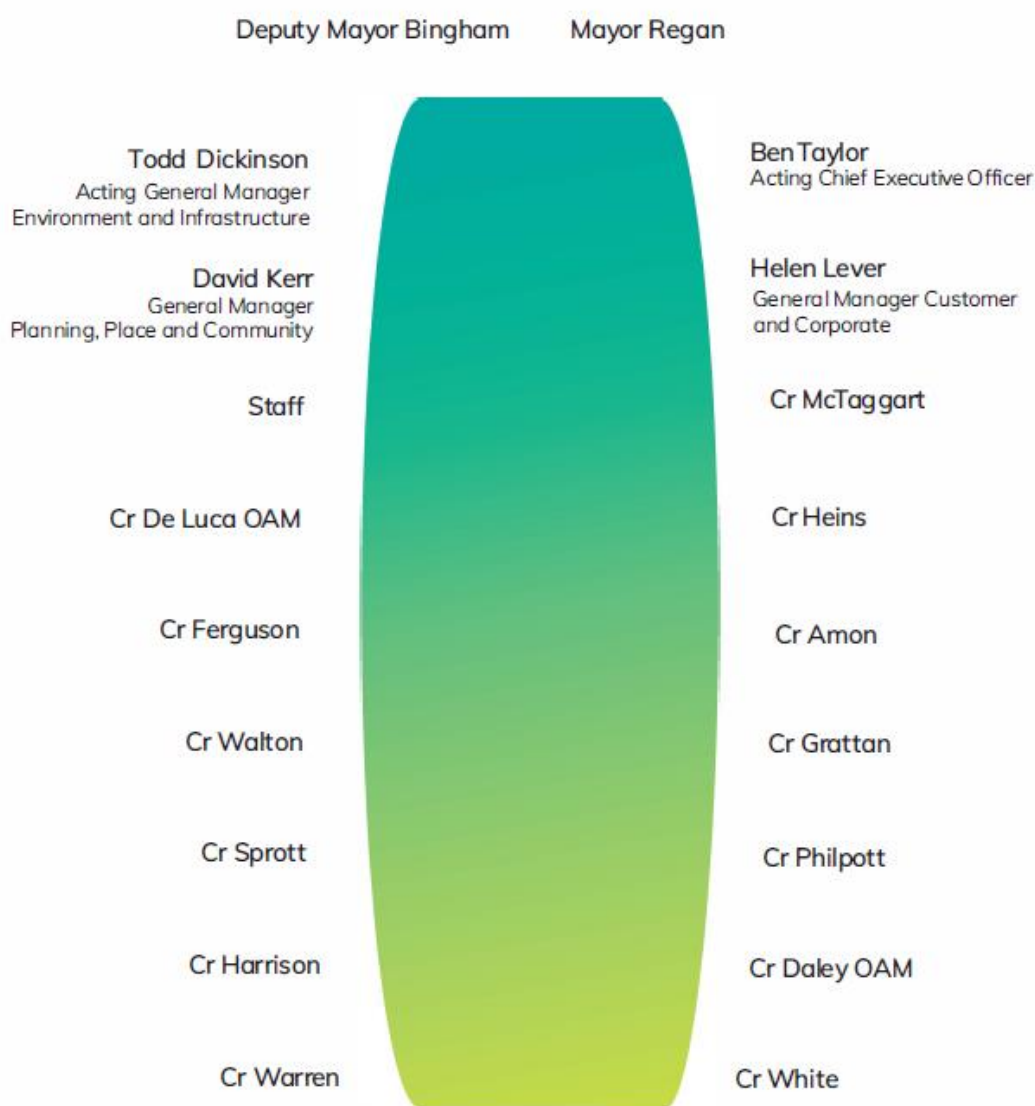
**Ben Taylor**  
**Acting Chief Executive Officer**

## 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 28 August 2018  
at the Civic Centre, Dee Why  
Commencing at 6:30pm**

<b>1.0</b>	<b>ACKNOWLEDGEMENT OF COUNTRY</b>	
<b>2.0</b>	<b>APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE</b>	
<b>3.0</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b>	
3.1	Minutes of Ordinary Council Meeting held 26 June 2018	
3.2	Minutes of Extraordinary Council Meeting held 17 July 2018	
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<b>5.0</b>	<b>PUBLIC FORUM AND PUBLIC ADDRESS</b>	
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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.

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## **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.

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## **3.0 CONFIRMATION OF MINUTES**

### **3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 26 JUNE 2018**

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#### **RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held 26 June 2018, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

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### **3.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 17 JULY 2018**

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#### **RECOMMENDATION**

That the Minutes of the Extraordinary Council Meeting held 17 July 2018, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

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### **3.3 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 1 AUGUST 2018**

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#### **RECOMMENDATION**

That the Minutes of the Extraordinary Council Meeting held 1 August 2018, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

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## **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.

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## **5.0 PUBLIC FORUM AND PUBLIC ADDRESS**

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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).

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## **6.0 ITEMS RESOLVED BY EXCEPTION**

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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.

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## 8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	MONTHLY INVESTMENT REPORT - JUNE 2018
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2018/410013
ATTACHMENTS	NIL

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### EXECUTIVE SUMMARY

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#### PURPOSE

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

#### SUMMARY

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

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

The Investment Report shows that Council has total cash and investments of \$220,859,601 comprising:

- Trading Accounts            \$2,639,163
- Investments                 \$218,220,438

Performance for the year ended 30 June 2018 was strong having exceeded the benchmark: 2.66%pa vs. 1.76%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 year to 30 June 2018 was \$5,700,037 compared to budgeted income of \$4,200,000, a positive variance of \$1,500,037.

#### 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 have been reviewed by Council's Investment Advisors Laminar Capital Pty Ltd who confirmed that the "current policy is in alignment with a policy fit for governing the investments of Council funds", that they "do not envisage for any changes to be made" to the existing policy and that " Council's investment portfolio is prudently managed and consists of assets appropriate for a Local Government entity and fully comply with legislation and Investment Policy limits."

The Audit, Risk and Improvement Committee also reviewed the Investment Policy in November 2017 with no changes required. The policy is due for review in September 2018.

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**RECOMMENDATION OF ACTING CHIEF EXECUTIVE OFFICER**

That Council receives and notes the Investment Report as at 30 June 2018, including the certification by the Responsible Accounting Officer.

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**REPORT**

**INVESTMENT BALANCES**

<b>INVESTMENT BALANCES</b>				
As at 30-June-2018				
<b>INSTITUTION</b>	<b>RATING</b>	<b>AMOUNT \$</b>	<b>MATURITY DATE</b>	<b>INTEREST RATE</b>
<b>Trading Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	772,876		1.30%
Commonwealth Bank of Australia Ltd	A1+	34,422		1.30%
Commonwealth Bank of Australia Ltd	A1+	23,003		1.55%
National Australia Bank Ltd	A1+	60,991		1.50%
		<b>891,292</b>		
<b>At Call Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	5,142,939	At Call	1.85%
		<b>5,142,939</b>		
<b>Mortgage Backed Securities</b>				
Emerald Series 2006-1 Class A	AAA	871,348	21-Aug-51	2.215%
		<b>871,348</b>		
<b>Term Deposits</b>				
Bank of Queensland Ltd	A2	3,000,000	03-Jul-18	2.60%
Suncorp Bank	A1	2,000,000	05-Jul-18	2.61%
Bank of Queensland Ltd	A2	719,877	10-Jul-18	2.70%
Bank of Queensland Ltd	A2	2,000,000	10-Jul-18	2.60%
People's Choice Credit Union	A2	2,500,000	12-Jul-18	2.66%
Members Equity Bank Ltd	A2	1,000,000	17-Jul-18	2.65%
Members Equity Bank Ltd	A2	2,000,000	19-Jul-18	2.60%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	24-Jul-18	2.70%
ING Bank Australia Limited	A2	1,000,000	24-Jul-18	2.70%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Jul-18	2.59%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jul-18	2.55%
Defence Bank Ltd	A2	1,000,000	31-Jul-18	2.70%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Aug-18	2.59%
Bank of Queensland Ltd	A2	2,000,000	07-Aug-18	2.70%
Bank of Queensland Ltd	A2	2,000,000	07-Aug-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	09-Aug-18	2.60%
Members Equity Bank Ltd	A2	1,000,000	14-Aug-18	2.65%
Members Equity Bank Ltd	A2	3,000,000	14-Aug-18	2.62%
People's Choice Credit Union	A2	2,500,000	16-Aug-18	2.66%
Members Equity Bank Ltd	A2	2,000,000	21-Aug-18	2.62%
Members Equity Bank Ltd	A2	1,000,000	28-Aug-18	2.65%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Aug-18	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	04-Sep-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	06-Sep-18	2.62%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	11-Sep-18	2.65%
ING Bank Australia Limited	A1	1,000,000	18-Sep-18	2.65%
Members Equity Bank Ltd	A2	2,000,000	18-Sep-18	2.61%
Bank of Queensland Ltd	A2	1,000,000	20-Sep-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	25-Sep-18	2.60%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Sep-18	2.63%

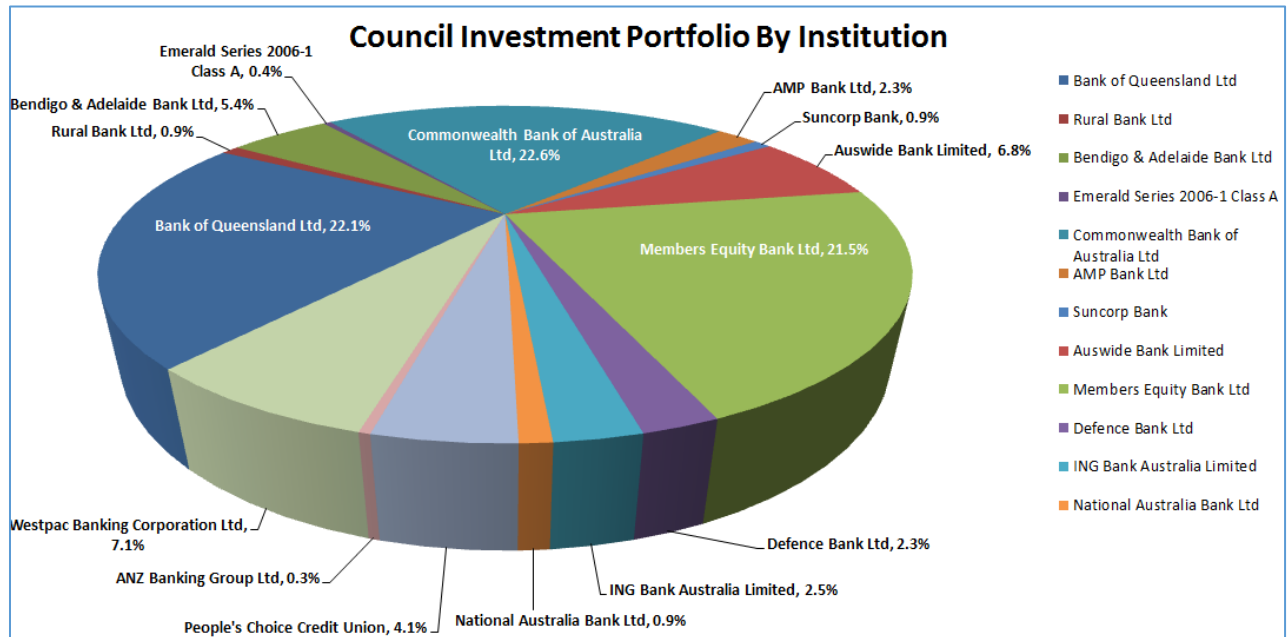
INVESTMENT BALANCES				
As at 30-June-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Term Deposits (continued)</b>				
Members Equity Bank Ltd	A2	1,000,000	27-Sep-18	2.57%
Members Equity Bank Ltd	A2	1,000,000	02-Oct-18	2.62%
Members Equity Bank Ltd	A2	2,000,000	02-Oct-18	2.63%
Bank of Queensland Ltd	A2	2,000,000	04-Oct-18	2.60%
Auswide Bank Limited	A3	2,000,000	09-Oct-18	2.67%
Members Equity Bank Ltd	A2	2,000,000	09-Oct-18	2.75%
Members Equity Bank Ltd	A2	2,000,000	11-Oct-18	2.62%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	16-Oct-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	16-Oct-18	2.65%
Members Equity Bank Ltd	A2	3,000,000	25-Oct-18	2.60%
Defence Bank Ltd	A2	2,000,000	30-Oct-18	2.75%
Members Equity Bank Ltd	A2	1,000,000	01-Nov-18	2.62%
Members Equity Bank Ltd	A2	2,000,000	01-Nov-18	2.75%
AMP Bank Ltd	A1	3,000,000	06-Nov-18	2.65%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Nov-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	13-Nov-18	2.60%
AMP Bank Ltd	A1	2,000,000	13-Nov-18	2.65%
Auswide Bank Limited	A3	2,000,000	13-Nov-18	2.85%
Bank of Queensland Ltd	A2	2,000,000	15-Nov-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	20-Nov-18	2.70%
Bank of Queensland Ltd	A2	2,000,000	22-Nov-18	2.60%
Bank of Queensland Ltd	A2	1,000,000	27-Nov-18	2.75%
Westpac Banking Corporation Ltd	A1+	1,000,000	04-Dec-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	04-Dec-18	2.75%
Bank of Queensland Ltd	A2	2,000,000	06-Dec-18	2.60%
Auswide Bank Limited	A3	2,000,000	11-Dec-18	2.70%
Auswide Bank Limited	A3	2,000,000	11-Dec-18	2.82%
Bank of Queensland Ltd	A2	2,000,000	18-Dec-18	2.65%
Bank of Queensland Ltd	A2	3,000,000	18-Dec-18	2.75%
Bank of Queensland Ltd	A2	1,000,000	20-Dec-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	03-Jan-19	2.60%
Bank of Queensland Ltd	A2	3,000,000	03-Jan-19	2.75%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Jan-19	2.65%
Members Equity Bank Ltd	A2	2,000,000	08-Jan-19	2.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Jan-19	2.62%
Bank of Queensland Ltd	A2	1,000,000	15-Jan-19	2.60%
Westpac Banking Corporation Ltd	A1+	1,000,000	17-Jan-19	2.65%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Jan-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Jan-19	2.74%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jan-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Feb-19	2.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Feb-19	2.61%
Rural Bank Ltd	A2	2,000,000	05-Feb-19	2.77%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Feb-19	2.62%
Westpac Banking Corporation Ltd	A1+	2,000,000	19-Feb-19	2.64%
Defence Bank Ltd	A2	2,000,000	21-Feb-19	2.80%
Westpac Banking Corporation Ltd	A1+	2,000,000	26-Feb-19	2.64%
Bank of Queensland Ltd	A2	2,000,000	26-Feb-19	2.75%
Westpac Banking Corporation Ltd	A1+	2,000,000	07-Mar-19	2.65%

INVESTMENT BALANCES				
As at 30-June-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Term Deposits (continued)</b>				
Auswide Bank Limited	A3	2,000,000	12-Mar-19	2.86%
Auswide Bank Limited	A3	2,000,000	12-Mar-19	2.82%
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%
Auswide Bank Limited	A3	3,000,000	02-Apr-19	2.86%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Apr-19	2.78%
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%
People's Choice Credit Union	A2	2,000,000	04-Jun-19	2.90%
National Australia Bank Ltd	A1+	2,000,000	06-Jun-19	2.80%
		<b>163,719,877</b>		
<b>Kimbriki Environmental Enterprises Pty Ltd</b>				
<b>Trading Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	1,747,871		0.90%
		<b>1,747,871</b>		
<b>At Call Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	182,541	At Call	1.45%
Commonwealth Bank of Australia Ltd	A1+	637,565	At Call	1.45%
		<b>820,106</b>		
<b>Term Deposits</b>				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	16-Jul-18	2.39%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-Jul-18	2.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jul-18	2.38%
Commonwealth Bank of Australia Ltd	A1+	4,000,000	29-Aug-18	2.37%
Commonwealth Bank of Australia Ltd	A1+	6,366,168	29-Oct-18	2.65%
		<b>14,366,168</b>		
<b>New Council Implementation Fund</b>				
<b>Term Deposits</b>				
ING Bank Australia Limited	A1	900,000	20-Sep-18	2.65%
		<b>900,000</b>		

INVESTMENT BALANCES				
As at 30-June-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Stronger Communities Fund</b>				
<b>Term Deposits</b>				
ANZ Banking Group Ltd	A1+	750,000	15-Aug-18	2.55%
ING Bank Australia Limited	A1	650,000	13-Sep-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	20-Sep-18	2.62%
Members Equity Bank Ltd	A2	1,000,000	18-Oct-18	2.62%
Members Equity Bank Ltd	A2	900,000	08-Nov-18	2.77%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	18-Dec-18	2.62%
Members Equity Bank Ltd	A2	500,000	15-Jan-18	2.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	14-Feb-19	2.60%
Westpac Banking Corporation Ltd	A1+	500,000	13-Aug-19	2.71%
ING Bank Australia Limited	A1	2,000,000	19-Dec-19	2.90%
		<b>11,300,000</b>		
<b>Stronger Communities Fund Round 2</b>				
<b>Term Deposits</b>				
Members Equity Bank Ltd	A2	2,000,000	12-Jul-18	2.61%
Members Equity Bank Ltd	A2	2,000,000	14-Aug-18	2.60%
Members Equity Bank Ltd	A2	4,000,000	13-Sep-18	2.62%
Westpac Banking Corporation Ltd	A1+	5,100,000	13-Dec-18	2.60%
People's Choice Credit Union	A2	2,000,000	22-Jan-19	2.85%
Bank of Queensland Ltd	A2	3,000,000	05-Mar-19	2.65%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	11-Jun-19	2.77%
		<b>21,100,000</b>		
<b>Total Cash and Investments</b>		<b>220,859,601</b>		



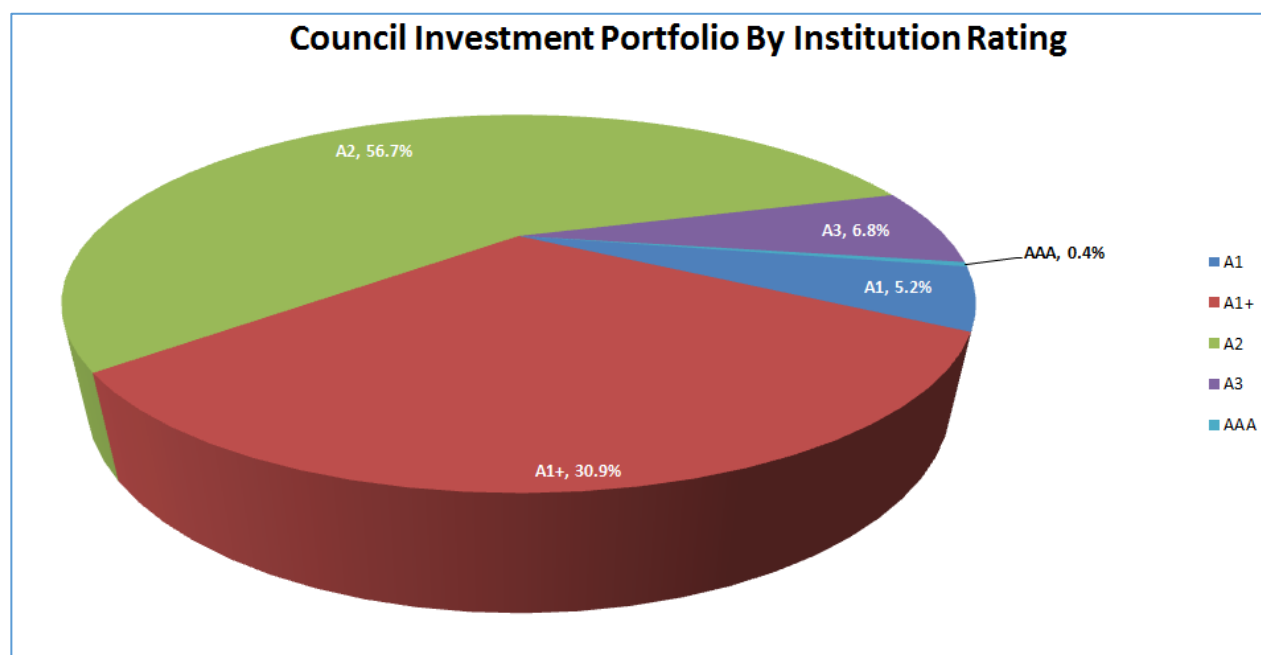
## PORTFOLIO ANALYSIS



### 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)



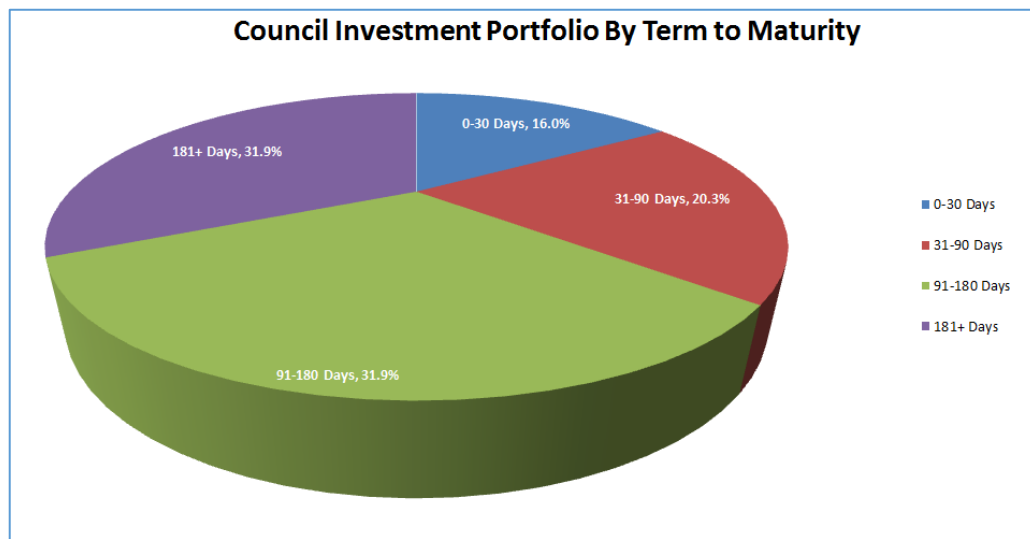
#### Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

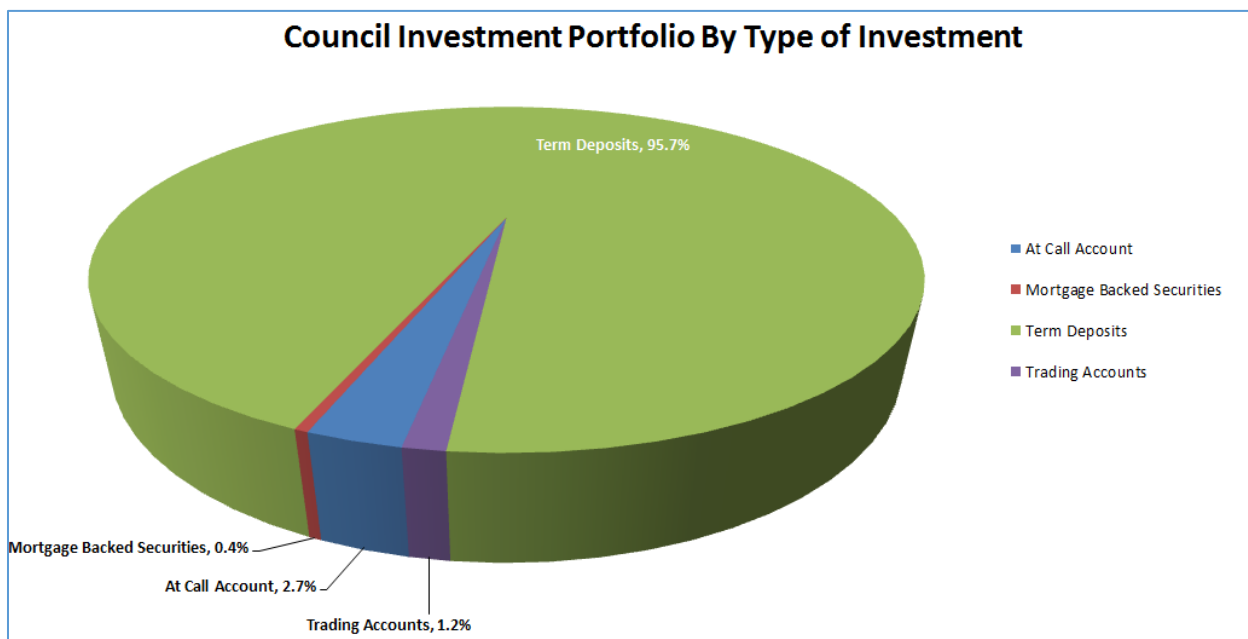
\*\* Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



**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

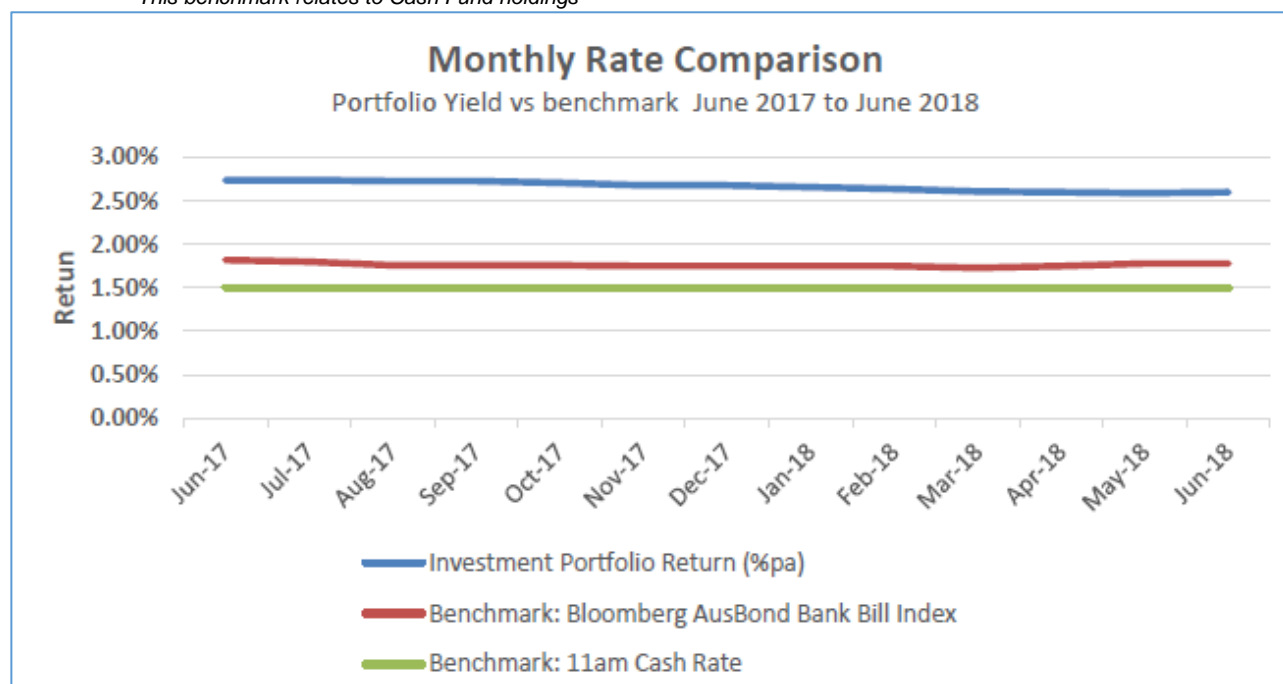


## INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	2.60%	1.78%	1.50%
3 Months	2.60%	1.77%	1.50%
6 Months	2.62%	1.76%	1.50%
FYTD	2.66%	1.76%	1.50%
12 Months	2.66%	1.76%	1.50%

\* Excludes trading account balances

\*\* This benchmark relates to Cash Fund holdings

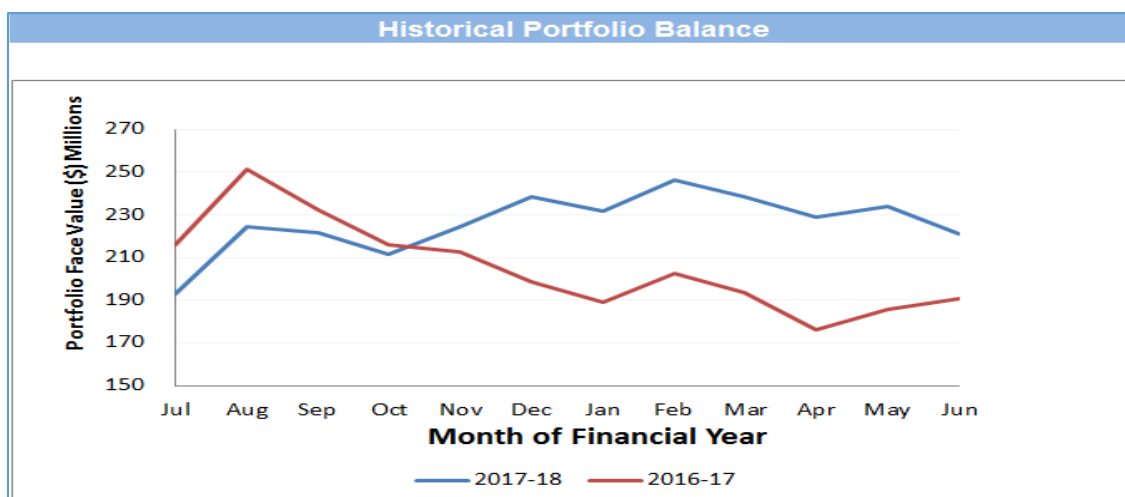


## MONTHLY INVESTMENT INCOME\* VS. BUDGET

	30 June 18 \$	Year to Date \$
Investment Income	523,754	5,669,344
Adjustment for Fair Value	0	30,693
Total Investment Income	523,754	5,700,037
Budgeted Income	294,000	4,200,000

\*Includes all cash and investment holdings

Historical Portfolio Balance		
	2017-18	2016-17
<b>Jul</b>	192,788,320	215,990,303
<b>Aug</b>	224,541,055	251,531,098
<b>Sep</b>	221,786,511	232,095,990
<b>Oct</b>	211,440,341	216,050,498
<b>Nov</b>	224,335,322	212,330,937
<b>Dec</b>	238,474,454	198,502,037
<b>Jan</b>	231,952,491	188,834,164
<b>Feb</b>	246,219,499	202,286,100
<b>Mar</b>	238,498,965	193,666,747
<b>Apr</b>	228,632,853	175,905,576
<b>May</b>	233,702,341	185,799,425
<b>Jun</b>	220,859,601	190,957,843
<b>Average Portfolio Balance</b>	226,102,646	205,329,227



### 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)

Conflicting signs of strength and weakness are showing in the global economy. On the strong side of the global economic growth ledger US GDP growth looks much stronger in Q2 than in Q1. US household spending seems to have lifted quite sharply in April and May. European economic growth also looks firmer in Q2 than in Q1, while Australian GDP growth was noticeably stronger in Q1 and seems to be maintaining strength in Q2. In Contrast, GDP growth in China looks less robust in Q2 than in Q1 and several bigger emerging economies are showing signs of weaker growth struggling with higher borrowing costs on US dollar denominated debt. A growing threat to the global economic growth outlook is the escalating international trade war driven primarily by rounds of higher import tariffs on an increasing range of US imports from China, Europe and Canada and prompting retaliatory increases in tariffs against US goods. Another complicating factor is that the US Federal Reserve and an increasing number of other central banks are withdrawing monetary stimulus to guard against the return of unacceptably high inflation.

The long US economic recovery is showing increasing evidence of being late-stage with little spare capacity and moving close to the point where the cost of resources, especially labour resources, are bid higher leading to higher inflation. The US unemployment rate was down to an 18-year low 3.8% in May with average hourly earnings up 2.7% year on year and showing signs of pushing up well above 3% over the next few months. The headline CPI rose to 2.8% year on year in May with the core CPI (excluding food and energy prices) up 2.2% year on year – above the Fed's 2% target. Large tax cuts are coming in to play at a time when household spending is gathering pace. Strained US economic capacity looks set to become even more strained. The unsurprising 25bps hike in the Fed funds rate to 2.00% in June reflects that inflationary pressure is likely to build in the US economy later this year and in 2019.

While US GDP growth looks set to accelerate in Q2, the same is not true in the world's second biggest economy, China. There were some upside surprises in the data for May but confined to international trade data (exports up 12.6% year on year and imports up 26.0% year on year) and the surprising strength is unlikely to persist as US import tariff increases start to bite. In the near-term, when Q2 GDP is released in mid-July it seems likely that growth in China has slipped to 6.5% year on year, perhaps less, from 6.8% year on year in Q1.

In Europe, Q1 GDP growth moderated to +0.4% quarter on quarter, +2.5% year on year from +0.6% quarter on quarter, +2.7% year on year in Q4 2017 but is looking a touch better again in Q2. The European Central Bank, notwithstanding concern about the anti-European Government established in Italy, is becoming less concerned about potential downside risks to European growth prospects. At its June policy meeting the ECB announced that quantitative easing bond purchases would step down from 30 billion euro a month to 15 billion euro at the end of September and would finish at the end of September. The ECB has in effect set the clock ticking for its first interest rate hike, now much more likely to occur in 2019.

Australia in June has become an "odd-man-out" exhibiting one of the strongest GDP growth rates in the developing world in Q1 (1.0% quarter on quarter, 3.1% year on year), but a central bank keeping its official cash rate on hold at a record low 1.50% (a cash rate that is extraordinarily accommodating compared with inflation at 1.9% or nominal GDP growth running close to 5% year on year). The RBA continues to argue that with wages growth still low, inflation unlikely to lift towards the middle of its 2-3% target band in the near term and the risks to growth from potentially soft spending by the heavily indebted household sector it is unlikely to lift the cash rate in the near term.

Yet the signs from monthly Australian economic readings are pointing to the likelihood that GDP growth will be relatively strong again in Q2. Indeed, indications of household consumption spending are running noticeably firmer. Retail trade lifted more than expected in April, by 0.4% month on month. Jobs growth was still reasonably strong in May, +12,000, sufficient to take the national unemployment rate down to 5.4% and the unemployment rates in the two most populated states Victoria and New South Wales down to respectively 5.1% and 4.8%, close to what might be deemed full-employment unemployment rates.

The investment portfolio return over the year to 30 June 2018 was 2.66% compared to the benchmark AusBond Bank Bill Index return of 1.76%. Noticeable increases in term deposit rates for the 6-12 month period are consistently beginning to appear.

<b>ITEM 8.2</b>	<b>MONTHLY INVESTMENT REPORT - JULY 2018</b>
<b>REPORTING MANAGER</b>	<b>CHIEF FINANCIAL OFFICER</b>
<b>TRIM FILE REF</b>	<b>2018/499946</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

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

### SUMMARY

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

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

The Investment Report shows that Council has total cash and investments of \$209,605,515 comprising:

- Trading Accounts            \$2,116,754
- Investments                 \$207,498,761

Performance over the period from 1 July 2018 to date was strong having exceeded the benchmark: 2.61%pa vs. 1.83%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 \$464,140 compared to budgeted income of \$441,417, a positive variance of \$22,723.

### 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 have been reviewed by Council's Investment Advisors Laminar Capital Pty Ltd who confirmed that the "current policy is in alignment with a policy fit for governing the investments of Council funds", that they "do not envisage for any changes to be made" to the existing policy and that " Council's investment portfolio is prudently managed and consists of assets appropriate for a Local Government entity and fully comply with legislation and Investment Policy limits."

The Audit, Risk and Improvement Committee also reviewed the Investment Policy in November 2017 with no changes required. The policy is due for review in September 2018.

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**RECOMMENDATION OF ACTING CHIEF EXECUTIVE OFFICER**

That Council receives and notes the Investment Report as at 31 July 2018, including the certification by the Responsible Accounting Officer.

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**REPORT**

**INVESTMENT BALANCES**

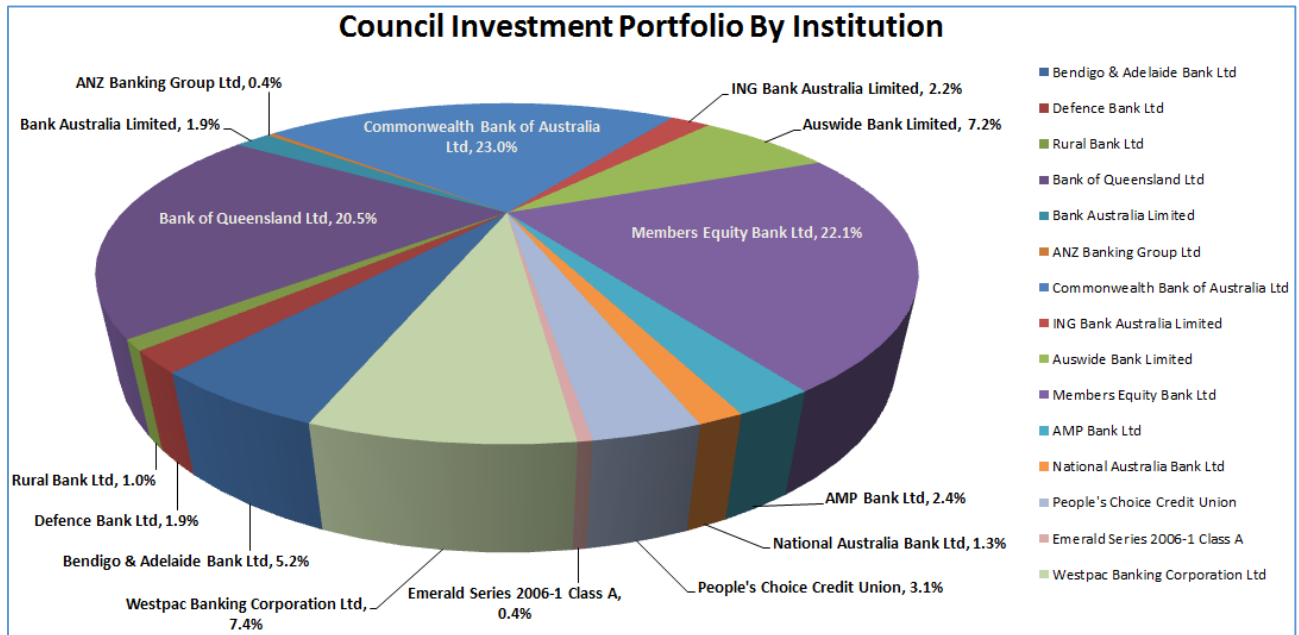
INVESTMENT BALANCES				
As at 31-July-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Trading Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	350,544		1.30%
Commonwealth Bank of Australia Ltd	A1+	28,889		1.30%
Commonwealth Bank of Australia Ltd	A1+	13,599		1.55%
National Australia Bank Ltd	A1+	71,764		1.50%
		<b>464,797</b>		
<b>At Call Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	7,753,407	At Call	1.85%
		<b>7,753,407</b>		
<b>Mortgage Backed Securities</b>				
Emerald Series 2006-1 Class A	AAA	871,354	21-Aug-51	2.215%
		<b>871,354</b>		
<b>Term Deposits</b>				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Aug-18	2.59%
Bank of Queensland Ltd	A2	2,000,000	07-Aug-18	2.70%
Bank of Queensland Ltd	A2	2,000,000	07-Aug-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	09-Aug-18	2.60%
Members Equity Bank Ltd	A2	1,000,000	14-Aug-18	2.65%
Members Equity Bank Ltd	A2	3,000,000	14-Aug-18	2.62%
People's Choice Credit Union	A2	2,500,000	16-Aug-18	2.66%
Members Equity Bank Ltd	A2	2,000,000	21-Aug-18	2.62%
Members Equity Bank Ltd	A2	1,000,000	28-Aug-18	2.65%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Aug-18	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	04-Sep-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	06-Sep-18	2.62%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	11-Sep-18	2.65%
ING Bank Australia Limited	A1	1,000,000	18-Sep-18	2.65%
Members Equity Bank Ltd	A2	2,000,000	18-Sep-18	2.61%
Bank of Queensland Ltd	A2	1,000,000	20-Sep-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	25-Sep-18	2.60%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Sep-18	2.63%
Members Equity Bank Ltd	A2	1,000,000	27-Sep-18	2.57%
Members Equity Bank Ltd	A2	1,000,000	02-Oct-18	2.62%
Members Equity Bank Ltd	A2	2,000,000	02-Oct-18	2.63%
Bank of Queensland Ltd	A2	2,000,000	04-Oct-18	2.60%
Auswide Bank Limited	A3	2,000,000	09-Oct-18	2.67%
Members Equity Bank Ltd	A2	2,000,000	09-Oct-18	2.75%
Members Equity Bank Ltd	A2	2,000,000	11-Oct-18	2.62%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	16-Oct-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	16-Oct-18	2.65%
Members Equity Bank Ltd	A2	3,000,000	25-Oct-18	2.60%
Defence Bank Ltd	A2	2,000,000	30-Oct-18	2.75%
Members Equity Bank Ltd	A2	1,000,000	01-Nov-18	2.62%

INVESTMENT BALANCES				
As at 31-July-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Term Deposits (continued)</b>				
Members Equity Bank Ltd	A2	2,000,000	01-Nov-18	2.75%
AMP Bank Ltd	A1	3,000,000	06-Nov-18	2.65%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Nov-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	13-Nov-18	2.60%
AMP Bank Ltd	A1	2,000,000	13-Nov-18	2.65%
Auswide Bank Limited	A3	2,000,000	13-Nov-18	2.85%
Bank of Queensland Ltd	A2	2,000,000	15-Nov-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	20-Nov-18	2.70%
Bank of Queensland Ltd	A2	2,000,000	22-Nov-18	2.60%
Bank of Queensland Ltd	A2	1,000,000	27-Nov-18	2.75%
Westpac Banking Corporation Ltd	A1+	1,000,000	04-Dec-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	04-Dec-18	2.75%
Bank of Queensland Ltd	A2	2,000,000	06-Dec-18	2.60%
Auswide Bank Limited	A3	2,000,000	11-Dec-18	2.70%
Auswide Bank Limited	A3	2,000,000	11-Dec-18	2.82%
Bank of Queensland Ltd	A2	2,000,000	18-Dec-18	2.65%
Bank of Queensland Ltd	A2	3,000,000	18-Dec-18	2.75%
Bank of Queensland Ltd	A2	1,000,000	20-Dec-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	03-Jan-19	2.60%
Bank of Queensland Ltd	A2	3,000,000	03-Jan-19	2.75%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Jan-19	2.65%
Members Equity Bank Ltd	A2	2,000,000	08-Jan-19	2.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Jan-19	2.62%
Bank of Queensland Ltd	A2	1,000,000	15-Jan-19	2.60%
Westpac Banking Corporation Ltd	A1+	1,000,000	17-Jan-19	2.65%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Jan-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Jan-19	2.74%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jan-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Feb-19	2.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Feb-19	2.61%
Rural Bank Ltd	A2	2,000,000	05-Feb-19	2.77%
Members Equity Bank Ltd	A2	2,000,000	12-Feb-19	2.85%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Feb-19	2.62%
Westpac Banking Corporation Ltd	A1+	2,000,000	19-Feb-19	2.64%
Defence Bank Ltd	A2	2,000,000	21-Feb-19	2.80%
Westpac Banking Corporation Ltd	A1+	2,000,000	26-Feb-19	2.64%
Bank of Queensland Ltd	A2	2,000,000	26-Feb-19	2.75%
Westpac Banking Corporation Ltd	A1+	2,000,000	07-Mar-19	2.65%
Auswide Bank Limited	A3	2,000,000	12-Mar-19	2.86%
Auswide Bank Limited	A3	2,000,000	12-Mar-19	2.82%
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%
Auswide Bank Limited	A3	3,000,000	02-Apr-19	2.86%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Apr-19	2.78%
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%
People's Choice Credit Union	A2	2,000,000	04-Jun-19	2.90%
National Australia Bank Ltd	A1+	2,000,000	06-Jun-19	2.80%

INVESTMENT BALANCES				
As at 31-July-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Term Deposits (continued)</b>				
Bank Australia Limited	A2	2,000,000	11-Jun-19	2.90%
Bank Australia Limited	A2	2,000,000	04-Jul-19	2.95%
National Australia Bank Ltd	A1+	719,877	11-Jul-19	2.80%
		<b>150,219,877</b>		
<b>Kimbriki Environmental Enterprises Pty Ltd</b>				
<b>Trading Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	1,651,957		0.90%
		<b>1,651,957</b>		
<b>At Call Accounts</b>				
Commonwealth Bank of Australia Ltd	A1+	339,421	At Call	1.45%
Commonwealth Bank of Australia Ltd	A1+	638,535	At Call	1.45%
		<b>977,956</b>		
<b>Term Deposits</b>				
Commonwealth Bank of Australia Ltd	A1+	4,000,000	29-Aug-18	2.37%
Commonwealth Bank of Australia Ltd	A1+	6,366,168	29-Oct-18	2.65%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-Oct-18	2.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	30-Nov-18	2.38%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	16-Jan-19	2.66%
		<b>14,366,168</b>		
<b>New Council Implementation Fund</b>				
<b>Term Deposits</b>				
ING Bank Australia Limited	A1	900,000	20-Sep-18	2.65%
		<b>900,000</b>		

INVESTMENT BALANCES				
As at 31-July-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
<b>Stronger Communities Fund</b>				
<b>Term Deposits</b>				
ANZ Banking Group Ltd	A1+	750,000	15-Aug-18	2.55%
ING Bank Australia Limited	A1	650,000	13-Sep-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	20-Sep-18	2.62%
Members Equity Bank Ltd	A2	1,000,000	18-Oct-18	2.62%
Members Equity Bank Ltd	A2	900,000	08-Nov-18	2.77%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	18-Dec-18	2.62%
Members Equity Bank Ltd	A2	500,000	15-Jan-18	2.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	14-Feb-19	2.60%
Westpac Banking Corporation Ltd	A1+	500,000	13-Aug-19	2.71%
ING Bank Australia Limited	A1	2,000,000	19-Dec-19	2.90%
		<b>11,300,000</b>		
<b>Stronger Communities Fund Round 2</b>				
<b>Term Deposits</b>				
Members Equity Bank Ltd	A2	2,000,000	14-Aug-18	2.60%
Members Equity Bank Ltd	A2	4,000,000	13-Sep-18	2.62%
Westpac Banking Corporation Ltd	A1+	5,100,000	13-Dec-18	2.60%
People's Choice Credit Union	A2	2,000,000	22-Jan-19	2.85%
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	3,000,000	11-Jun-19	2.77%
		<b>21,100,000</b>		
<b>Total Cash and Investments</b>		<b>209,605,515</b>		

## PORTFOLIO ANALYSIS

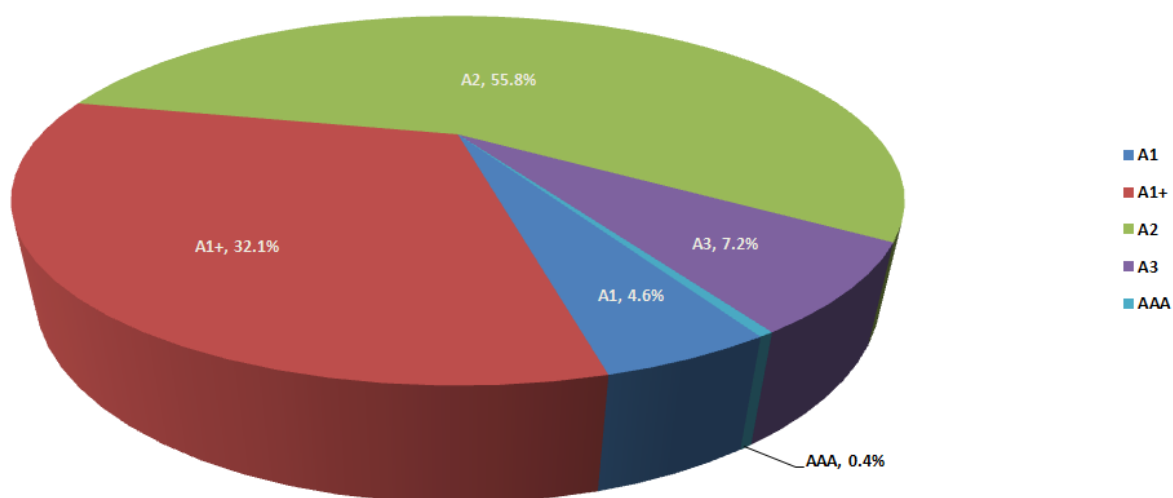


### Institutional Credit Framework – Compliance with Investment Policy Requirements

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-1	40%	Yes
A+			
A			
A-	A-2	30%	Yes
BBB+			
BBB			
BBB-	A-3	10%	Yes
Unrated	Unrated	10%	Yes (\$Nil)

### Council Investment Portfolio By Institution Rating



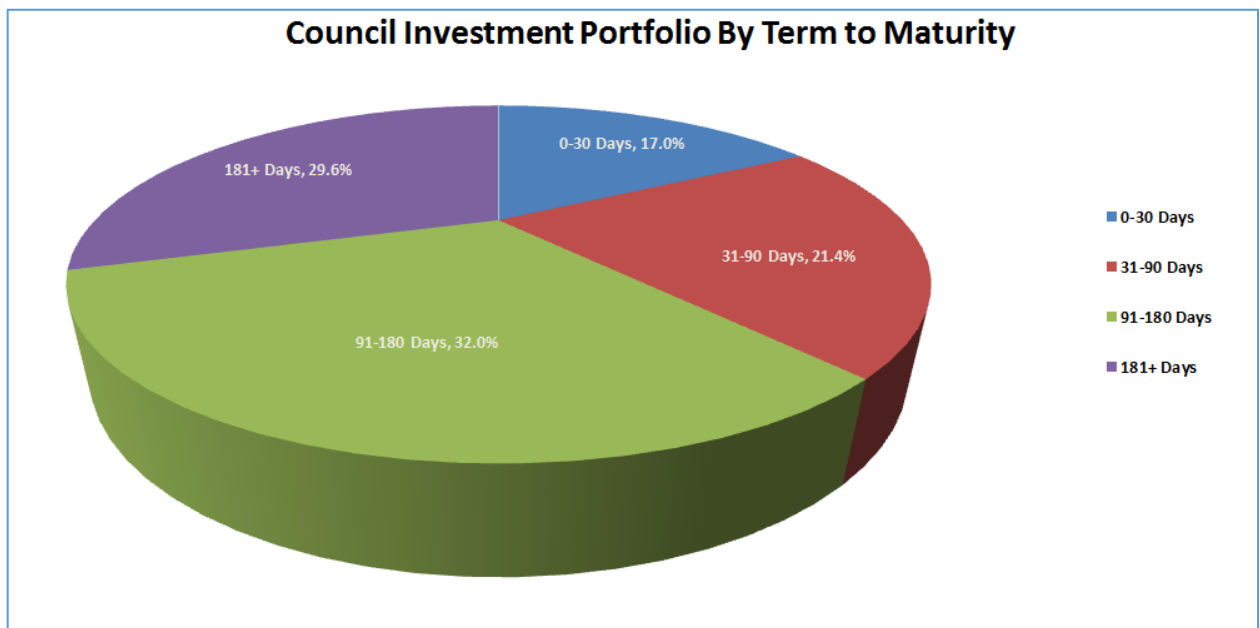
### Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

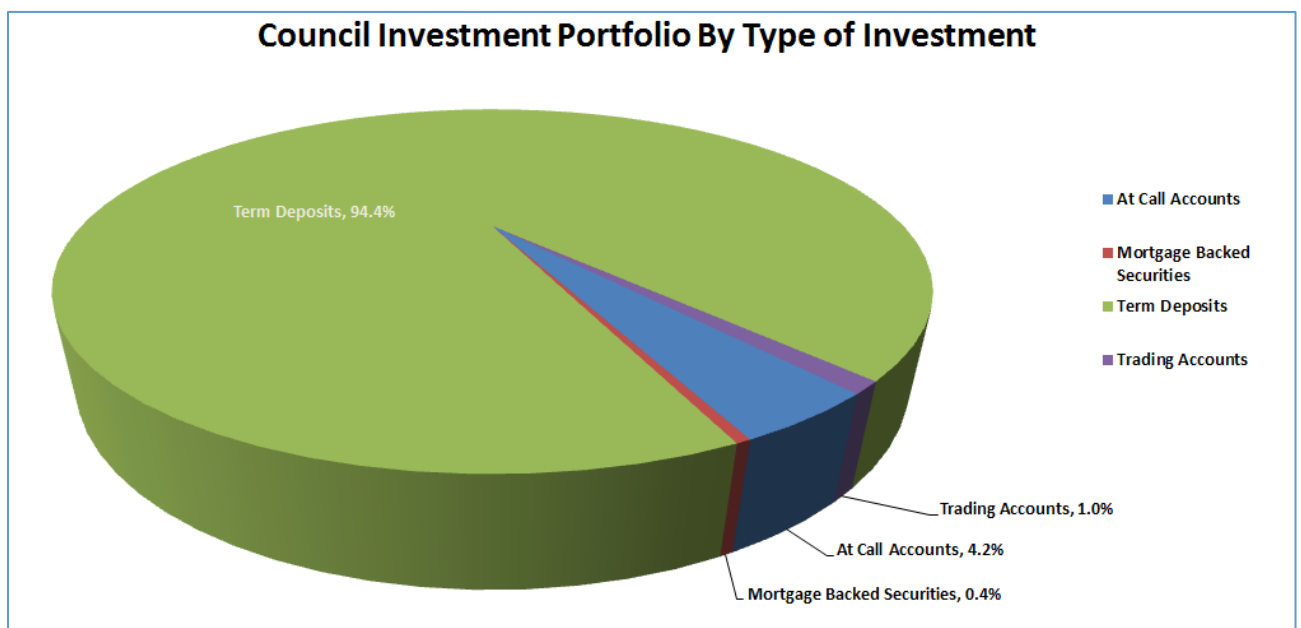
\*\* Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



#### 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

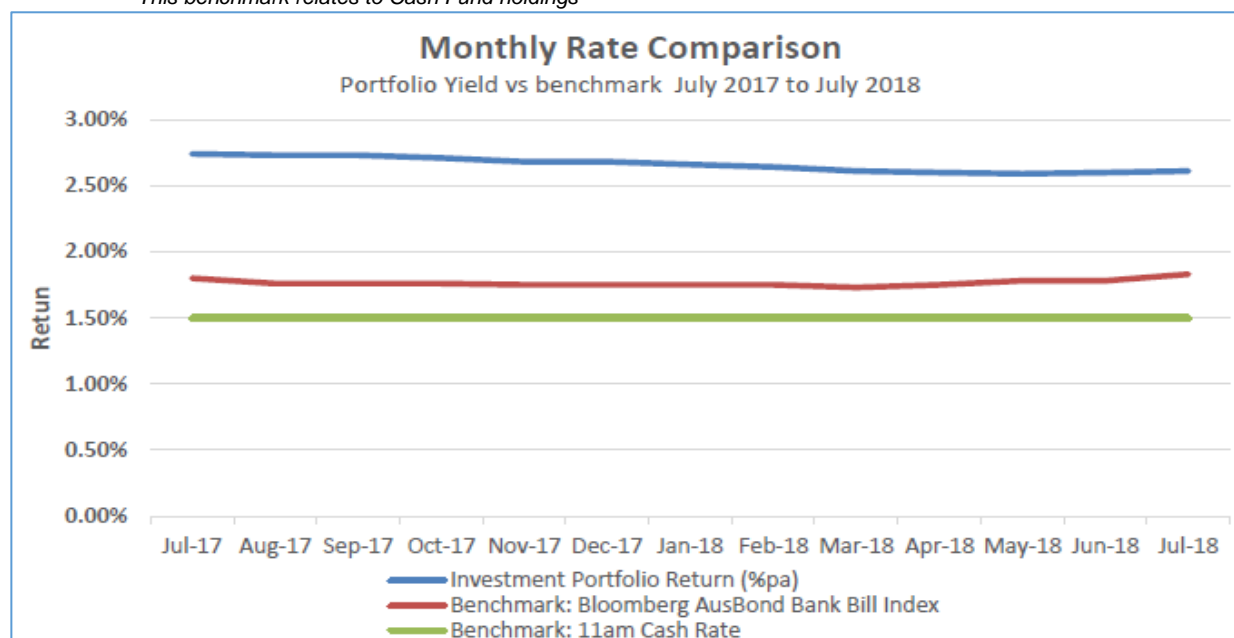


## INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	2.61%	1.83%	1.50%
3 Months	2.60%	1.80%	1.50%
6 Months	2.61%	1.77%	1.50%
FYTD	2.61%	1.83%	1.50%
12 Months	2.65%	1.76%	1.50%

\* Excludes trading account balances

\*\* This benchmark relates to Cash Fund holdings



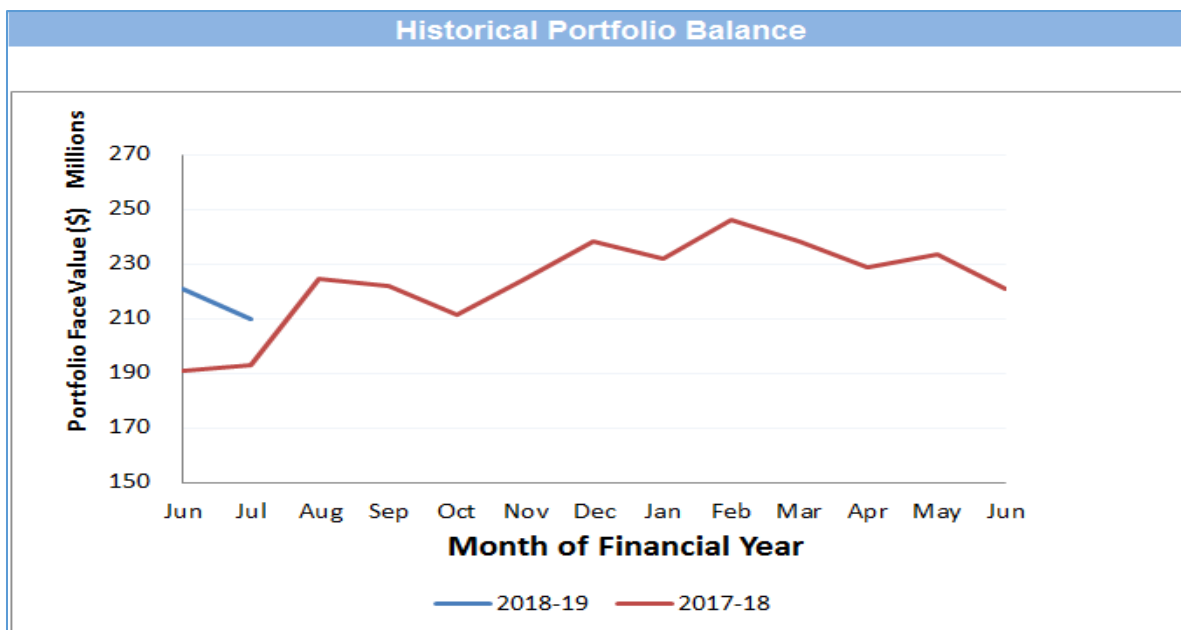
## MONTHLY INVESTMENT INCOME\* VS. BUDGET

	31 July 18 \$	Year to Date \$
Investment Income	464,147	464,147
Adjustment for Fair Value	(7)	(7)
Total Investment Income	464,140	464,140
Budgeted Income	441,417	441,417

\*Includes all cash and investment holdings



Historical Portfolio Balance		
	2018-19	2017-18
Jun	220,859,601	190,957,843
Jul	209,605,515	192,788,320
Aug		224,541,055
Sep		221,786,511
Oct		211,440,341
Nov		224,335,322
Dec		238,474,454
Jan		231,952,491
Feb		246,219,499
Mar		238,498,965
Apr		228,632,853
May		233,702,341
Jun		220,859,601
<b>Average Portfolio Balance</b>	<b>209,605,515</b>	<b>226,102,646</b>



### 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 global economy continues to grow above trend despite mixed growth performance in the major economies. US GDP growth in Quarter 2 accelerated above 4% annualised pace and was the strongest in four years. In China growth moderated slightly in Quarter 2 to 6.7% year-on-year and European economic growth in Quarter 2 (data due this week) is expected to pull-back closer to 2.0% year-on-year but remains above long-term trend. Australian annual GDP growth accelerated to 3.1% year-on-year in Quarter 1 and looks set to maintain or improve on that growth pace in Quarter 2. Central banks may soon step up the pace at which they withdraw monetary stimulus.

US annualised GDP growth jumped up from an upwardly revised 2.2% in Quarter 1 2018 to 4.1% in the advance reading for Quarter 2. Strong US growth in Quarter 2 was impressively broad-based with consumer spending up 4.0% annualised, business investment spending up 7.3% and net exports contributing 1.1 percentage points to growth. The US economy was literally firing on all cylinders in Quarter 2 assisted by exceptionally strong growth in business earnings plus a big lift in household income too, driven by strong wages growth as well as another strong increase in employment during the quarter. Business and consumer sentiment readings remain elevated and mostly point to continuing strong economic growth in Quarter 3. The signs have been building for several months that inflation has started to rise and will rise further in the US over coming months. The CPI lifted to 2.9% year-on-year in June with a core reading of 2.3% year-on-year. The Federal Reserve is aware that inflation is likely to push higher and has heralded another two 25bps rate hikes in the remaining months of 2018 taking the funds rate to 2.50% by the end of the year.

In China, GDP growth edged down to 6.7% year-on-year in Quarter 2 from 6.8% in Quarter 1 and leading indicators are pointing to further mild deceleration in Quarter 3. China's response to the first move by the US increasing a range of tariffs on Chinese imports has been a mix of retaliatory tariff increases on US goods, allowing a downward drift in the renminbi exchange rate plus moves to stimulate domestic demand including easier monetary policy. The Peoples' Bank of China surprised with a 50bps cut in the Reserve Ratio for banks that took effect early in July and cut across earlier policy measures aimed largely at reducing credit.

In Europe, Quarter 2 GDP due this week is likely to show that annual growth has moderated further to 2.2% year-on-year from 2.5% in Quarter 1. Growth is still above long-term trend and enough to keep Europe's unemployment rate falling and, in countries like Germany, down to a very low level that is starting to prime higher wages growth and some inflationary pressure. So far, the response by the European Central Bank is to assume that inflation is still modest, but high enough to call in to question the need for extraordinary monetary accommodation. At its July policy meeting the ECB reaffirmed its June decision, and in the question and answer session after President Draghi's statement affirmed that market expectations of a first ECB rate hike in October 2019 were reasonable.

In Australia evidence is building that that the pronounced rise in Quarter 1 GDP (1.0% quarter-on-quarter, 3.1% year-on-year) could be reinforced in Quarter 2. Monthly retail trade showed strong growth in April, 0.4% month-on-month, and in May 0.5%. Consumer sentiment has improved to a 4-year high in July according to the Westpac survey and business sentiment remains strong according to the NAB monthly survey. Employment growth took a much stronger turn in June, up 50,900 and mostly full-time positions, up 41,200. The unemployment rate fell to a five-year low point just under 5.4%. Housing activity remains a soft spot for the economy, and there are concerns that household sector could be constrained by weak wages growth and high household debt. Inflation is still just about contained with annual headline inflation accelerating to a three-year high 2.1% year-on-year in Quarter 2 with underlying annual inflation steady at 1.9% year-on-year. We see risk of higher inflation not far ahead. Rising international producer prices combined with a softer Australian dollar will continue to push up the price of imported goods.

The investment portfolio return over the period from 1 July 2018 to 31 July 2018 was 2.61% compared to the benchmark AusBond Bank Bill Index return of 1.83%.

<b>ITEM 8.3</b>	<b>STRONGER COMMUNITY FUND - QUARTERLY UPDATE - JUNE 2018</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGY, PERFORMANCE AND IMPROVEMENT</b>
<b>TRIM FILE REF</b>	<b>2018/502921</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To provide an update on the delivery of community projects funded from the \$36.1 million Stronger Communities Fund.

#### SUMMARY

Council received \$36.1 million from the NSW Government's Stronger Communities Fund (SCF) to provide funding to kick start the delivery of improved infrastructure and services to the community. A condition of the SCF is progress reporting quarterly to Council.

A summary of the program of work and expenditure to 30 June 2018 is below:

Program	SCF allocation	Expenditure to 30 June 2018
Community Grants Program	\$1,000,000	\$903,754
Connecting Communities Program	\$14,000,000	\$5,832,327
Tied Grants Program	\$21,100,000	\$989,494
Total	\$36,100,000	\$7,725,575

The Community Grants Program supports 53 community projects across a variety of focus areas including disability, art and culture, the environment, sporting, supporting people at risk and volunteer organisations. By 30 June 2018, 33 projects have been completed.

The *Connecting Communities Program* is a \$32.6 million multi-year program of works partially funded by SCF (\$14 million). It will deliver a spectacular world class coast walk and cycleway stretching from Manly to Palm Beach and west into the Frenchs Forest hospital precinct, a network of inclusive playgrounds and improvements to sporting and surf life saving facilities. This program is largely in planning and design and will be delivered over three years. Significant progress has been made with cycleway connections and shared paths. Works have commenced on playgrounds.

The Tied Grants Program commenced in October 2017 with Council accepting the funding. Early stages of planning have commenced on the 11 projects identified by the NSW Government:

1. Church Point Community Park (Pasadena)
2. Wakehurst Parkway flood mitigation
3. Mona Vale Public School – Regional Performing Arts Centre
4. Mona Vale Surf Life Savings Club (SLSC) refurbishment
5. Long Reef SLSC refurbishment

6. Currawong Beach heritage refurbishment
7. North Pittwater foreshore improvements
8. Scotland Island wastewater feasibility study
9. Northern Pittwater permanent netball courts
10. Newport Surf Club refurbishment (planning)
11. Barrenjoey Community Performance Space.

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**RECOMMENDATION OF ACTING CHIEF EXECUTIVE OFFICER**

That Council note the Stronger Communities Fund June 2018 Quarterly Update.

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## REPORT

### BACKGROUND

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

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

Quarterly progress reports on expenditure and outcomes of the SCF are required until these funds are spent.

### COMMUNITY GRANTS PROGRAM

The Community Grants Program of \$1 million has been fully allocated with successful applications announced at Council meetings on 16 December 2016 and 25 July 2017. These projects have been progressing well with a total of 33 projects completed, six this quarter.

The projects successfully completed in the current quarter are:

Recipient	Project & Outcomes
Mona Vale Golf Club	<b>Wetland Rehabilitation \$25,107</b> <p>The creek and wetland, which runs alongside the 9th hole at Mona Vale Golf Club was rehabilitated and noxious weeds removed. Rock stabilization was undertaken and over 5,000 native shrubs and small native trees were planted. Long term benefits include cleaner water passing through the golf course, less pollution entering Mona Vale beach, improved visual amenity and once native species mature, the whole area will be much more environmentally friendly.</p>
Special Olympics Australia – Sydney Northern Beaches Region	<b>Special Olympics Festival of Sport -\$8,000</b> <p>60 people with an intellectual disability plus 30 carers and support personnel attended the Special Olympics Festival of Sport at the Lakeside Holiday Park Narrabeen in early March. Activities involved team building, sport specific involvement such as; Tee-ball, Volley-ball, Bocce, Cricket, Basketball, Golf putting plus Swimming and Kayaking on the Lake. Other activities included Polynesian dancing lessons. The event was a great success and provided opportunity for a section of society that are generally marginalized and was enjoyed by all involved.</p>
Lifeline Northern Beaches	<b>Website Upgrade - \$5,300</b> <p>New Website for Lifeline Northern Beaches was launched in April <a href="http://www.lifelinenb.org.au">www.lifelinenb.org.au</a> providing a more user friendly website with access to all our services.</p>

The Burdekin Association	<p><b>Youth Hub – \$48,050</b></p> <p>Conducted consultation and engagement of both the community and the youth and family services that currently deliver services to the Northern Beaches community. Funding enabled the employment of a project coordinator to develop the referral pathways, collate all service information and access pathways, prepare information for the community, oversee the promotion, develop and implement systems, policies, procedures, frameworks and outcome measurement tools.</p>
The Humour Foundation	<p><b>Clown Doctors – holiday program at Bear Cottage \$7,284</b></p> <p>Delivery of a high-quality, tailored humour therapy program using professional performers to actively engage and support the quality of life, health and wellbeing of sick children, families and hospice staff in 1,100+ individual interactions over the 12 visits across the school holiday periods. The benefits include children feel safe, understood, and respected as well as lifting their spirits and ability to cope with sadness and stress.</p>
Fighting Chance Australia	<p><b>Stronger Employment Pathways for people with disability on the northern beaches. \$50,000</b></p> <ol style="list-style-type: none"> <li>1. 60 people with disability (25 with the direct support of this grant) completed work experience within Jigsaw during the project period</li> <li>2. 83% of participants reported an improvement in their skills, confidence and prospects for employment as a result of participating</li> <li>3. Increased workforce participation of people with disability on the Northern Beaches, with the creation of 14 Award-paying jobs at Jigsaw (two with the direct support of this grant).</li> <li>4. Leading by example on the Northern Beaches, Jigsaw's new models for employing and training people with disability have continued to demonstrate not only to individuals, but to the disability sector, mainstream businesses and the community more broadly that true inclusiveness is possible.</li> </ol> <p>Longer term community benefits include: - reducing the unemployment rate of people with disability - increasing GDP through the mobilisation of an untapped workforce - reducing reliance on welfare - reducing the lifetime costs of the public providing income support for this cohort.</p>

The total amount paid to grant recipients at 30 June 2018 is \$903,754.

Eight projects are expected to be finalised in the next quarter and another seven by December 2018. A further three projects will finish by June 2019. One recipient has not submitted their progress report at the time of preparing this report. They have been informed in writing that they are in breach of the funding agreement.

Four requests for variations were received seeking a change in scope and/or an extension of time to complete the project. Three requests were approved as the requested time extension was still within the allowable period with the projects expecting completion by December 2018. The fourth variation request was a change in scope and expenditure items that did not clearly support the original objective of the funded grant project. Council staff are currently seeking a resolution to this project to enable acquittal of the grant.

## CONNECTING COMMUNITIES PROGRAM

The \$32.6 million Connecting Communities Program is being funded in part by the SCF (\$14 million) with the remaining funds coming from Transport for NSW (TfNSW), savings identified in Council's operations plus other grant funding still to be secured.

The Roads and Maritime Services committed \$2.91 million of grant funding for the shared path between Newport Surf Life Saving Club carpark and Avalon Surf Life Saving Club along Barrenjoey Road and The Serpentine. The remaining \$1.3 million in grant funding will be sourced over the next year.

The Program comprises:

1. The \$22.3 million *Connecting the Northern Beaches* program, providing a continuous all-weather walkway from Palm Beach to Manly and an extensive Council-wide cycleway and shared path network focused on the B-Line. This will deliver 35.5km of new cycleway and shared paths (12.4km off road and 23.1km on-road) and 36km of continuous all weather coastal walkways including 8km of new boardwalks, stairs, footpaths and tracks including the Palm Beach Walkway from Palm Beach Wharf to Beach Road.
2. The \$10.3 million *Connecting All Through Play* program features a regional network of inclusive accessible playgrounds including two major new all abilities playgrounds at Manly Dam and Lionel Watts, upgrades to play areas across the Northern Beaches to make them more inclusive. It also includes \$4 million for sporting facilities and surf lifesaving clubs.

### Connecting the Northern Beaches

Since the program commenced 31 kms of cycleways and shared paths have been delivered at the following locations:

- Belrose to Northern Beaches Hospital
- Dee Why to Northern Beaches Hospital
- Manly Beach to Warringah Mall
- Curl Curl to Warringah Mall
- Cromer to Pittwater Road
- Dee Why Lagoon to Collaroy
- Narrabeen to Mona Vale
- Mona Vale to Newport
- Newport Oval to Newport SLSC
- Avalon to Palm Beach
- Warriewood Road to Pittwater Road Warriewood

The Coast Walk is also well advanced with 3.2 kms delivered since the program commenced. Works have been completed at the following locations:

- Watkins Road, North Avalon
- Shared pathway along The Boulevarde and Ross Street, Newport
- Shared pathway between Mona Vale SLSC and Robert Dunn Reserve, Mona Vale



- Shared path at Surf Road Curl Curl
- Construction underway for shared path at Beach Road, Collaroy
- Construction underway for pathway from Palm Beach Wharf to Governor Phillip Park, Palm Beach
- Design works continue on Whale Beach Road, Whale Beach
- Design work is underway between Avalon and Newport SLSC

### **Connecting All Through Play Inclusive Play**

Below is the status of work on inclusive play projects this year:

- Concept design work is complete for Manly Dam playground and walkway. The tender for the playground component is anticipated in August 2018
- Lionel Watts Masterplan has been on exhibition with construction anticipated to commence September 2018

### **Active Play**

Below is the status of work on upgrading sporting facilities this year:

- Conversion of the two tennis courts to futsal courts at Wakehurst Tennis Centre is complete
- Lighting upgrade to tennis courts at Careel Bay is underway
- Investigations underway to create two futsal courts at Manly Vale Calabria Bowling Club
- Investigations underway to upgrade the clubhouse at Lionel Watts Reserve, Frenchs Forest
- Lighting upgrade at Forestville Park, Forestville underway
- Lighting upgrade at North Narrabeen Reserve Park, North Narrabeen underway
- Work completed at the Pump Track (BMX) at JJ Melbourne Hills Reserve, Terrey Hills
- Lighting upgrade at LM Graham Reserve, Fairlight underway
- Lighting upgrade will commence in 2018/19 on Passmore Reserve and John Fisher Park

Below is the status of work on upgrading Surf Life Saving Clubs this year:

- South Narrabeen – an application to modify the consent has been made
- North Steyne – initial site inspection undertaken. Building is heritage listed so works will require additional planning
- Warriewood – initial meetings held with club representatives
- Queenscliff – initial meetings held with club representatives
- Mona Vale – architect engaged, consultation commenced and concept plans drawn up
- Long Reef – architect engaged, consultation commenced and concept plans drawn up



## TIED GRANTS PROGRAM

Council on 24 October 2017 endorsed the proposal to enter into a funding agreement with the NSW government with regard to the additional \$21.1 million tied to 11 projects. The signed funding agreement and individual project plans that include key milestones, costs and expected benefits were returned to Office of Local Government in December 2017. Progress on these projects for the quarter is below.

**1. Church Point Community Park:** acquisition of Pasadena and conversion to open space

Status: As at 30 June 2018 Council is continuing discussions with the owner of the Pasadena to acquire the property and has engaged a legal team specialising in compulsory acquisition to assist the process and provide specialist planning and valuation advice. Site inspections of the site have been undertaken to assist with the expert valuation. Note: Subsequent to this quarterly update, Council resolved to negotiate with and make a commercial offer to purchase the Pasadena. Council commenced negotiations and made a formal offer which was not accepted by the owner. The next step is for Council to write to Minister Rob Stokes to request that the original funding be redirected to other priority projects.

**2. Wakehurst Parkway Flood Mitigation**

Status: Sediment Dating and the Ecology and biodiversity study have been completed. The Flood Mitigation Options Development Assessment is nearing completion.

**3. Mona Vale Public School: Regional Performing Arts Centre**

Status: Feasibility Study and Business Case have been prepared and a separate report is going to the August Council meeting. A number of community engagement activities has also been undertaken.

**4. Mona Vale Surf Life Saving Club: refurbishment**

Status: The public exhibition period for the concept plans closed in June 2018 and the community engagement report is currently being prepared for review by management. Following approval, the report is expected to be finalised over the next couple of weeks.

**5. Long Reef Surf Life Saving Club: refurbishment**

Status: An agreement has been reached on the proposed concept, and Council is currently preparing documentation to proceed to the second stage of community engagement, expected to be held in August.

**6. Currawong Beach Heritage: refurbishment of six of the nine cabins**

Status: Works have been endorsed by the Currawong State Park Advisory Committee and Office of Environment and Heritage. The first part of the works development application has been approved with conditions, and specialist consultancy investigations have begun.

**7. North Pittwater Foreshore Improvements: Various**

- **Hudson Parade, Clareville:** improve pedestrian safety along Hudson Parade, Clareville and complete the 'missing link' of footpath between Clareville Beach and Taylors Point.

Status: concept design prepared and under review and consultation with local community progressing.

- **George Street, Avalon:** extend the seawall at George Street to the end of the road.

Status: Work has substantially advanced with the seawall almost complete.

- **South Palm Beach:** Landscaping works to restore grassed area amenity, improve access and drainage, construct stone flagged plaza opposite shops and construction of pathways between pavilion and culvert

Status: Design works are progressing.

8. **Scotland Island Wastewater Feasibility Study:** feasibility of providing a reticulated water and/or wastewater service

Status: Community engagement strategy prepared and working group established. Scope of the study agreed and an independent peer review will run alongside the tender.

9. **Northern Pittwater Permanent Netball Courts:** four new hardcourts, lighting and ancillary infrastructure at Avalon Beach for training

Status: Project has been delayed due to the first stage of Avalon Place Plan process. A concept design has been prepared and stormwater investigations are ongoing.

10. **Newport Surf Club Refurbishment:** Preparation of planning documents

Status: Draft concept design currently under review in consultation with Council's heritage officer and the club in preparation for lodgement of development application.

11. **Barrenjoey Community Performance Space:** Development of a multi-use community facility and performance space within the grounds of Barrenjoey High School managed by the NSW Department of Education

Status: Awaiting concept plans and cost estimates by a Quantity Surveyor from the Department of Education.

## CONSULTATION

A "YourSay" page has been set up to inform the community on progress and future works and receive feedback on the *Connecting Communities Program*. An interactive webmap that shows cycle and pathways routes with click on information bubbles has been completed and is constantly being updated.

Engagement planned over coming months includes:

- Surfview Road and Darley Street, Mona Vale
- Whale Beach Road, from Florida Road to Norma Road, Palm Beach
- Barrenjoey Road from Newport SLSC to The Serpentine and then along Barrenjoey Road to Ross Street through to Avalon SLSC
- Palm Beach Golf Course to Black Rock, Palm Beach
- Avalon netball as part of the Avalon Place Plan

## FINANCIAL CONSIDERATIONS

At 30 June 2018 a combined total of \$9,725,575 has been spent on the *Connecting Communities Program*, *Community Grants Program* and *Tied Grants* of which \$7,725,575 is from the SCF as follows:

Program	Total Expenditure	SCF
Connecting Communities		
• Cycleways	\$3,838,689	\$1,838,689
• Pathways	\$2,514,779	\$2,514,779
• Inclusive play	\$1,060,991	\$1,060,991
• Active Play	\$417,868	\$417,868
Community Grants	\$903,754	\$903,754
Tied Grants	\$989,494	\$989,494
<b>Total Expenditure</b>	<b>\$9,725,575</b>	<b>\$7,725,575</b>

## SOCIAL CONSIDERATIONS

Upon completion of these programs the entire Northern Beaches community will reap significant social, health and well-being benefits from both the projects and programs implemented by our community groups and through the use of this community infrastructure that physically and socially connects them to their community and the natural environment through improved active and public transport links and upgraded community infrastructure.

## ENVIRONMENTAL CONSIDERATIONS

Appropriate environmental impact assessments will form part of the detailed design for the major projects and, where possible, works will be undertaken to minimise environmental impacts. The anticipated number of users of the new cycleways and footpaths as well as the lighting upgrades across a number of sporting facilities will have a positive impact on air quality and is another step towards reducing our community's greenhouse gas emissions. The foreshore improvement projects and the Scotland Island wastewater project will improve water quality within the Pittwater estuary upon implementation.

## GOVERNANCE AND RISK CONSIDERATIONS

The funding conditions of the Stronger Communities Fund requires the funds to have been spent or committed by 30 June 2019 and acquitted by 31 December 2019, while the Tied Grants require a commitment by 31 December 2018 and acquittal by 30 June 2019. Any uncommitted funds from either stream are to be returned to the Office of Local Government (OLG). A written request for a six month extension of time to deliver three of the Tied Grant projects and a 12 month extension for one tied project has been submitted to the Office of Local Government for consideration.

Although the delivery timeframe for the *Connecting Communities* program exceeds these timeframes, due to the mixed funding sources it is anticipated Council will be able to meet the acquittal timeframe prior to completion of the full program of works.

The community grants program has received a number of variation requests from grant recipients and it is expected that there may be additional requests received over the coming quarter. An internal review process has been developed and approved by the Acting CEO to ensure that this public money is being spent in accordance with the objectives of the Stronger Communities Fund and has appropriate governance around the management of these requests.

## 9.0 CUSTOMER AND CORPORATE DIVISION REPORTS

ITEM 9.1	CURRENT ORGANISATION STRUCTURE
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2018/439784
ATTACHMENTS	1 <a href="#">↓</a> Organisation Structure as at 16 August 2018

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### EXECUTIVE SUMMARY

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#### PURPOSE

Under section 333 of the Local Government Act, 1993 a Council is required to review and it may re-determine the organisation structure of the Council within 12 months of an ordinary local government election.

#### SUMMARY

Council's determination of the organisation structure is considered under Part 2 of the Local Government Act, 1993 (the Act).

Section 333 of the Act states:

*The organisation structure may be re-determined under this Part from time to time. The council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council.*

This report acknowledges the review of the organisation structure being effected through the 27 February 2018 resolution of Council (Resolution 037/18). This report seeks to facilitate Council's fulfilment of the stipulated 12 month timeframe under section 333 of the Act in the interim and while the required actions to fulfil Resolution 037/18 are currently being carried out.

The current organisation structure in place while the review from Resolution 037/2018 is being conducted is provided at Attachment 1.

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### RECOMMENDATION OF GENERAL MANAGER CUSTOMER AND CORPORATE

That:

- A. Council notes the organisation structure at Attachment 1 in order fulfil its obligations under section 333 of the Local Government Act, 1993.
  - B. Council note the review process for the organisation structure has commenced in accordance with Council Resolution 037/18.
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## REPORT

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### **BACKGROUND**

On 27 February 2018, Council resolved (Resolution 037/18) to review the organisation structure in accordance with sections 332 and 333 of the Act.

This report acknowledges that a review of the organisation structure being effected through the 27 February 2018 resolution of Council (Resolution 037/18) is currently underway. The report seeks to facilitate Council's fulfilment of the stipulated 12 month timeframe under section 333 of the Act in the interim and while the required actions under Resolution 037/18 are being carried out.

The current organisation structure, which has been in place from 1 July 2017, is provided at Attachment 1.

### **CONSULTATION**

This organisation structure provided at Attachment 1 commenced on 1 July 2017 following an organisation-wide consultation with Council, senior executive, and all staff. The organisation structure was also reviewed by the Northern Beaches Council Joint Consultative Committee (JCC).

### **TIMING**

Council is required to review and it may re-determine the organisation structure of the Council within 12 months of an ordinary local government election.

### **FINANCIAL CONSIDERATIONS**

There are no financial impacts proposed by this report.

### **SOCIAL CONSIDERATIONS**

There are no social impacts proposed by this report.

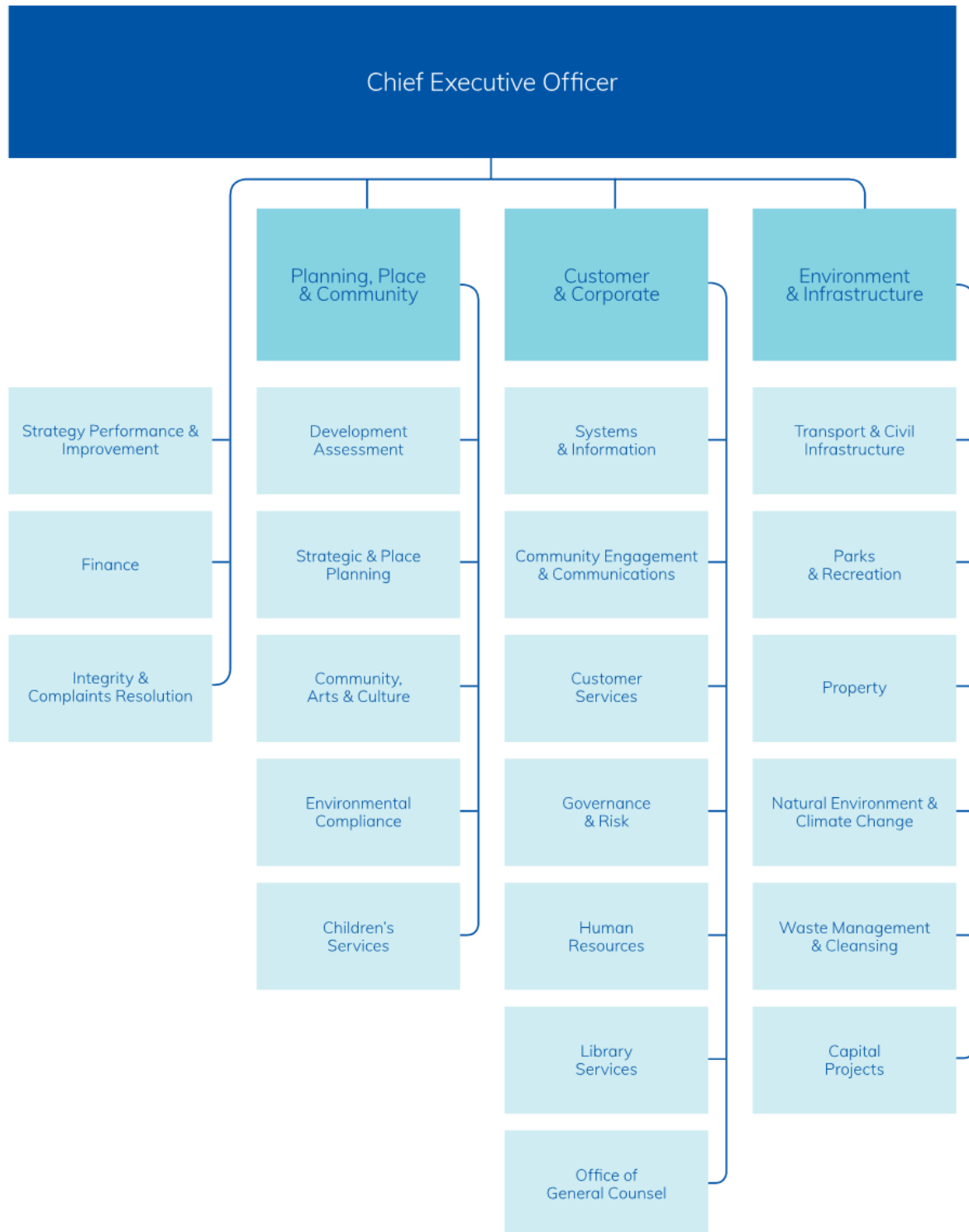
### **ENVIRONMENTAL CONSIDERATIONS**

There are no environmental impacts proposed by this report.

### **GOVERNANCE AND RISK CONSIDERATIONS**

Pursuant to section 333 of the Local Government Act, 1993 a review of the organisation structure is to be undertaken by Council within 12 months of an ordinary local government election.

# Organisation Chart



<b>ITEM 9.2</b>	<b>REVIEW OF DELEGATION OF AUTHORITY TO CHIEF EXECUTIVE OFFICER</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER GOVERNANCE AND RISK</b>
<b>TRIM FILE REF</b>	<b>2018/404467</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Delegation of Authority to CEO</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

The Local Government Act, 1993 requires Council to review the delegations conferred by Council within the first 12 months of its term.

#### SUMMARY

Section 380 of the Local Government Act, 1993 requires the Council to review its delegations during the first twelve months of each term of office. The current delegation of authority to the Chief Executive Officer was reviewed and adopted by Council on 27 June 2017 (Resolution 125/17).

This report seeks to formalise the revocation of the Power of Attorney granted to the former Chief Executive Officer, Mr Mark Ferguson.

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#### RECOMMENDATION OF GENERAL MANAGER CUSTOMER AND CORPORATE

That:

- A. Council adopt the delegations of authority to the role of the Chief Executive Officer (as statutory general manager) at Attachment 1 in order to fulfil its obligations under section 380 of the Local Government Act, 1993.
  - B. Council revoke the Power of Attorney Book 4730 No 551 granted to Mr Mark Ferguson registered on 11 August 2017, and provide the necessary notice of revocation to the relevant Attorney (Mr Mark Ferguson).
  - C. Council affix the Common Seal of Council to the Revocation of the Power of Attorney to Mr Mark Ferguson.
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## REPORT

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### BACKGROUND

Section 380 of the Local Government Act, 1993 (the Act) requires the Council to review its delegations during the first twelve months of each term of office.

Upon the amalgamation of the Northern Beaches Council, clause 18 of the Local Government (Council Amalgamations) Proclamation, 2016 came into effect, whereby all existing delegations of the former councils were taken to be existing delegations of the new Council until otherwise revoked or amended.

On 27 June 2017, the delegations of the former Councils were revoked and delegations of authority were conferred by the Council to the Chief Executive Officer (being the statutory general manager under the Act).

The delegations conferred by Council on 27 June 2017 remain in effect and are subject to the review of Council in accordance with the Act.

### REPORT

#### Functions of Council

The Council is the governing body of the Northern Beaches Council under section 222 of the Act, where section 223 of the Act outlines:

#### **223      *Role of governing body***

(1) *The role of the governing body is as follows:*

- (a) *to direct and control the affairs of the council in accordance with this Act,*
- (b) *to provide effective civic leadership to the local community,*
- (c) *to ensure as far as possible the financial sustainability of the council,*
- (d) *to ensure as far as possible that the council acts in accordance with the principles set out in Chapter 3 and the plans, programs, strategies and policies of the council,*
- (e) *to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,*
- (f) *to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the strategic plans (including the community strategic plan) of the council and for the benefit of the local area,*
- (g) *to keep under review the performance of the council, including service delivery,*
- (h) *to make decisions necessary for the proper exercise of the council's regulatory functions,*
- (i) *to determine the process for appointment of the general manager by the council and to monitor the general manager's performance,*
- (j) *to determine the senior staff positions within the organisation structure of the council,*



- (k) *to consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities,*
  - (l) *to be responsible for ensuring that the council acts honestly, efficiently and appropriately.*
- (2) *The governing body is to consult with the general manager in directing and controlling the affairs of the council.*

### **Functions of the Chief Executive Officer**

Section 335 of the Act outlines the functions of the Chief Executive Officer. The Chief Executive Officer is generally responsible for the effective and efficient operation of the Council and for ensuring the implementation, without undue delay, of decisions of the council.

### **Certain Functions to be exercised only by resolution of the council**

Section 377 of the Act enables Council to delegate to its Chief Executive Officer, or any other person or body, functions of the Council excepting those functions specified in sections 377(1)(a) – (u). Section 377 provides:

#### **377 General power of the council to delegate**

- (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 under this or any other Act, other than the following:*
  - (a) *the appointment of a general manager,*
  - (b) *the making of a rate,*
  - (c) *a determination under section 549 as to the levying of a rate,*
  - (d) *the making of a charge,*
  - (e) *the fixing of a fee,*
  - (f) *the borrowing of money,*
  - (g) *the voting of money for expenditure on its works, services or operations,*
  - (h) *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
  - (i) *the acceptance of tenders to provide services currently provided by members of staff of the council,*
  - (j) *the adoption of an operational plan under section 405,*
  - (k) *the adoption of a financial statement included in an annual financial report,*
  - (l) *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
  - (m) *the fixing of an amount or rate for the carrying out by the council of work on private land,*
  - (n) *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*

- (o) *the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979 ,*
  - (p) *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
  - (q) *a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
  - (r) *a decision under section 234 to grant leave of absence to the holder of a civic office,*
  - (s) *the making of an application, or the giving of a notice, to the Governor or Minister,*
  - (t) *this power of delegation,*
  - (u) *any function under this or any other Act that is expressly required to be exercised by resolution of the council.*
- (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.*
- (2) *A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*

## **Power of Attorney**

On 8 August 2017 Council granted by resolution (Resolution 174/17) a Power of Attorney to its Chief Executive Officer, Mark Ferguson, (who acted in the statutory capacity of general manager under the Act). The Power of Attorney grants the authority to execute all documents which give effect to resolutions of Council or which give effect to its functions delegated to them. A formal revocation of the Power of Attorney to Mr Ferguson may be enacted by a resolution of Council.

## **TIMING**

The Council is to review its delegations within 12 months of the commencement of its term in accordance with section 388 of the Act.

## **FINANCIAL CONSIDERATIONS**

Pursuant to section 377(1) of the Act certain delegations which relate to various financial functions of the Council must remain with Council and may not be conferred to the Chief Executive Officer (statutory general manager).

**SOCIAL CONSIDERATIONS**

The delegations conferred by Council to the Chief Executive Officer (statutory general manager) may confer certain authorities in regard to the exercise of Council business in order to fulfil certain civic functions.

**ENVIRONMENTAL CONSIDERATIONS**

The delegations conferred by Council to Chief Executive Officer (statutory general manager) may confer certain authorities in regard to the exercise of Council business in order to fulfil certain environmental functions.

**GOVERNANCE AND RISK CONSIDERATIONS**

The delegation of authority from Council to the Chief Executive Officer (statutory general manager) and the statutory role of the Chief Executive Officer is enabled under the provisions of the Act.

## Northern Beaches Council

**DELEGATION OF AUTHORITY  
CHIEF EXECUTIVE OFFICER**

- A. All previous delegations of authority (other than the Minister's functions for plan-making under former section 59 now section 3.3.6 of the *Environmental Planning and Assessment Act 1979* (NSW) delegated by the then Minister for Planning and Infrastructure on or about 1 November 2012 and further delegated by the former Warringah Council to its then General Manager on 27 November 2012 and continued in force by virtue of the *Local Government (Council Amalgamations) Proclamation 2016*) to the General Manager or Interim General Manager (now referred to as the Chief Executive Officer), the position or office of the General Manager or Interim General Manager or Chief Executive Officer and to any person appointed or otherwise acting in these positions or office are revoked.
- A. Pursuant to sections 377 and 381 of the *Local Government Act, 1993* (NSW) (the Act) Council delegates to the Chief Executive Officer (being the statutory general manager) of Northern Beaches Council, and to the person acting in the position of Chief Executive Officer during any period of vacancy in the office or absence from duty of the Chief Executive Officer, the functions set out in a), b) and c) below, subject to the limitations, conditions and restrictions set out in paragraph d):
- a) All those functions of the Council under the Act and the Regulations made thereunder, and under any other Act, statutory instrument and law, except those functions that are declared to be non-delegable pursuant to section 377(1) of the Act;
  - b) Subject to compliance with the provisions of clause 213 of the *Local Government (General) Regulation 2005*, to write off, by order in writing, debts to the Council up to an amount of \$20,000, being the amount hereby fixed for the purpose of clause 213;
  - c) Subject to compliance with the provisions of clause 131 of the *Local Government (General) Regulation 2005*, to write off, by order in writing, rates and charges and interest accrued on unpaid rates and charges owing to the Council up to an amount of \$20,000, being the amount hereby fixed for the purpose of clause 131;
  - d) The exercise of any function under paragraph (a), (b) or (c) above is subject to the following:
    - i. The Chief Executive Officer or the holder of any sub-delegation from the Chief Executive Officer, exercising such delegations in accordance with the policies of the Council as may be adopted by the Council from time to time;
    - ii. Any restrictions or conditions imposed upon any delegation by a policy or decision of the Council, being similarly restricted and/or imposed by the Chief Executive Officer in any sub-delegation under section 378(2) of the Act.

**COUNCIL RESOLUTION:****DATE:****SIGNATURE:**

<b>ITEM 9.3</b>	<b>SUSPENSION OF THE ALCOHOL FREE ZONE IN MANLY CBD AREA FOR THE 2018 MANLY JAZZ WINE GARDEN ACTIVATION</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS</b>
<b>TRIM FILE REF</b>	<b>2018/484567</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To suspend part of the designated Alcohol Free Zone (AFZ) in Manly CBD in a specific location on The Corso within the Manly Jazz festival site due to inclusion of a licensed 'wine garden' as part of the Manly Jazz event for the years 2018 to 2020 inclusive.

#### SUMMARY

This annual community festival is presented over the October Long Weekend in Manly CBD with stages positioned at the beachfront, along The Corso and in Sydney Road.

A pop-up wine garden has been included as part of the festival since 2014. It is proposed to continue to invite a third party to operate the wine garden over the coming years.

The wine garden usually occupies a space approximately 15m x 40m on The Corso, east of the John Speight Stage. The wine garden sells wine, boutique beer, cider and non-alcoholic beverages as well as food products in line with Responsible Service of Alcohol (RSA) requirements. It operates under the liquor licence of the selected operator from 11:00am to 6:30pm daily through the festival.

The location of the wine garden on The Corso is situated within the current Alcohol Free Zone in the Manly CBD and as such persons who consume alcohol in this area would be committing an offence if Council was not to suspend these restrictions in the 'wine garden' event location for the period of the event.

Under the provisions of section 645(1) of the *Local Government Act 1993*, Council "may, at the request of any person or body or of its own motion, suspend the operation of an alcohol-free zone by publishing notice of the suspension in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned".

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**RECOMMENDATION OF GENERAL MANAGER CUSTOMER AND CORPORATE**

That:

- A. Council suspend the Alcohol Free Zone (AFZ) for the Manly Jazz 2018 to 2020 events within the designated 'wine garden' area in Manly for the long weekend dates and times as follows:
    - a. Saturday 29 September, Sunday 30 September and Monday 1 October 2018 between the hours of 11:00am and 6:30pm daily only.
    - b. Saturday 5 October, Sunday 6 October and Monday 7 October 2019 between the hours of 11:00am and 6:30pm daily only.
    - c. Saturday 3 October, Sunday 4 October and Monday 5 October 2020 between the hours of 11:00am and 6:30pm daily only.
  - B. In accordance with section 645(i) of the *Local Government Act 1993*, Council provide appropriate notice of the suspension of the Alcohol Free Zone and Alcohol Prohibited Area through a local newspaper each year.
  - C. Northern Beaches Council Event staff together with the wine garden operator continue to liaise with Northern Beaches Police in relation to the safe management of the area during the suspension of the zone for all Manly Jazz events.
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## REPORT

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### BACKGROUND

There have been no alcohol-related incidents recorded by Police or Council resulting from the suspension of the Alcohol Free Zone for this purpose at this location in previous years. The pop-up wine garden at Manly Jazz was first trialled in 2014 to great success and has continued annually since that time with no incidents.

### CONSULTATION

Council has worked closely with Northern Beaches Police and will continue to collaborate with both Police and the chosen wine garden operator to ensure the safe operation of the wine garden during all future Manly Jazz events.

As per the conditions of the agreement to operate the wine garden, the operator will work cooperatively with both Council and Police in the unlikely event that either decide that alcohol service should cease for any reason to ensure public safety. Examples may be due to a liquor license breach or an alcohol-related incident.

### TIMING

Manly Jazz takes place over the long weekend in October each year. The liquor license for the wine garden will operate from 11:00am to 6:30pm daily. At all other times the Alcohol Free Zone will operate as normal.

### FINANCIAL CONSIDERATIONS

All costs associated with the operation of the wine garden will be met by the wine garden operator.

All costs associated with Council's requirement to advertise the suspension of the Alcohol Free Zone are to be included in the subject event budget.

### SOCIAL CONSIDERATIONS

The consumption of alcohol will only be allowed within the approved wine garden site. The operator must provide sufficient security personnel to monitor anti-social behaviour and the responsible service of alcohol. Council will also engage User Pays police to further monitor the festival site.

### ENVIRONMENTAL CONSIDERATIONS

The selected Event Operator is required to adhere to Council policy regarding sustainable waste management practices for the disposal of all products associated with the service of alcohol.

### GOVERNANCE AND RISK CONSIDERATIONS

Council works closely with local licensing police to establish the parameters in which the operator selected can operate the wine garden during the agreed operating hours. The operator is required to submit a risk assessment for the wine garden and will at all times be subject to the authority of police and their liquor license in ensuring responsible service of alcohol.



<b>ITEM 9.4</b>	<b>AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEMBERSHIP</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER GOVERNANCE AND RISK</b>
<b>TRIM FILE REF</b>	<b>2018/501122</b>
<b>ATTACHMENTS</b>	<b>1 Evaluation Report - Audit, Risk and Improvement Committee - Expressions of Interest (Included In Confidential Attachments Booklet)</b>

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## REPORT

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### PURPOSE

To present to Council the recommendations of the panel following its assessment and evaluation of the Expressions of Interest for independent external membership of the Audit, Risk and Improvement Committee.

### REPORT

The Audit, Risk and Improvement Committee Charter approved by Council on 9 August 2016, and under which the current independent external members were appointed, states the following:

*The ARIC membership (voting) shall consist of:*

- *The four (4) Independent external members of the former Manly, Warringah and Pittwater Council's Audit and Risk Committees namely, Liezel Preller, Brian Hrnjak, Robert Dobbie and John Gordon.*

Terms were indicative that membership would continue until the new Council was elected, at which stage the composition would be assessed and a recommendation put forward. On 19 October 2017, the independent external members were invited by the Chief Executive Officer to continue in accordance with these terms for the duration of 2018. This was to facilitate the Committee's immediate future and its certainty while the new Councillor membership was being established and to allow for the effective review and endorsement of the 2017 financial statements by the Committee.

Following the resignation of Liezel Preller, independent external member, in February 2018, an Expression of Interest process was initiated to identify and appoint a suitably qualified independent external member to the Committee. A staggered rotation and replacement schedule was also endorsed for the Committee's independent external membership, as recommended in the Guidelines issued by the Chief Executive of the Office of Local Government pursuant to section 23A of the Local Government Act 1993.

In accordance with the Audit, Risk and Improvement Committee Charter, the independent external membership of the Committee is determined by resolution of Council. A suitable panel for the Expression of Interest assessment and evaluation process was endorsed by Council Resolution 179/18 at its Ordinary meeting on 26 June 2018.

### FINANCIAL CONSIDERATIONS

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

### ENVIRONMENTAL CONSIDERATIONS

The Audit, Risk and Improvement Committee membership has no environmental impacts.



**SOCIAL CONSIDERATIONS**

Council is accountable to the community for the delivery of the Community Strategic Plan, a key function of the Audit Risk and Improvement Committee is to promote good corporate governance, transparency and external accountability.

**GOVERNANCE AND RISK CONSIDERATIONS**

Membership of the Audit, Risk and Improvement Committee is in accordance with the Committee Charter, which is based on the Guidelines issued by the Chief Executive of the Office of Local Government pursuant to section 23A of the *Local Government Act 1993*.

Council recognises the importance of transparency in council decision making through open meetings. However, there are occasions where council is required to consider information which, by its nature, is confidential. The Local Government Act 1993 recognises that on such occasions, the public interest in protecting confidential information will outweigh the public interest in ensuring accountability through open meetings.

To allow this matter to be reported in open session, confidential information, including the recommendation, has been contained in a confidential attachment to this report. Should councillors wish to discuss the contents of the confidential attachment or make amendments to the recommendation, Council must resolve to close the meeting to the public. If councillors support the recommendation contained within the confidential attachment without debate the resolution may be announced.

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**RECOMMENDATION OF GENERAL MANAGER CUSTOMER AND CORPORATE**

That Council adopt the recommendation contained in the Confidential Attachment to this report- ARIC Expressions of Interest – Evaluation Report.

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<b>ITEM 9.5</b>	<b>POLICY REVIEW PROJECT - REVOKING OF POLICIES</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER GOVERNANCE AND RISK</b>
<b>TRIM FILE REF</b>	<b>2018/503450</b>
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1 <a href="#">📄</a> Child Protection Policy (Included In Attachments Booklet)</li> <li>2 <a href="#">📄</a> Children's Services Policy (Included In Attachments Booklet)</li> <li>3 <a href="#">📄</a> Election Campaigning - Federal, State and Local Government Elections (Included In Attachments Booklet)</li> <li>4 <a href="#">📄</a> Internal Reporting (Pittwater) (Included In Attachments Booklet)</li> <li>5 <a href="#">📄</a> Internal Reporting (Manly) (Included In Attachments Booklet)</li> <li>6 <a href="#">📄</a> Managing Difficult Behaviour - Customer Access Policy (Included In Attachments Booklet)</li> <li>7 <a href="#">📄</a> Public Interest Disclosures (Included In Attachments Booklet)</li> <li>8 <a href="#">📄</a> Stalls - Constituent Interviewing by Local Members (Included In Attachments Booklet)</li> </ol>

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## EXECUTIVE SUMMARY

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### PURPOSE

The purpose of this report is to seek approval to revoke eight policies.

### SUMMARY

The *Local Government (Council Amalgamations) Proclamation 2016* states that all of the policies of the three former councils (Manly, Pittwater and Warringah) are still in effect until Council adopts a new policy or the former policy is revoked. Since the amalgamation over 95 policies of the former councils have been revoked as they are no longer necessary in Council's policy environment or have been replaced by a new Northern Beaches Council policy on the subject.

This report proposes to revoke an additional eight policies that have been identified as no longer required.

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### RECOMMENDATION OF GENERAL MANAGER CUSTOMER AND CORPORATE

That Council revoke the following policies:

- A. Child Protection Policy (Manly)
- B. Children's Services Policy (Pittwater)
- C. Election Campaigning - Federal, State and Local Government Elections (Manly)
- D. Internal Reporting (Pittwater)
- E. Internal Reporting (Manly)
- F. Managing Difficult Behaviour - Customer Access Policy (Warringah)
- G. Public Interest Disclosures (Warringah)

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H. Stalls - Constituent Interviewing by Local Members (Manly)

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## 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 reestablish 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 23 policies, comprising of three brand new policies and 20 policies replacing those of the former councils, have been adopted by Northern Beaches Council. In addition, 95 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 eight policies for the following reasons:

Policy Name	Former Council	Reason for revoking
<b>Child Protection Policy</b>	Manly	These two policies have been superseded by the Children's Services Operational Policy which covers the Child Protection provisions in Part 8a.
<b>Children's Services Policy</b>	Pittwater	
<b>Election Campaigning - Federal, State and Local Government Elections</b>	Manly	The issue of canvassing in an election period and polling day's addressed by the relevant provisions in the following legislation, the Local Government NSW Regulations, the Parliamentary Electorates and Elections Act 1912 (NSW) and Commonwealth Electoral Act 1918 (Cth) therefore this policy is redundant.
<b>Internal Reporting</b>	Manly	The three former council policies on this subject can be revoked as a new Public Interest Disclosures Operational Policy has been adopted and is currently in effect.
<b>Internal Reporting</b>	Pittwater	
<b>Public Interest Disclosures</b>	Warringah	
<b>Managing Difficult Behaviour - Customer Access Policy</b>	Warringah	A new operational policy has been adopted that replaces the former Warringah policy. The Assisted Communications Program (Operational Policy) brings a customer-centred approach to interactions with challenging complainants through a dedicated channel of customer experience experts in order to restore relationships and build goodwill.

<b>Stalls - Constituent Interviewing by Local Members</b>	Manly	This policy was adopted in 1997 to cover the former Manly local government area only and therefore is not applicable to Members outside the applicable electorate jurisdictions. The current operational process for the booking of public open space is available to all of our community, including all local Members, to have a stall or similar in a reserve or a public space across the entire Northern Beaches local government area.
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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.

### **ENVIRONMENTAL CONSIDERATIONS**

The revoking of the identified policies will not have any significant environmental issues.

### **GOVERNANCE AND RISK CONSIDERATIONS**

Ensuring a robust, complete and up to date policy environment is key to the Council's governance framework. 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 guidance and the adoption of new/replacement policies.

<b>ITEM 9.6</b>	<b>COUNCILLOR EXPENSES AND FACILITIES POLICY - OUTCOMES FROM PUBLIC EXHIBITION</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER GOVERNANCE AND RISK</b>
<b>TRIM FILE REF</b>	<b>2018/513727</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">Councillor Expenses and Facilities Policy (Included In Attachments Booklet)</a></b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To report on the submissions received following the public exhibition and to seek adoption of the Councillor Expenses and Facilities Policy.

#### SUMMARY

Section 252(1) of the Local Government Act, 1993 (the Act) requires that all councils adopt a policy concerning the payment of expenses and provision of facilities to the mayor and councillors within the first 12 months of each term of a council. Section 253 of the Act requires the draft policy to be placed on public exhibition for 28 days.

The draft Councillor Expenses and Facilities Policy was placed on public exhibition following the resolution of Council (155/18) at the 26 June 2018 Council meeting. The draft policy was placed on public exhibition from 9 July 2018 to 5 August 2018. Two submissions were received from the community and the matters raised through the submissions have been reviewed. In addition minor changes have been included in the Councillor Expenses and Facilities Policy for the consideration of Council as highlighted in Attachment 1.

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#### RECOMMENDATION OF DEPUTY GENERAL MANAGER CUSTOMER AND CORPORATE

That:

- A. Council note the considerations arising from the submissions received following the exhibition of the draft Councillor Expenses and Facilities Policy
  - B. Council adopt the Councillor Expenses and Facilities Policy provided at Attachment 1.
-

## REPORT

### BACKGROUND

In accordance with section 252(1) of the Act, all councils must adopt a policy concerning the payment of expenses and the provision of facilities to the mayor and councillors within the first 12 months of each term of a council.

The draft Councillor Expenses and Facilities Policy (Attachment 1) was reviewed in line with the model template policy provided by the Department of Premier and Cabinet. In addition, a review of comparable councils within New South Wales, focusing on metro councils, was undertaken to inform the general standards of community expectations relating to councillor expenses and facilities.

### REPORT

Council considered the draft Councillor Expenses and Facilities Policy at the 26 June 2018 Council meeting, resolving to place the draft policy on public exhibition for a minimum period of 28 days. The draft policy was advertised on the Council's website, and in the Manly Daily local newspaper on 30 June 2018 and again on 28 July 2018. There were 62 visits to the *Your Say* website over the period.

Two submissions were received through the public exhibition process and a list of the considerations put forward through the submissions and the recommended Council responses is provided in the table below:

Key consideration	Recommended Council response
Positive support for draft policy as a fair and reasonable policy	This has been noted, and no further recommended changes have been introduced in response to the feedback received.
Suggestion that the amount of \$2,000 for childcare/ family member care expenses is not reflective of realistic costs and contradicts the principle of diversity of representation. Suggestion that Council substantially increase the allocation and undertake a review of the policy allocation to ensure alignment with Council's principles.	In relation to the allocation for childcare and/or family member care expenses, Council will monitor, track and identify expenditure trends within all areas of the policy and based on an analysis may raise relevant issues in regard to this provision within the next review of the policy.  It is recommended that this provision remain unaltered.
Suggestions made in regard to the mayor and councillors fees, relating to how the fee is determined and how it may be adopted and suggesting a method of advocacy in relation to councillor fees.	The payment of fees does not relate to the Councillor Expenses and Facilities Policy and may be considered by Council in conjunction with the determination of fees by Council as set annually by the Local Government Remuneration Tribunal in accordance with section 241 of the Local Government Act 1993.  It is recommended that the policy not be altered to include reference to fees for councillors.
Suggestion that fees for councillors should include superannuation and be reflective of true costs on the Northern Beaches.	The payment of fees does not relate to the Councillor Expenses and Facilities Policy and a method of advocacy relating to this issue may be considered by Council which is separate to the consideration of the reimbursement of expenses and provision of facilities.  It is recommended that the policy not be altered to include reference to fees for councillors.

Key consideration	Recommended Council response
Suggestion that fees for councillors be included within the Councillor Expenses and Facilities Policy and be pre-determined to a recommended level (eg maximum increase) for the Council to approve automatically.	<p>The fee range within which a council may pay each mayor and councillor is set by the Local Government Remuneration Tribunal in accordance with section 241 of the Local Government Act 1993 and reviewed annually. The Local Government Act requires that Council must adopt its fees to the Mayor and Councillors annually and therefore a policy position within the Councillor Expenses and Facilities Policy would not accord with the requirements of the Act.</p> <p>It is recommended that the policy not be altered to include reference to fees for councillors.</p>

### Change Implications

As outlined, the Councillor Expenses and Facilities Policy has been substantially based on the model template for the subject policy provided by the NSW Department of Premier and Cabinet. The basis for expenditure amounts is the current policy in effect and in reviewing the draft, there have been no substantial changes to the intent of the policy, the allocation of expenses, or the provision of facilities to councillors.

Some further minor administrative changes have been provided based on the further review of Council staff to provide clarity in determining the expense claim allowances. This includes some minor clarification to the ICT allocation to cover the need for expenditure which may relate to the download/re-download of applications (apps) for devices.

Changes to the draft Councillor Expenses and Facilities Policy following the exhibition have been included within the document at Attachment 1.

As required under the Councillor Expenses and Facilities Policy (within item 17 – Reporting of the Policy), reports on the provision of expenses and facilities to councillors will be provided to Council every six months and made available through Council's website.

### FINANCIAL CONSIDERATIONS

The expenses and facilities for councillors as outlined in the proposed draft policy are incorporated into the existing operational budgets for the 2018/19 financial year.

### SOCIAL CONSIDERATIONS

The proposed Councillor Expenses and Facilities Policy provides a framework for councillors to claim for expenses incurred and facilities required, enabling councillors to undertake their civic duties across the local government area.

### ENVIRONMENTAL CONSIDERATIONS

There are no environmental implications in regard to the Councillor Expenses and Facilities Policy.

### GOVERNANCE AND RISK CONSIDERATIONS

The review and exhibition of the proposed draft policy is required in order for Council to fulfil its statutory obligations under sections 252 and 253 of the Local Government Act, 1993.



<b>ITEM 9.7</b>	<b>MINUTES FROM THE STRATEGIC REFERENCE GROUP MEETINGS HELD MAY AND JUNE 2018</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER GOVERNANCE AND RISK</b>
<b>TRIM FILE REF</b>	<b>2018/518190</b>
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1 <a href="#">Transport and Travel SRG - Minutes 31 May 2018 (Included In Attachments Booklet)</a></li> <li>2 <a href="#">Transport and Travel SRG (Extraordinary) - Minutes 21 June 2018 (Included In Attachments Booklet)</a></li> <li>3 <a href="#">Partnerships and Participation SRG - Minutes 6 June 2018 (Included In Attachments Booklet)</a></li> <li>4 <a href="#">Places for People SRG - Minutes 7 June 2018 (Included In Attachments Booklet)</a></li> <li>5 <a href="#">Community &amp; Belonging SRG - Minutes 13 June 2018 (Included In Attachments Booklet)</a></li> <li>6 <a href="#">Economic &amp; Smart Communities SRG - Minutes 20 June 2018 (Included In Attachments Booklet)</a></li> <li>7 <a href="#">Environment SRG - Minutes 21 June 2018 (Included In Attachments Booklet)</a></li> </ol>

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## REPORT

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### PURPOSE

To report the minutes of the Strategic Reference Group meetings held in May and June 2018.

### REPORT

Strategic Reference Groups (SRGs) are aligned to the Community Strategic Plan (CSP) outcome areas. The purpose of each SRG is to consider and advise on projects aligned to their respective CSP goals and strategies. They contribute advice, feedback and other support to Council in relation to issues, initiatives and requirements as outlined in their respective Charters.

The SRG meetings provide a forum for informative discussion relating to their speciality areas and provide advice back to Council.

In accordance with the SRG Guidelines the draft minutes of the meetings are to be reported to Council and minutes for the following meetings are provided at Attachments 1 - 7:

Strategic Reference Group	Meeting Date
Transport & Travel	31 May 2018 21 June 2018 (Extraordinary)
Partnerships & Participation	6 June 2018
Places for People	7 June 2018
Community & Belonging	13 June 2018
Economic & Smart Communities	20 June 2018
Environment	21 June 2018

**FINANCIAL CONSIDERATIONS**

This report contains no financial considerations.

**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.

**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.

**GOVERNANCE AND RISK CONSIDERATIONS**

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

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**RECOMMENDATION OF GENERAL MANAGER CUSTOMER AND CORPORATE**

That Council note the minutes of the Strategic Reference Group meetings held in May and June 2018.

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<b>ITEM 9.8</b>	<b>LOCAL GOVERNMENT NSW CONFERENCE 2018</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER GOVERNANCE AND RISK</b>
<b>TRIM FILE REF</b>	<b>2018/522220</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Local Government NSW Annual Conference Program - 2018</b>

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## REPORT

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### PURPOSE

To determine Councillor attendance at the Local Government NSW (LGNSW) Annual Conference, 2018 being held in Albury from 21 to 23 October 2018.

### REPORT

This conference is the annual policy-making event for NSW general-purpose councils, associate members and the NSW Aboriginal Land Council. It is the pre-eminent event of the local government year where local councillors come together to share ideas and debate issues that shape the way local government is governed.

Council is required to provide to the LGNSW the names of delegates who will be attending and of their relevant voting entitlements. The Association's Rules require the development of two rolls of voters, one for voting on policy motions, and a separate roll of voters for voting in the elections for the Association's Office Bearers and Board.

All members can put forward motions to be considered at the Conference. Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. Before Councillors consider putting forward motions, it is recommended by LGNSW to review the Action Reports from previous conferences before submitting motions for the 2018 Conference. Council is asked to submit motions no later than 7 September 2018, a separate advice on this will be provided to Councillors.

The LGNSW has advised that Northern Beaches Council may send a total of 11 delegates that can vote on policy motions.

The full Conference Business Paper is expected to be available on the LGNSW website and forwarded to members approximately one week prior to the Conference.

### TIMING

The Local Government NSW Conference 2018 will be held from 21 to 23 October 2018.

### FINANCIAL CONSIDERATIONS

Funds are available in the 2018/2019 budget for Councillor attendance at the conference. The cost of the attendance per person is expected to be approximately \$2305.

This includes:

Registration fee (early bird)	\$840
Conference Dinner (optional)	\$110
ALGWA Breakfast (optional)	\$55
Travel (airfares and transfers) approx	\$700
Accommodation (3 nights) approx	\$400

Out-of-pocket expenses (including some meals)	\$200
<b>Total</b>	<b>\$2305</b>

**ENVIRONMENTAL CONSIDERATIONS**

There are no significant environmental considerations relating to this report.

**SOCIAL CONSIDERATIONS**

There is benefit in Northern Beaches Councillors interacting with both other metropolitan and rural councils to share and gain knowledge of trends and ideas across the beaches sector.

**GOVERNANCE AND RISK CONSIDERATIONS**

There are no significant governance or risk considerations relating to this report.

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**RECOMMENDATION OF GENERAL MANAGER CUSTOMER AND CORPORATE**

That:

- A. Council nominates up to 11 Councillors to attend the Local Government NSW Annual Conference in Albury, to be held from 21 to 23 October 2018.
  - B. Council nominates up to 11 voting delegates (for Motions) as advised by Local Government NSW and in accordance with the Association's Rules.
-



2018

LGNSW  
ANNUAL  
CONFERENCE  
ALBURY  
21-23 OCTOBER

Elite Sponsor



[LGNSW.ORG.AU](http://LGNSW.ORG.AU)

# WELCOME TO THE LGNSW ANNUAL CONFERENCE 2018

LGNSW ANNUAL  
CONFERENCE  
REGISTRATION 2018

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## Welcome from the President

Cr Linda Scott

I look forward to welcoming you to the 2018 LGNSW Annual Conference in Albury.

Once again, we will gather to discuss issues of importance to the communities we serve. We will debate and discuss advocacy priorities for the year ahead.

LGNSW represents all 128 councils in NSW and is the state's peak local government body. The decisions made at conference are the foundation of our ongoing advocacy efforts.

Whether you are from a city, regional or rural council, a mayor, councillor or a senior member of staff, I know you will also value the opportunity this conference provides to meet with, and learn from, other people with similar roles and challenges.

We will hear from the Premier of NSW, as well as the federal and state ministers and shadow ministers for local government. An expert panel will also discuss the theme of 'smart places' and associated innovation, ideas, technology, data and research.

Concurrent sessions will cover: case studies of AR Bluet Award winning councils in 2016 and 2017; legal responsibilities for elected members; and developing capabilities for elected members.

The conference will also feature a significant trade exhibition showcasing the latest products and services available to the sector.

This year's annual conference is not to be missed. I look forward to seeing you in Albury later this year.



## Welcome to Albury

Cr Kevin Mack, Mayor of Albury

Welcome to delegates attending the 2018 LGNSW Conference. As a renowned leader of regional councils in NSW, Albury City is proud to welcome our rural, regional and metropolitan colleagues to enjoy our vibrant, relaxed, clean, friendly city.

We know you will enjoy the hospitality of the Albury Entertainment Centre situated in the heart of our cultural precinct. Please take the opportunity to explore the area with a visit to the Art Museum (MAMA) and the LibraryMuseum during your stay. The welcome function on the banks of the Murray will be another highlight – we are about to embark on an exciting \$10 million river re-development project which will be a breathtaking addition to our community and visitor experiences. We are extremely proud that Albury continues to grow and evolve as a jewel in the crown of both southern NSW and regional Australia.

This year's conference will, I'm sure, highlight issues and challenges faced by all local government bodies and it's hoped we can come away with positive strategies and key learnings that make a real difference in our communities.

I wish you all an enjoyable stay in Albury and a successful 2018 conference.



## CONFERENCE VENUE

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### Albury Entertainment Centre

The conference will take place at the Albury Entertainment Centre (AEC) complex in the heart of the CBD. The Square is flanked by the Library/Museum, Murray Art Museum Albury (MAMA), historic St Matthews Church and other civic buildings. The Theatre Auditorium will be the venue for the plenary sessions.

The trade exhibition will be in the Convention Centre Ground Floor Auditorium in the adjoining building. The Albury Entertainment Centre is within walking distance of all CBD accommodation, and free all day parking adjacent to the venue is available for delegates.



If you are tweeting about the LGNSW Annual Conference, please use the hashtag #lgnsw2018



### Conference Overview

Full program details will be published on The LGNSW website, [www.lgnsw.org.au](http://www.lgnsw.org.au)

EVENT	LOCATION
<b>Sunday 21 October</b>	
Trade Exhibition Setup	Convention Centre Ground Floor Auditorium
Delegate Registration	Convention Centre Foyer
Councillor Workshop Session 1	Convention Centre Theatre Level 1
Councillor Workshop Session 2	Retro Lane Café, QEII Square, 525 Swift Street
President's Opening Reception	Noreuil Park, 48 Noreuil Parade (this is an outdoor event)
<b>Monday 22 October</b>	
Trade Exhibition	Convention Centre Ground Floor Auditorium
Business Session Plenary	Theatre Auditorium
Delegates Networking Function	Convention Centre Ground Floor Auditorium
Conference Gala Dinner	Marquee QEII Square (onsite)
<b>Tuesday 23 October</b>	
ALGWA Breakfast	Retro Lane Café, QEII Square, 525 Swift Street
Trade Exhibition	Convention Centre Ground Floor Auditorium
Business Session Plenary	The Theatre Auditorium
General Managers' Lunch Briefing	Retro Lane Café, QEII Square, 525 Swift Street
Delegates' Networking Function	Convention Centre Ground Floor Auditorium

# REGISTRATION

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### Registration to Attend the Conference

Registrations open in mid-July on the LGNSW website. We invite councillors, mayors, general managers and senior staff to register as individuals or groups.

**Early bird registration rate is \$840 and applies if you register and pay by 17 September 2018**

**Standard registration rate is \$940 for all registrations from 18 September – 9 October 2018**

**Dinner is not included in the overall registration cost this year and is an optional added cost of \$110.** This change follows member feedback. You will be able to select this as part of your online registration.

Members wanting to take advantage of the early bird rates, who are uncertain of the names of councillors attending can still register and pay now, and confirm names later, provided they do so by 9 October. (Delegates names and alterations to delegates names can be completed online.)

**Note:** Voting delegates must be registered to attend the Conference and also be registered as a voting delegate.

### Registration as a Voting Delegate

Separate from Conference registration, financial members must nominate the names of their voting delegates for voting on motions:

For all information relating to voting entitlements, nominations and dates, please refer to the LGNSW website.

### Register Online at [lgnsw.org.au](http://lgnsw.org.au)

Online registration is conducted through a secure site which accepts credit cards (Visa or Mastercard with a 0.9% surcharge), cheque and direct deposit payments.

Once you have registered, you will receive a confirmation email and a tax invoice. Your registration will be confirmed once full payment is received.

### Delegate Registration Fees

Registration at the event is open from 1.00pm – 4.30pm in the foyer of the Albury Convention Centre on Sunday 21 October. Registration will move to the President's Opening Reception at Noreuil Park from 5.30pm – 7.30pm. On Monday 22 and Tuesday 23 October, registration will take place in the foyer of the Albury Convention Centre.

Delegate registration fees include business papers, the President's Opening Reception, two-day business sessions including morning and afternoon tea, lunch, delegate networking functions, name badge and a satchel. The cost to attend the conference is heavily subsidised by LGNSW and sponsors.

### Optional Events

- Councillor training sessions incur a fee of \$44 and are part of the online registration optional events.
- The ALGWA breakfast is not part of the conference registration fee and is priced separately at \$55.
- Sightseeing tours of Albury are available for partners of delegates attending the conference. Register online.

- The conference dinner is optional this year (\$110).
- A special interest session for general managers only is offered free of charge on Monday 22 October. Register online.

The conference fee does not cover accommodation or partner attendance. Partners wishing to attend social functions need to book and pay online.

### Sponsor Registration Fees

Each sponsorship level includes a certain number of registrations. If sponsors wish to register additional staff, we have a special rate per person which includes the President's Opening Reception only. Tickets must be purchased separately for the dinner. All sponsors (whether included in your package or extra) must register attendance via the online registration portal.

### Registration fees (inclusive of GST)

DELEGATES	FEES
Early Bird Registration (paid by 17 September 2018)*	\$840
Standard Registration (paid by 9 October 2018)*	\$940
Conference Dinner Ticket (optional)	\$110
Non-member Early Bird Registration (paid by 17 September 2018)	\$1680
Non-member Standard Registration (paid by 9 October 2018)	\$1880
Non-member Conference Dinner Ticket	\$220
Sponsors Extra Staff Registration (paid by 9 October 2018)	\$495
PARTNERS AND EXTRA GUESTS	
President's Opening Reception	\$88
Conference Dinner Ticket	\$110
Training Sessions (see draft program on website)	\$44
ALGWA Breakfast	\$55

\* excludes dinner

### Speakers and Special Guests

If you are an invited guest or part of the conference program and would like to attend in full or for a part of the conference program, please email the LGNSW events team directly at [events@lgnsw.org.au](mailto:events@lgnsw.org.au).

### Confirmation, Cancellation Policy and Enquiries

Should you be unable to attend, once registered, a substitute delegate is welcome to attend in your place at no additional charge. All cancellations and amendments must be advised in writing to the Conference Secretariat, Bradley Hayden at [Bradley@ccem.com.au](mailto:Bradley@ccem.com.au). Cancellations made by 5.00pm Tuesday 9 October 2018 will be eligible for a full refund less a \$110 administration fee per registration. Cancellations made after 5.00pm on this date are not refundable.



# REGISTRATION

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## Special Requirements

If you have any special dietary requirements, access or impairment issues, please ensure you complete the appropriate section of the online registration form. Every effort is made to ensure catering is varied, nutritional and inclusive of differing tastes.

## Privacy

LGNSW is the organiser of the Local Government NSW Annual Conference 2018 and is bound by and committed to supporting the principles set out in the *Privacy and Personal Information Act 1998* and the Australian Privacy Principles. LGNSW will collect and store the information you provide in the registration process for the purpose of enabling us to register your attendance. With your permission, LGNSW may disclose some of the information whereby it is reasonably expected that such purpose be related to the offer, provision and improvement of conferences and services.

## Delegate Contact Details

Please note that a nametag scanning facility will be available on site for sponsors and exhibitors to scan delegates' nametags, with their agreement, resulting in delegate contact details going straight to the sponsor or exhibitor. By registering for the conference you are deemed to have acknowledged and accepted this process.

## Photography

There will be a photographer at the conference who will take pictures during the sessions and social functions. If you have your picture taken it is assumed that you consent to LGNSW using images. Images may be used for print and electronic publications.

## Liability for your Registration

In the event of unforeseen circumstances, LGNSW and the Conference Secretariat do not accept responsibility or liability for the loss of expenses incurred by delay, cancellation, or miscommunication. By completing and submitting the online registration form, you are deemed to have read and accepted the cancellation and privacy information.

## Contact

The Conference Secretariat, Bradley Hayden, is your contact for:

- Sponsorship enquiries, bookings and the trade exhibition
- Registration and function enquiries for delegates, sponsors and partners including payments and inclusions

Email [bradley@ccem.com.au](mailto:bradley@ccem.com.au)  
Phone 0412 461 392  
Address PO Box 5013, Albury NSW 2640

LGNSW manages arrangements for delegates, observers and partners attending this year's conference in relation to:

- Business Papers and Conference material
- Applications for Service Awards (to be presented as part of the Conference Gala Dinner)
- All general enquiries regarding the business program

Email [events@lgnsw.org.au](mailto:events@lgnsw.org.au)  
Phone 02 9242 4000  
Address GPO Box 7003, Sydney NSW 2001

## Voting at the Conference on Motions

If you are a voting representative for your council, you **MUST** be in the main auditorium on Monday 22 October so that a quorum can be achieved.

Voting at the conference will be by electronic handsets and a delegate plastic voting card will be distributed at registration. The plastic voting card must be returned at the end of the voting day or a fee of \$100 per card will be invoiced. Electronic handsets will be distributed at accessible points to the main theatre auditorium. A demonstration of the cards and electronic handsets will be given prior to business motion voting. This year, lanyards will also identify those who are voting delegates.

### Contact LGNSW regarding:

- Voting delegate entitlements
- The 2018 Annual Conference dates and deadlines

For information relating to council voting entitlements, please contact Adam Dansie on 02 9242 4140. For details regarding your voting entitlements or how to change your voting delegate's name, please refer to the LGNSW website.

A reminder that registration as a voting delegate is a **separate process** to conference registration.

## Business Papers

Member councils will receive a printed copy, for each voting delegate, of the Business Paper one week before the conference. Papers will also be available to download from LGNSW's website at this time. Councils may also view the Record of Decisions from the 2017 Conference on LGNSW's website.

## Condition of Entry

It is a condition of entry that no delegate may disrupt the order of events or intent of the program. Anyone considered to be disturbing the program intent will be asked to leave. Only pamphlets and brochures approved by the event organisers may be distributed.

# BUSINESS PROGRAM

LGNSW ANNUAL  
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## Local Government NSW Annual Conference 2018

A copy of the full draft program is available at [www.lgnsw.org.au](http://www.lgnsw.org.au)

### Abridged version of the Program as at July 2018

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#### SUNDAY 21 OCTOBER

2.00pm – 4.00pm	Two optional concurrent councillor workshop/information sessions. <b>Workshop 1</b> – AR Bluett Award winning councils in 2016 and 2017, a special presentation in Albury Convention Centre theatre, Level 1
2.00pm – 3.00pm	<b>Workshop 2a</b> – Elected Members: Update on Legal Responsibilities, Retro Lane Café, QEII Square, 525 Swift Street
3.00pm – 4.00pm	<b>Workshop 2b</b> – Elected Members: Developing Capabilities, Retro Lane Café, QEII Square, 525 Swift Street
5.30pm – 7.30pm	President's Opening Reception at Noreuil Park

#### MONDAY 22 OCTOBER

9.15am – 9.45am	Address from the Hon Gladys Berijikian MP, Premier of New South Wales
9.45am – 11.00am	Address from Cr Linda Scott, LGNSW President Opening of the Federal and State Conference, chaired by Cr Linda Scott including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members
11.30am – 4.00pm	Business session and consideration of motions
4.00pm – 4.30pm	Address from the Hon Gabrielle Upton MP, Minister for Local Government
4.30pm – 6.00pm	Delegate Networking Function
7.30pm – 11.00pm	Conference Dinner on-site Marquee QEII Square Presentation of Awards

#### TUESDAY 23 OCTOBER

7.30am – 8.45am	Australian Local Government Women's Association (ALGWA NSW) Breakfast
9.00am – 9.05am	Introduction by Ellen Fanning, Master of Ceremonies
9.05am – 9.30am	Address from the Hon Dr John McVeigh MP (Invited)
9.35am – 10.00am	Address from Mr Stephen Jones MP, Federal Shadow Minister for Local Government
10.05am – 10.30am	Association Business and Treasurer's Report
11.10am – 12.40pm	Smart Places: three presentations exploring the relevance and opportunities for all councils in a newly developing area involving innovation, ideas, technology, data, research and adaptation
1.30pm – 2.00pm	Address from the Hon Rob Stokes MP, Minister for Education (invited)
2.05pm – 2.35pm	Address to be advised
2.40pm – 3.10pm	Address from the Hon Peter Primrose MLC, Shadow Minister for Local Government
3.10pm – 4.00pm	Keynote Address: Stephen Bradbury
4.00pm – 4.30pm	Afternoon tea and networking

A copy of the full draft program is available at [www.lgnsw.org.au](http://www.lgnsw.org.au)





## SOCIAL PROGRAM

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### President's Opening Reception

Sponsored by the NSW Department of Planning and Environment



Planning &  
Environment

Sunday 21 October, 5.30pm – 7.30pm

Noreuil Park Foreshore – Noreuil Parade Albury  
(off Wodonga Place)

Dress code: smart casual for outside evening event on grass. Flat shoes recommended.

Join special guests, fellow councillors, the LGNSW Board, general managers, sponsors and speakers for an official welcome and an informal cocktail reception at the iconic Noreuil Park foreshore on the banks of the Murray River. Enjoy the many talents of singer Miss Kitty and the Memphis Trio featuring Albury General Manager Frank Zaknich on drums. The rockabilly trio formed in July 2016 and have hit the ground running with bookings as far ahead as 2020.

Guests will also be treated to daring feats performed by Albury's world-renowned Flying Fruit Fly Circus. See ordinary kids doing extraordinary things! The Flying Fruit Fly Circus is dedicated to advancing and innovating the art form of circus. They are one of the world's leading youth arts companies, both a celebrated producer of contemporary circus-based theatre for young people and a national centre of arts training excellence.

Transfer buses leave AEC from Swift Street from 5.15pm and will loop back to Dean Street at 7.30pm for those wishing to dine locally. A list of available restaurants is on the website and it is strongly suggested you book to secure a table.

### A Night on the Green Conference Dinner

Sponsored by StateCover Mutual Limited



Monday 22 October, doors open at 7.30pm

Marquee QE11 Square

Dress Code: after five

Cost \$110

Allocated seating required: register as part of the conference registration process. If you require a dinner transfer from selected hotels, please book online in the registration.

Join us on the green of QE11 Square, under the stars, for a tasteful gala dinner, brought to you with the assistance of Elite Sponsor StateCover.

Be entertained by the unmissable concert from Johnny to Jack. Twenty years before Whispering Jack became the highest selling album in Australian history, a teenager named Johnny Farnham stormed onto the Australian music scene with the unconventional smash hit Sadie (The Cleaning Lady). From Johnny to Jack is the incredible rollercoaster journey of a teen pop idol's rise and fall, and the making of a rock and roll icon who would become known as 'The Voice'.

Australian vocal superstar Luke Kennedy (The Voice, The Ten Tenors, Swing On This) and his world-class band will take you on a musical odyssey featuring songs from Farnham's sensational back catalogue.

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Noreuil Park Foreshore

## GENERAL INFORMATION

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### ALGWA Breakfast



Tuesday 23 October, 7.15am for 7.30am start – 8.45am  
Retro Lane Café, QEll Square, 525 Swift Street  
Register as part of the conference registration process  
Cost \$55

Special Guest Speaker Sarah Garnett,  
Founder of The Benjamin Andrew Footpath Library

Sarah Garnett is a corporate communications producer and founder of The Benjamin Andrew Footpath Library, a charity which grew from her passion for human diversity and the desire to change attitudes towards homelessness. The Footpath Library gives away thousands of books each month to homeless and disadvantaged people across Sydney, Melbourne, Brisbane and Perth. There is no other library like it anywhere in the world. The free, mobile library collaborates with other community-based providers including Orange Sky Laundry and Vinnies Night Patrol, making it a truly unique service.

### Partner's Optional Activities

#### Albury City Tour

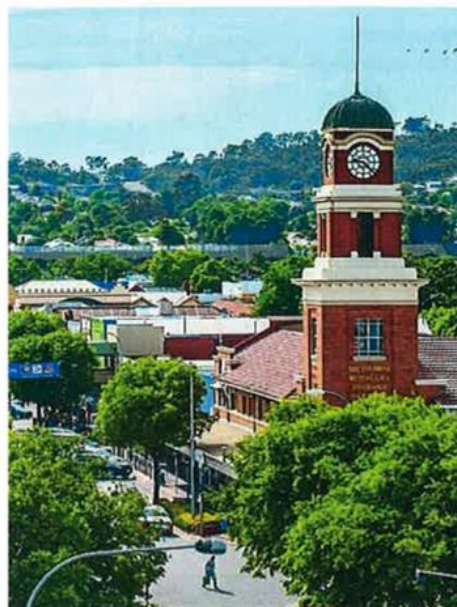
Sunday 21 October, 10.00am – 12 noon

Departs and returns to Albury Entertainment Centre

Cost \$20 per person

Enjoy a guided coach tour of the beautiful city of Albury including the Murray River precinct, the WWI Monument and the grand architecture of Dean Street, the Albury Railway Station and other local highlights of historic and contemporary significance.

Minimum numbers apply for tour (maximum 48).



Albury City

## AWARDS

### Service Awards and the AR Bluett Awards



Outstanding Service and Emeritus Mayor Awards will be presented during the conference dinner to those who have given outstanding service to local government. To enable the processing of awards, councils are asked to advise LGNSW whether or not nominees for the award will be attending the conference and purchasing tickets. The deadline for applications for awards to be presented at the conference is Monday 27 August 2018.

A letter confirming the presentation will be sent to your general manager. If you do not receive confirmation by Monday 10 September, please contact Karen Rolls at LGNSW on 02 9242 4050.

The online nomination form can be found on [LGNSW's website](#).

The AR Bluett Memorial Trustees will also present the prestigious AR Bluett Awards during the dinner program to two councils that have been recognised as the most progressive in NSW in 2017/18.



### Yindymarra Sculpture Walk and Wonga Wetlands

Monday 22 October, 9.30am – 1.00pm

Departs and returns to Albury Entertainment Centre

Cost \$45 per person including lunch

Take in the beauty of the majestic Murray River when you walk the Yindymarra Sculpture Trail. You will be guided by an expert in Wiradjuri culture highlighting some of the magnificent river related sculptures as you wind your way between river and wetlands. Discover Wonga Wetlands, a peaceful ecosystem of lagoons and billabongs, home to variety of wildlife and ancient river red gums. Enjoy a BBQ lunch, a presentation and walk around the wetlands before returning to central Albury.

Minimum numbers apply for tour (maximum 48). Please note any special dietary requirements in the online registration. Walking shoes recommended.



Yindymarra Sculpture Walk

### Corowa full day tour

Monday 22 October, 9.30am – 3.30pm

Departs and returns to Albury Entertainment Centre

Cost \$50 per person (lunch additional)

On the way to the riverside town of Corowa, enjoy a stop off at Wrenwood Gallery and Farm Shop to take in the variety of artworks, farm and home produce. On arrival to Corowa, experience the delicious treats at the Corowa Chocolate and Whisky Factory, purchase your own lunch here, and enjoy a factory tour and chocolate tasting. After lunch, visit the Federation Museum and learn about the birthplace of Federation before returning to central Albury.

Minimum numbers apply for tour (maximum 48). Please note any special dietary requirements in the online registration.

### Accommodation

In line with our sustainability principles, and due to the fact that Albury has a great deal of accommodation within walking distance of the main venue, daily transfers will not be provided. LGNSW encourages delegates to take advantage of the CBD options. To book accommodation, see [Visit Albury Wodonga](#).

Free all day parking is available at the Wilson Street car park across from the conference venue.

### Child Care Arrangements

If delegates require childcare facilities in order to attend the conference or social programs, contact the Albury Visitor Information Centre on 1300 252 879 or visit [info@visitalburywodonga.com](mailto:info@visitalburywodonga.com) to connect with local providers.

### Environmental Sustainability Commitment

LGNSW is committed to ensuring the LGNSW Annual Conference 2018 is organised and conducted in a sustainable manner to reduce the impact on the planet. The event will adhere to LGNSW Principles and Guidelines for Event Sustainability.

### Sponsorships and Partnerships

If you are interested in sponsoring the conference, giving support or taking part in our trade display, please contact the Conference Secretariat, Bradley Hayden, Countrywide Conference and Event Management at [bradley@cceem.com.au](mailto:bradley@cceem.com.au).



## SPONSORS

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### Valued Sponsors



## 10.0 ENVIRONMENT AND INFRASTRUCTURE DIVISION REPORTS

ITEM 10.1	APPLICATION FOR EASEMENTS OVER COUNCIL DRAINAGE RESERVE - OAKS AVENUE, DEE WHY (LOT 2 DP 587690)
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2018/311535
ATTACHMENTS	1 <a href="#">Plan - Proposed Easements Over Council Drainage Reserve - Oaks Avenue, Dee Why NSW Lot 2 DP 587690</a>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To consider a request for three separate easements over the same area on a Council drainage reserve located at Oaks Avenue, Dee Why (Lot 2 DP 587690) (Operational Land component) by the adjacent property owner.

#### SUMMARY

The owner of 884-896 Pittwater Road, Dee Why (the applicant) has development consent (DA2016/0705) for the construction of a mixed use development comprising retail, commercial, residential uses and a childcare centre. The construction of this development is now substantially complete.

The approved development incorporates residential units with windows and fire stair egress that abut the eastern boundary of 884-896 Pittwater Road, Dee Why and includes some minor window architrave encroachments into the airspace of the adjacent Council drainage reserve (Lot 2 DP 587690) (Operational Land component).

Consequently, the applicant has now applied for three easements in the same location over the adjoining Council drainage reserve (Lot 2 DP 587690) (Operational Land component) to enable final certification of the development (including compliance with certain conditions of the Building Code of Australia) as the applicant believes it is unable to alter the development due to the substantial completion of construction.

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### RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council authorises, subject to Item C of this recommendation, the Chief Executive Officer to negotiate appropriate size, terms and conditions for the proposed easements and associated Positive Covenant(s) referred to in this Council report, over Council's Drainage Reserve Lot 2 DP 587690, in favour of the owner of 884-896 Pittwater Road, Dee Why.
  - B. Council authorises the carrying out of all things necessary to give effect to this resolution including the execution of any required documentation under power of attorney.
  - C. Council authorises all costs associated with the granting of the proposed easements and associated Positive Covenant(s) as referred to in Item A of this recommendation, including but not limited to, Council's legal costs, GST if applicable, survey costs and document registration, be funded by the applicant.
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## REPORT

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### BACKGROUND

The owner of 884-896 Pittwater Road, Dee Why (the applicant) has development consent (DA2016/0705) for the construction of a mixed use development comprising retail, commercial, residential uses and a childcare centre. The construction of this development is now substantially complete.

As the development incorporates residential units with windows and fire stair egress that abut the eastern boundary of 884-896 Pittwater Road, Dee Why and includes some minor window architrave encroachments into the airspace of the adjacent Council drainage reserve (Lot 2 DP 587690) (Operational Land component), the applicant has requested the following three easements over the same area on the adjoining Council Drainage Reserve (Lot 2 DP 587690) (Operational Land component):

1. Proposed easement for emergency egress 3 metres wide and approximately 53 metres in length (limited in Stratum) (to allow the applicant to use the Council land as a passageway to a public road for compliance with the Building Code of Australia (BCA)).
2. Proposed easement for light, air and maintenance 3 metres wide and approximately 53 metres in length (limited in Stratum).
3. Proposed easement for overhang 0.5 metres wide and approximately 53 metres in length (limited in Stratum) to formalize the existing minor encroachments of the window architraves and window openings into the airspace of the adjacent Council drainage reserve (Lot 2 DP 587690) (Operational Land component).

The applicant believes the requested easements are required to obtain final certification of the development as it is unable to alter the development due to the substantial completion of construction.

### Comments from relevant Council Departments

Council's Strategic and Place Planning Group, Natural Environment and Climate Change Group, Capital Projects Group and Parks and Recreation Group have all raised some concerns about the requested easements as they may compromise the future use and maintenance of the subject Council Drainage Reserve.

Therefore, it is recommended that the proposed easements only proceed with appropriate terms and conditions on size, location, use, limitations and indemnities etc. to be incorporated into a registered easement plan and associated Positive Covenant(s) registered on the adjoining private property (Strata Plan) to limit the impact of the easements on Council's land.

### FINANCIAL CONSIDERATIONS

The compensation amount for the three proposed easements has been valued by an independent qualified valuer at \$22,000 (excluding GST). However, in accordance with Council's adopted Fees and Charges 2017/18 a minimum compensation fee to Council of \$10,200.00 plus GST per easement applies. Therefore, a minimum compensation charge of \$30,600.00 plus GST would be applicable for the three proposed easements.

### SOCIAL CONSIDERATIONS

The conditions around the easements will consider Council's intent to host market events in this location from time to time.



**ENVIRONMENTAL CONSIDERATIONS**

None anticipated at this time.

**GOVERNANCE AND RISK CONSIDERATIONS**

None anticipated at this time.



<b>ITEM 10.2</b>	<b>DRAFT MOVE – NORTHERN BEACHES TRANSPORT STRATEGY</b>
<b>REPORTING MANAGER</b>	<b>ACTING EXECUTIVE MANAGER TRANSPORT &amp; CIVIL INFRASTRUCTURE</b>
<b>TRIM FILE REF</b>	<b>2018/406816</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">📄</a> Draft Transport Strategy (Included In Attachments Booklet)</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

To seek Council endorsement to release the draft MOVE – Northern Beaches Transport Strategy for public exhibition.

### SUMMARY

Traffic and road congestion continue to be a major issue for the Northern Beaches community. In response to Mayoral Minute 02/2017, Council released the Transport Strategy Discussion Paper in April 2018 to seek feedback on the community's aspirations, priorities and vision for how moving around, to and from the Northern Beaches will be achieved in the next 20 years. Council received over 2000 submissions from an extensive community engagement program that also included consulting with local Members of Parliament, key State Government agencies and departments, advocacy groups and community groups.

The feedback received from this process was used by Council in collaboration with the Transport and Traffic Strategic Reference Group to produce the draft MOVE - Northern Beaches Transport Strategy. The future of transport on the Northern Beaches is encapsulated by the vision to “enable freedom of movement to, from and within the Northern Beaches using a safe, smart, efficient, integrated and sustainable transport network”.

This vision will be realised through the focusing on clear directions under each of the following themes:

- Accessible and Liveable Place
- Active Travel
- Public Transport
- Efficient Road Network
- Smart Parking Management.

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### RECOMMENDATION OF ACTING GENERAL MANAGER ENVIRONMENT AND INFRASTRUCTURE

That:

- A. Council endorse the public exhibition of the draft MOVE – Northern Beaches Transport Strategy for a period of 28 days.
  - B. The outcomes of the public exhibition be presented to Council following the conclusion of the exhibition period.
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## REPORT

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### BACKGROUND

A well-functioning transport network is vital to the Northern Beaches' future. Being able to safely and efficiently move people and goods supports the liveability and economy of the Northern Beaches.

Mayoral Minute 02/2017 called for the development of the Northern Beaches Transport Strategy with particular emphasis on creating better east west linkages to key employment centres outside the Sydney central business district.

In response Council developed a transport discussion paper to facilitate a conversation with our community. The discussion paper was released for community engagement between Saturday 14 April and Sunday 13 May 2018. The community engagement period generated 2000 responses from the community received through Your Say Northern Beaches and written correspondence. Council also conducted a number of information sessions where the community could directly engage with transport experts and strategic planners. Council also directly engaged with local Members of Parliament, key State Government agencies and departments, advocacy groups and community groups. It was clear from the feedback that a demand for better public transport and more active transport options is shared throughout our community.

In collaboration with the Transport and Traffic Strategic Reference Group Council has responded to this feedback with the draft MOVE - Northern Beaches Transport Strategy. This Strategy provides the framework for the delivery of our future transport network over the next 20 years. The strategy aims to change how we move around on the Northern Beaches and how we travel to other areas in Sydney, so that we can be less reliant on cars and use a more accessible, frequent and better public transport service. It also looks at how we can support active transport into the future, how we manage parking and the road network, as well as how we integrate transport with our new and existing precincts, towns and villages.

The vision espoused by the Strategy is to:

*“enable freedom of movement to, from and within the Northern Beaches using a safe, smart, efficient, integrated and sustainable transport network”.*

This vision will be achieved through focusing on over 30 key directions which support the following themes:

- Accessible and Liveable Place
- Active Travel
- Public Transport
- Efficient Road Network
- Smart Parking Management.

The Strategy sets ambitious targets for the Northern Beaches by 2038:

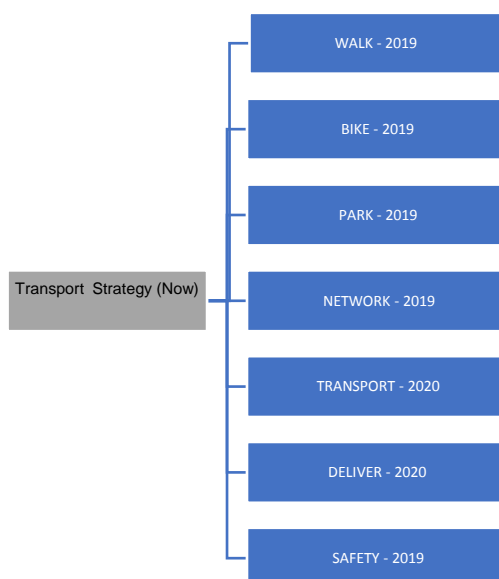
- A quarter of all trips by public transport
- Double the active travel trips; especially for households, commuters and school students
- Thirty percent reduction in trips by cars
- Thirty percent reduction in Carbon emissions from transport

- Towards zero deaths on our roads.

The themes and priority directions proposed to achieve these targets in the Draft Strategy are outlined below.

Themes	Priority Directions
<b>Accessible and Liveable Places</b>	Create and enhance “Places for People” that are integrated with public transport, creating vibrant, connected places with wide footpaths, safe cycling options, and where the car is not the first option
<b>Active Travel</b>	<p>Prioritise smart, active travel network improvements through technology, end of trip facilities, and way-finding signage.</p> <p>Expanding the footpath and shared path networks to improve connectivity and safety that make walking and cycling attractive alternatives to the car, providing a safe environment for all users</p>
<b>Public Transport</b>	<p>Partner with the NSW Government to implement a Bus Rapid Transit service by 2020 between Dee Why, Frenchs Forest, and Chatswood; followed by services between Mona Vale and Macquarie Park</p> <p>Plan for a rapid transit service on the Northern Beaches in the longer term</p>
<b>Efficient Road Network</b>	Support the delivery of the Beaches Link Tunnel subject to the inclusion of public transport and minimising impacts on local residents
<b>Smart Parking Management</b>	Develop local parking management plans for town and village centres

It is planned the Strategy will be implemented through specific actions contained in the following program of Action Plans that will commence development immediately after the adoption of the Transport Strategy:



## CONSULTATION

Council is planning on conducting a wide ranging and multi streamed engagement program to seek community feedback on the vision for transport across the Northern Beaches. Council is seeking to seek feedback from as a wide a demographic and number of people as possible through avenues such as a strong social media campaign, reaching out to everyone who contributed to the discussion paper, advertising on print and web based media, notifying through the Community Engagement Register, pop up information stalls at popular community events and markets.

Council will also hold four formal drop-in sessions where our transport and planning experts will be available to discuss the strategy, how we will deliver the outcome, and what it will look like and change the way we connect locally and regionally by 2038. The drop-in sessions will be held as follows:

- Manly – Market Lane information drop in
  - Tuesday 4 September 9.30am – 11.30am
- Library information drop in – Mona Vale (foyer)
  - Saturday 8 September 9.30am – 11.30am
- Customer Service information drop in – Dee Why
  - Wednesday 12 September 9.30am – 11.30am
- Library information drop in – Glen Street
  - Saturday 15 September 9.30am – 11.30am
- Collaroy Surf Club drop in Southern car park
  - Saturday 22 September 9.30am – 11.30am

Council will also seek feedback on the response from the community from the Transport and Traffic Strategic Reference Group and the Northern Beaches Council Traffic Committee prior to finalising the Strategy.

## TIMING

Following the community engagement period it is anticipated that a final version of the Strategy will be reported to Council for consideration and adoption prior to the end of 2018. Once adopted, work will commence immediately on developing an action plan to deliver on the Council's vision for transport for the next 20 years.

## FINANCIAL CONSIDERATIONS

The Strategy contains actions that require substantial financial input from the NSW Government due to the scale of the infrastructure proposed. The local actions will have financial implications and may require additional capital expenditure budget to allow the delivery of the actions. Some of the actions will provide a net financial benefit to the community moving forward for example by alleviating the \$50 million loss in productivity per annum created by worse than metropolitan average congestion. There has been no direct financial modelling undertaken as part of the strategy development as the detail of how the directions are delivered is contained in the seven plans that sit under the strategy.

Assets provided as part of the regional infrastructure projects where ownership reverts to Council will need to be considered in Council's Long Term Financial Plan as the ownership of these assets will have an impact on Council finances for many years through ongoing depreciation and maintenance costs.

**SOCIAL CONSIDERATIONS**

The purpose of the Strategy is to change behaviour in terms of how we travel around the Northern Beaches; however, the outcomes will be of a beneficial nature in terms of improved local community, health benefits through increased active travel and reduction in travel times allowing for more time for people to spend with their families and in the community.

**ENVIRONMENTAL CONSIDERATIONS**

It is acknowledged that there will be some environmental impacts during the construction of the infrastructure required (and that has been missing from) to allow the Northern Beaches better connection to the rest of Sydney. A reduction in the number of private car journeys in the short term and emerging technologies in the future will see substantial environmental benefits over the next 20 years. Council will ensure that during construction of any of the infrastructure required to fulfil the strategy that it will be done in a sensitive manner that minimises impacts on the local community and natural environment.

**GOVERNANCE AND RISK CONSIDERATIONS**

The draft Strategy will provide a clear policy framework to direction Council advocacy, planning and implementation of a better transport network for the Northern Beaches community. Council will seek to work in a transparent and collaborative manner with State Government to fulfil the vision of the Draft Strategy.



## 11.0 PLANNING PLACE AND COMMUNITY DIVISION REPORTS

ITEM 11.1	AFFORDABLE HOUSING POLICY AND ACTION PLAN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2018/495532
ATTACHMENTS	<ol style="list-style-type: none"><li>1 <a href="#">Affordable Housing Policy</a></li><li>2 <a href="#">Affordable Housing Policy Action Plan</a></li><li>3 Confidential Evaluation Report (Included In Confidential Attachments Booklet)</li></ol>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To report to Council on the review of Council's Affordable Housing Policy and progress of the Affordable Housing Policy Action Plan.

#### SUMMARY

In June 2017, Council adopted the Affordable Housing Policy (Attachment 1) for the Northern Beaches Local Government Area (LGA). The policy outlined Council's position and approach to the provision of affordable housing in the Northern Beaches, and together with the Affordable Housing Policy Action Plan (Attachment 2), guides Council's actions to support affordable housing.

The required twelve-month review of the policy has been undertaken, which concludes the key principles and policy statements detailed within the Policy remain current and relevant for the Northern Beaches LGA. Council has also completed or commenced actions in the Affordable Housing Policy Action Plan.

In particular, Council has undertaken an expression of interest (EOI) for the provision of services by Community Housing Providers for the maintenance and management of affordable housing delivered to Council through rezoning and development assessment processes. The outcomes from that process are outlined in the Confidential Evaluation Report (Attachment 3).

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### RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council note the outcomes of the Affordable Housing Policy review and progress of the Affordable Housing Action Plan.
  - B. Council resolve the preferred management model for the ongoing control and management of affordable housing with a Community Housing Provider is head leasing of Council-owned properties.
  - C. Council confirm the outcomes of the confidential evaluation report.
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## REPORT

### BACKGROUND

In June 2017, the Affordable Housing Policy for the Northern Beaches Local Government area was adopted by Council. The policy outlined Council's position and approach to the provision of affordable housing in the Northern Beaches, and together with the Affordable Housing Policy Action Plan, guides Council's actions to support affordable housing.

A review of the policy is required following 12 months of its adoption.

#### Affordable Housing Policy Review

Housing affordability remains an issue affecting the Northern Beaches. Planning for affordable housing therefore remains necessary to ensure a variety of housing is delivered to meet the needs of our socio-economically diverse community now and into the future.

The key principles and policy statements detailed within the Affordable Housing Policy, which seek to increase the range and supply of affordable housing in the Northern Beaches, remain current and relevant for the Northern Beaches LGA.

No updates to the Policy are proposed other than minor amendments to reflect changes to the titles of the responsible officers.

#### Affordable Housing Policy Action Plan

Since the adoption of the Affordable Housing Policy, Council has commenced implementing the Affordable Housing Action Plan in line with the Policy's key principles and statements.

Progress on these key actions are summarised in the table below:

Action	Progress
<b>A1</b> Lobby the NSW Government to mandate the provision of a 10% affordable rental housing target for all new development in the Northern Beaches. Require targets greater than 10% where feasible.	<ul style="list-style-type: none"> <li>The Department of Planning &amp; Environment, in collaboration with Council, is preparing an affordable housing contribution scheme for the Frenchs Forest Hospital Precinct and Ingleside Land Release Precinct for the delivery of a percentage of new dwellings to be provided as affordable rental housing. The Brookvale Strategic Centre is also being considered for inclusion in the affordable housing scheme pending adoption of the Brookvale Structure Plan. The final percentage of affordable housing will be subject to feasibility analysis.</li> </ul>
<b>A2</b> As part of Council's local housing strategy, establish an affordable rental housing target for all other parts of the Northern Beaches local government area.	<ul style="list-style-type: none"> <li>The Greater Sydney Commission recently released the Greater Sydney Region Plan – A Metropolis of Three Cities (The Region Plan), which presents a vision for managing Sydney's growth for the next 20 years.</li> <li>To implement the Region Plan at the District level, the North District Plan (which includes the Northern Beaches local government area) contains actions for Council to prepare a local housing strategy and affordable rental housing target scheme to inform a new Local Environmental Plan (new LEP – see below discussion).</li> <li>The District Plan seeks Affordable Rental Housing targets in the range of 5-10 percent of any new floor space</li> </ul>

Action	Progress
	<p>subject to viability.</p> <ul style="list-style-type: none"> <li>• Council has commenced work on addressing the actions of the North District Plan, and will undertake community engagement through the development of a new LEP</li> </ul>
<b>A3</b> Monitor the changing housing needs of residents and workers and the availability of housing stock which is affordable to very low to moderate income households.	<ul style="list-style-type: none"> <li>• Feasibility studies for the Ingleside and Frenchs Forest precincts review the current availability of housing stock for all income bands in these areas and validate the need for affordable housing. A similar study is being undertaken as part of the Brookvale Structure Plan.</li> <li>• Additional analysis of the changing housing needs of residents is to be considered as part of Council's local housing strategy for the Northern Beaches LGA.</li> </ul>
<b>A4</b> Assess the feasibility of providing affordable rental housing on Council-owned land prior to planning for development, redevelopment, lease or sale of that land.	<ul style="list-style-type: none"> <li>• Council's Property Department is aware of the requirement to assess the feasibility of providing affordable rental housing on Council-owned land.</li> <li>• To date, affordable housing has not been identified as the most appropriate use of any available community land parcel. However, this will continue to be a consideration when evaluating the future use of Council-owned land.</li> </ul>
<b>A6</b> Waive section 94A development contributions for that part of any development proposal comprising affordable rental housing.	<ul style="list-style-type: none"> <li>• The cost of any development that is provided as affordable housing is not included in section 94A development contributions as per clause 24J of the <i>Environmental Planning &amp; Assessment Regulation 2000</i>.</li> </ul>
<b>A7</b> Investigate waiving S94 Fees for the provision of affordable rental housing (e.g. secondary dwellings or boarding houses).	<ul style="list-style-type: none"> <li>• To be considered in the preparation of future contributions plans.</li> <li>• Separate Section 94 plans will be completed for Dee Why Town Centre, Brookvale, Ingleside and Frenchs Forest development areas.</li> </ul>
<b>A8</b> Recognise that affordable rental housing is essential social and economic infrastructure for the Northern Beaches in Council's land-use planning strategies, plans and policies.	<ul style="list-style-type: none"> <li>• Adoption of the Policy and implementation of the Action Plan demonstrates Council's commitment in this regard.</li> <li>• To be considered as part of Council's local housing strategy for the Northern Beaches LGA.</li> </ul>
<b>A9</b> Incorporate affordable rental housing targets in Council's land-use planning strategies, plans and policies, supported by effective statutory controls and incentives to achieve those targets.	<ul style="list-style-type: none"> <li>• To be considered as part of Council's local housing strategy for the Northern Beaches LGA.</li> </ul>

Action	Progress
<b>A10</b> Amend Council's Voluntary Planning Agreements (VPA) policy to reference Council's Affordable Housing Policy as a public benefit contribution consideration in conjunction with planning proposals and development applications.	<ul style="list-style-type: none"> <li>Council has commenced a review of its Voluntary Planning Agreement Policy, which will include reference to Council's Affordable Housing Policy.</li> </ul>
<b>A11</b> As part of Council's local housing strategy, investigate and promote planning mechanisms to maintain existing affordable housing and encourage the provision of new affordable housing with the public and private sector.	<ul style="list-style-type: none"> <li>To be considered as part of Council's local housing strategy for the Northern Beaches LGA.</li> </ul>
<b>A12</b> Develop relationships with State and Commonwealth Government departments, the Greater Sydney Commission, Planning Panels, industry experts and other local councils to understand wider affordable housing needs and opportunities.	<ul style="list-style-type: none"> <li>Council has started collaboration and developing relationships with stakeholders through the Local Environmental Plan Review process and Technical Working Groups (including development of Council's housing strategy).</li> </ul>
<b>A13</b> Collaborate with industry experts and develop a framework to ensure developer's site viability assessments are expertly reviewed and assessed.	<ul style="list-style-type: none"> <li>Council is collaborating with the Department of Family and Community Services (FACS) in the development of its VPA Affordable Housing Benefit Calculator.</li> <li>Council is also collaborating with the Department of Planning and Environment in the development of its Affordable Housing Feasibility Tool.</li> </ul>
<b>A14</b> Develop and undertake an Expression of Interest process to inform the tender for a preferred community housing providers to manage and deliver affordable rental housing in the Northern Beaches.	<ul style="list-style-type: none"> <li>The Expression of Interest was issued in March 2018.</li> <li>See below (and Attachment 3) for a detailed update on the Expression of Interest process.</li> </ul>
<b>A15</b> Identify priority key worker occupations for tenants of affordable rental housing in the Northern Beaches.	<ul style="list-style-type: none"> <li>As part of the Northern Beaches Hospital Precinct Structure Plan, an Affordable Housing report was prepared. This outlined the priority key workers that would require affordable rental housing within the Precinct. The data will continue to be used to develop affordable rental</li> </ul>

Action	Progress
	<p>housing target schemes for the area.</p> <ul style="list-style-type: none"> <li>The development of the Affordable Housing Program and Guidelines for the Northern Beaches LGA will further consider priority key workers. A draft program has been developed by Council, with consultation on the draft to occur with the Department of Planning and Environment.</li> </ul>
<b>A16</b> Develop management agreements with community housing providers for affordable rental housing delivered to Council through land rezoning or development consent.	<ul style="list-style-type: none"> <li>To be determined once Council has engaged a community housing provider.</li> </ul>
<b>A17</b> Actively seek involvement of the private sector through public private partnerships to develop affordable rental housing.	<ul style="list-style-type: none"> <li>Council has continued to advocate for affordable rental housing where available such as planning proposals proposing residential uplift, sale or redevelopment of government owned land and statements in the media.</li> </ul>
<b>A18</b> Advocate for the inclusion of the remainder of the Northern Beaches local government area in State Environmental Planning Policy No. 70 (SEPP 70) in conjunction with the preparation of Council's local housing strategy.	<ul style="list-style-type: none"> <li>The Northern Beaches Local Government Area has been included in State Environmental Planning Policy (SEPP) No. 70 Affordable Housing, enabling Council to include requirements for affordable housing in its LEPs in areas subject to rezoning uplift. Council is working closely with the Department of Planning and Environment to implement the requirements.</li> </ul>
<b>A19</b> Promote the benefits of, and need for, affordable housing in the Northern Beaches.	<ul style="list-style-type: none"> <li>To be incorporated within the community engagement process to be undertaken as part of the new LEP (including development of a Council's housing strategy).</li> </ul>
<b>A20</b> Work with the NSW government to identify and prioritise the suitability of surplus Government land for affordable rental housing in the Northern Beaches.	<ul style="list-style-type: none"> <li>Council is advocating for the redevelopment of a redundant Community Health Centre site in Freshwater for the purposes of affordable housing.</li> </ul>
<b>A21</b> Seek amendments to the Local Government Act 1993 and/or the Environmental Planning and Assessment Act 1979 to remove legal impediments to the transfer of ownership of affordable rental housing dedicated to Council to	<ul style="list-style-type: none"> <li>See below for a detailed update on Councils consideration of preferred management options.</li> <li>Council considers that head leasing of Council-owned properties rather than the transfer of title is the preferred management approach.</li> </ul>

Action	Progress
a community housing provider.	
<b>A22</b> Advocate for the NSW government to investigate shared home ownership and equity arrangements.	<ul style="list-style-type: none"> <li>As part of the new LEP, Council will be preparing an Affordable Rental Housing Target Scheme in collaboration with the Department of Planning and Environment.</li> <li>In the North District Plan, the Department has stated it will investigate ways to facilitate housing diversity through innovative purchase and rental models. Council will continue to make representation for these alternative arrangements throughout the process.</li> </ul>

### EXPRESSION OF INTEREST - Affordable Housing Provider

Council's Affordable Housing Policy (**Action A14**) requires an Expression of Interest (EOI) to be undertaken for the provision of Affordable Housing Services on the Northern Beaches by Community Housing Providers (CHPs).

The EOI was issued in March 2018. Council received three submissions from CHPs.

Whilst the overall objective of the EOI was to identify a suitable CHP to manage affordable housing stock delivered to Council through SEPP 70 and other planning mechanisms (e.g. through Voluntary Planning Agreements), Council also needs to determine the best model for the ongoing control and management of any affordable housing with a CHP.

Two options were considered by Council:

head leasing of Council-owned properties to a registered community housing provider who will be responsible for managing the sub-lease of those properties to eligible applicants and for the maintenance reporting in accordance with Council's affordable rental housing criteria/objectives; and

transfer of title of affordable rental housing properties to a registered community housing provider to be leased to eligible applicants in accordance with an agreement between Council and the community housing provider.

To help inform Council's position in determining the preferred approach, in June 2018 Council undertook discussions with local councils who currently manage an affordable housing portfolio. Following these discussions, Council considers that head leasing of Council-owned properties rather than the transfer of title is the preferred management approach, as Council retains ownership and control of the affordable housing supply (there is no guarantee if the CHP has the title that it will continue as a community asset in perpetuity).

Review the confidential evaluation report (Attachment 3) about the outcomes of the EOI process.

### FINANCIAL CONSIDERATIONS

If affordable housing is provided and retained under Council ownership, Council will control a larger asset portfolio which will increase in value. The management of ongoing maintenance costs of any affordable housing will be considered during the engagement of a community housing provider.

**SOCIAL CONSIDERATIONS**

The implementation of the action plan will have a positive social impact by increasing the supply of affordable rental housing in the community for very low, low to medium income households.

**ENVIRONMENTAL CONSIDERATIONS**

The provision of affordable housing on the Northern Beaches could contribute to reduced transport emissions by reducing the need for key workers to travel long distances.

**GOVERNANCE AND RISK CONSIDERATIONS**

Appropriate governance arrangements will need to be in place regarding the transfer of affordable housing stock (or financial contribution) to Council and the subsequent transfer of same to be managed by a Community Housing Provider. These arrangements will be developed and reported to Council following a Request for Tender process.

Council recognises the importance of transparency in council decision making through open meetings. However, there are occasions where council is required to consider information which, by its nature, is confidential. The Local Government Act 1993 recognises that on such occasions, the public interest in protecting confidential information will outweigh the public interest in ensuring accountability through open meetings. Confidential information in this matter has been contained in a confidential attachment to this report, should councillors wish to discuss the contents of the confidential attachment Council must resolve to close the meeting to the public.





## **Council Policy**

### **Affordable Housing**

#### **Purpose of Policy**

Council is committed to increasing the range and supply of affordable housing in the Northern Beaches to meet the growing and changing needs of its community and particularly, key workers. The purpose of this policy is to outline Council's position and approach to the provision of affordable housing in the Northern Beaches.

The policy comprises principles and policy statements that together will guide Council's actions to support affordable housing.

#### **Principles**

- a) Establishing clear targets for the provision of affordable housing in the Northern Beaches.
- b) Leading change by example.
- c) Embedding affordable housing in Council's strategies, plans and policies.
- d) Partnering with the State and Commonwealth Government, other local councils, industry experts, the private sector, stakeholders and community housing providers to deliver affordable rental housing.
- e) Advocating for change to support affordable housing in the Northern Beaches.

#### **Policy Statements**

- a) Council is committed to a 10% affordable rental housing target for all strategic plans and planning proposals for urban renewal or greenfield development. Higher rates of provision will be sought where feasible.
- b) Targets for the provision of affordable rental housing in other parts of the Council area will be established through feasibility analysis as part of Council's new local housing strategy.
- c) Mechanisms to deliver more affordable market-based or private housing will be investigated and implemented through Council's new local housing strategy.
- d) Council will enter into relationships with community housing providers to manage and deliver affordable rental housing in the Northern Beaches.
- e) Council will undertake an expression of interest to determine the best model for relationships with community housing providers to deliver affordable rental housing.
- f) Council will use the expression of interest process to determine whether to transfer title of affordable rental housing delivered to Council through the planning approval process to community housing providers.
- g) When selecting tenants, Council will give priority to persons who are employed in identified key worker occupations in the Northern Beaches Council area, persons with a disability, long term local residents, and persons with a social or economic association with the Council area.

#### **Responsible Officers**

Executive Manager Community, Arts & Culture and Executive Manager Strategic & Place Planning

#### **Related Council Policies**

- a) Property Acquisition Reserve Fund – P100 (Former Manly Council)



- b) Property Management Policy – No 200 (Former Pittwater Council)
- c) Allocation of funds obtained from the Sale of Council Real Property Policy – GOV PL 915 (Former Warringah Council)
- d) Asset Management Policy – PL 550 (Former Warringah Council)
- e) Voluntary Planning Agreements – PL 600 VPA (Former Warringah Council)

#### **Legislation and references**

- a) Environmental Planning and Assessment Act 1979
- b) Local Government Act 1993
- c) State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes)
- d) State Environmental Planning Policy (Affordable Rental Housing) 2009

#### **Definitions**

*Affordable housing:* Is defined by the *Environmental Planning and Assessment Act 1979* as: "affordable housing means housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument".

*Affordable rental housing:* Affordable housing managed by a community housing provider and rented to very low, low, or moderate income level households.

*Community housing provider:* A not-for-profit organisation which provides affordable rental and social housing for very low, low, to moderate income and is registered under the National Regulatory System for Community Housing.

*Housing affordability:* Relates to the general affordability of both rental and purchase housing on the open market, and is not limited to those on low to moderate incomes. A common benchmark of affordability is housing that does not absorb more than 30% of the gross income of very low, low, or moderate income households.

*Key worker occupations:* Workers on very low to moderate incomes critical to the economic and social development of the Northern Beaches, including but not limited to occupations such as school teachers, carers, midwifery and nursing professionals, hospitality and retail workers, personal carers and assistants, child carers, fire fighters, police, carers and aides, automobile, bus and rail drivers, cleaners and laundry workers.

#### **Review Date**

1 June 2018

#### **Revision History**

Revision	Date	Change	HPE CM Ref
1	28/3/2017	Draft Affordable Housing Policy	2017/054781
2	5/6/2017	Affordable Housing Policy authorised by CEO, under delegation as per Council resolution 110/17 on 30/5/2017, incorporating formatting changes.	2017/176253

## Affordable Housing Policy Action Plan

### Purpose

To increase the range and supply of affordable housing in the Northern Beaches to meet the growing and changing needs of our community.

### Principles and Actions

Principle	Action	Timing
Establishing clear targets for the provision of affordable housing in the Northern Beaches	<b>A1</b> Lobby the NSW Government to mandate the provision of a 10% affordable rental housing target for all new development in the Northern Beaches. Require targets greater than 10% where feasible.	2017-2018
	<b>A2</b> As part of Council's local housing strategy, establish an affordable rental housing target for all other parts of the Northern Beaches local government area.	2017-2019
	<b>A3</b> Monitor the changing housing needs of residents and workers and the availability of housing stock which is affordable to very low to moderate income households.	Ongoing
Leading change by example	<b>A4</b> Assess the feasibility of providing affordable rental housing on Council-owned land prior to planning for development, redevelopment, lease or sale of that land.	Ongoing
	<b>A5</b> Investigate financial incentives for the provision of affordable rental housing provided in perpetuity including development application fees reduction and rate rebates.	2017-2018
	<b>A6</b> Waive section 94A development contributions for that part of any development proposal comprising affordable rental housing.	Ongoing
	<b>A7</b> Investigate waiving S94 Fees for the provision of affordable rental housing (e.g. secondary dwellings or boarding houses).	2017-2018
Embedding affordable housing in Council's strategies, plans and policies	<b>A8</b> Recognise that affordable rental housing is essential social and economic infrastructure for the Northern Beaches in Council's land-use planning strategies, plans and policies.	Ongoing
	<b>A9</b> Incorporate affordable rental housing targets in Council's land-use planning strategies, plans and policies, supported by effective statutory controls and incentives to achieve those targets.	Ongoing
	<b>A10</b> Amend Council's Voluntary Planning Agreements (VPA) policy to reference Council's Affordable Housing Policy as a public benefit contribution consideration in conjunction with planning proposals and development applications.	2017-2018
	<b>A11</b> As part of Council's local housing strategy, investigate and promote planning mechanisms to maintain existing affordable housing and encourage the provision of new affordable housing with the public and private sector.	2017-2019

Principle	Action	Timing
Partnering with the State and Commonwealth Government, other local councils, industry experts, the private sector, stakeholders and community housing providers to deliver affordable rental housing.	<b>A12</b> Develop relationships with State and Commonwealth Government departments, the Greater Sydney Commission, Planning Panels, industry experts and other local councils to understand wider affordable housing needs and opportunities.	Ongoing
	<b>A13</b> Collaborate with industry experts and develop a framework to ensure developer's site viability assessments are expertly reviewed and assessed.	2017-2018
	<b>A14</b> Develop and undertake an Expression of Interest process to inform the tender for a preferred community housing providers to manage and deliver affordable rental housing in the Northern Beaches.	2017-2018
	<b>A15</b> Identify priority key worker occupations for tenants of affordable rental housing in the Northern Beaches.	2017-2018
	<b>A16</b> Develop management agreements with community housing providers for affordable rental housing delivered to Council through land rezoning or development consent.	2017-2018
	<b>A17</b> Actively seek involvement of the private sector through public private partnerships to develop affordable rental housing.	2018
	<b>A18</b> Advocate for the inclusion of the remainder of the Northern Beaches local government area in State Environmental Planning Policy No. 70 (SEPP 70) in conjunction with the preparation of Council's local housing strategy.	2017-2019
	<b>A19</b> Promote the benefits of, and need for, affordable housing in the Northern Beaches.	Ongoing
	<b>A20</b> Work with the NSW government to identify and prioritise the suitability of surplus Government land for affordable rental housing in the Northern Beaches.	Ongoing
	<b>A21</b> Seek amendments to the Local Government Act 1993 and/or the Environmental Planning and Assessment Act 1979 to remove legal impediments to the transfer of ownership of affordable rental housing dedicated to Council to a community housing provider.	2017
	<b>A22</b> Advocate for the NSW government to investigate shared home ownership and equity arrangements.	Ongoing
	<b>A23</b> Lobby the State and Commonwealth government for tax reform to assist in the provision of affordable housing	Ongoing
	<b>A24</b> Advocate to amend the Affordable Rental Housing State Environmental Planning Policy to enable the provision of affordable rental housing in perpetuity to obtain development bonuses (currently 10 years).	Ongoing

<b>ITEM 11.2</b>	<b>ADOPTION OF WARRIEWOOD VALLEY CONTRIBUTIONS PLAN (AMENDMENT 16, REVISION 3); WARRIEWOOD VALLEY LANDSCAPE MASTERPLAN (JUNE 2018) AND WARRIEWOOD ROADS MASTERPLAN (JUNE 2018)</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2018/452080</b>
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1 <a href="#">☞</a> Warriewood Valley Contributions Plan (Amendment 16, Revision 3) (Included In Attachments Booklet)</li> <li>2 <a href="#">☞</a> Warriewood Valley Landscape Masterplan &amp; Design Guidelines (Public Domain) (Included In Attachments Booklet)</li> <li>3 <a href="#">☞</a> Warriewood Valley Roads Masterplan (Included In Attachments Booklet)</li> <li>4 <a href="#">☞</a> Submissions Table (Included In Attachments Booklet)</li> </ol>

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## EXECUTIVE SUMMARY

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### PURPOSE

To inform Council of the outcomes of the public exhibition of the *Draft Warriewood Valley Contributions Plan* (Amendment 16, Revision 3), *Warriewood Valley Landscape Masterplan & Design Guidelines* (June 2018) and the *Warriewood Valley Roads Masterplan* (June 2018) and seek Council's approval for their adoption.

### SUMMARY

Council, at its meeting on 26 June 2018, considered the proposed amendments to the Warriewood Valley Contributions Plan (Amendment 16, Revision 2) and resolved to publicly exhibit these changes by way of the *Draft Warriewood Valley Contributions Plan (Amendment 16, Revision 3)*.

Additionally, the *Warriewood Valley Landscape Masterplan & Design Guidelines (June 2018)* and the *Warriewood Valley Roads Masterplan (June 2018)* were also exhibited, being the technical specifications that deliver the public domain and transport infrastructure for the Release Area. This ensures consistency across the suite of planning documents for the Warriewood Valley Release Area.

Five (5) submissions were received during the public exhibition period. Responses to the issues raised in these submissions are provided in the Submissions Table (Attachment 4) in this report. Several minor post-exhibition changes to the exhibited documents have been proposed as a result of the comments received.

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### RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council adopt the *Warriewood Valley Contributions Plan (Amendment 16, Revision 3)*, the *Warriewood Valley Landscape Masterplan & Design Guidelines (2018)* and the *Warriewood Valley Roads Masterplan (2018)* subject to proposed post-exhibition changes.
  - B. Council give public notice of the commencement date of the *Warriewood Valley Contributions Plan (Amendment 16, Revision 3)*, *Warriewood Valley Landscape Masterplan & Design Guidelines (2018)* and the *Warriewood Valley Roads Masterplan (2018)* in the Manly Daily.
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## REPORT

### BACKGROUND

Consistent with Council's adopted strategic framework for the Warriewood Valley Release Area, the *Draft Warriewood Valley Contributions Plan (Amendment 16, Revision 3)*, the 'Draft Plan', provides the legislative framework for levying residential, commercial and industrial developments in the Release Area to fund the provision, extension or augmentation of public infrastructure and services necessary to meet the increased demand in this area.

As a result of the 2017/18 review of the Plan, the exhibited key changes to the *Draft Plan* include:

- Updates to reflect current legislative reference numbers;
- Review/changes to the methodology in calculating contribution rate for 'residential care facilities' and commercial development (e.g childcare centres) in residential areas;
- Review of income assumptions and forecast expenditure within the Plan; and
- Updated economic inputs to the financial model underpinning the cash flow of the Plan.

The *Draft Plan's* 2018/2019 contribution rates for developments in the Release Area are:

\$66,245	per dwelling/residential lot
\$58,107	per dwelling within an independent living development submitted under the <i>SEPP (Housing for Seniors or People with a Disability) 2004</i>
\$5,945	per bed for residential aged care facilities and nursing home developments submitted under the <i>SEPP (Housing for Seniors or People with a Disability) 2004</i>
\$148	per m <sup>2</sup> for business and industrial development outside the Ponderosa Parade catchment
\$202	per m <sup>2</sup> for business and industrial development within the Ponderosa Parade catchment.

Supporting documents, the *Warriewood Valley Landscape Masterplan & Design Guidelines (June 2018)* and *Warriewood Valley Roads Masterplan (June 2018)* were also placed on public exhibition. These documents identify the design standards and strategies for enhancing the public domain and provide technical specifications for road and traffic measures required in the Release Area. The exhibited changes included:

- (i) Clarifications around on-street parking requirements for local roads and access streets within the Roads Masterplan.
- (ii) In conjunction with the Landscape Masterplan & Design Guidelines:
  - Updates to the active travel masterplan
  - Updates to the layout of the central local park with final design subject to future public consultation
  - Updates to strengthen landscape outcomes.

### KEY CHANGES PROPOSED TO THE WARRIEWOOD VALLEY SECTION 94 CONTRIBUTIONS PLAN

As outlined in the previous report to Council on 26 June 2018, the key changes to the plan are as follows:

1. Removal of references to 'Section 94' in the title and throughout the document to reflect legislative changes that came into effect on 1 March 2018. Section 94 is now known as Section 7.11 under the *Environmental Planning and Assessment Act* (as amended).
2. Amend the current methodology used to calculate the contribution rate for 'residential care facilities and nursing home' developments under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. This update will reflect the different level of demand on local infrastructure between this development type, 'independent living and serviced self-care housing' and traditional 'residential' development. This recognises that residents in 'residential care facilities and nursing home' developments who typically require specialised care, as their movement and/or independence is severely restricted, will not place the same level of demand on some elements in the Plan as other residents and workers in the Release Area.

As demonstrated in table 1 below, for residential development, the Plan collects funds to provide infrastructure for traffic and transport, multi-function creek line corridors (both land and rehabilitation), community facilities, public recreation and open space, pedestrian and cycleway network and plan administration.

However, in relation to SEPP Seniors Living (residential care facility/nursing homes), due to the age, health and/or mobility restrictions of residents, these residents will not create the same demand for community facilities, public recreation and open space, and pedestrian and cycle infrastructure as other residents or workers in the Release Area. Accordingly, it is not proposed to collect funds from this development type for these elements.

Table 1: summary of contributing development in the Contributions Plan

Element	Development Type				
	Residential Development	SEPP Seniors Living (Independent living and serviced self-care housing)	SEPP Seniors Living (Residential care facility/Nursing Homes)	Business Parks and Industrial Estates	Commercial Development in Residential Areas (including childcare centres)
Traffic and transport	✓ *	✓ *	✓ *	✓	✓ *
Multi-functional creek line corridors	✓	✓	✓	✓	✓
Community facilities	✓	✓	✗	✗	✗
Public recreation and open space	✓	✓	✗	✗	✗
Pedestrian and cycleway network	✓ *	✓ *	✗	✓	✓ *
Ponderosa Parade drainage	✗	✗	✗	✓ **	✗
Administration & plan management	✓	✓	✓	✓	✓

\* Except development in Sectors 20, 202 & 203.

\*\* Only development in Sectors 7, 102, 103, 104 and 105.



For the development type, SEPP Seniors Living (residential care facility/nursing homes), it is proposed to amend the Contributions Plan to include an apportionment approach in relation to the elements for multi-functional creek line corridors and plan administration. This apportionment approach recognises the occupancy rate for an assisted living development is 1 person/bed compared to 2.7 residents/ dwelling based on census data for average residential development in Warriewood Valley. For the traffic and transport element, the RMS trip generation rate for assisted living developments will be used.

The revised contribution rate for SEPP Seniors Living (residential care facility/nursing homes) is proposed to be \$5,621.49 per bed compared to the current rate of \$44,862.18 per bed. For the reasons outlined above, this methodology is considered appropriate and reasonable, and provides equity in the funding of essential infrastructure generated by development in Warriewood Valley.

3. Changes to the description of the methodology for calculating a contribution for commercial development in residential zones.
4. Income assumptions have been revised to reflect two factors. Firstly, several Land & Environment Court decisions have established a precedent in providing a credit for allotments with existing development in certain circumstances. Secondly, recognition of a trend of properties not developing to their full potential as anticipated in the yield assumptions has also been identified and adjustments have been made accordingly. At the completion of development in the Release Area there are now anticipated to be 2,394 dwellings, reduced from 2,451 as previously expected.

Forecast expenditure has been revised to account for increasing land valuations and the reduced required quantum of open space and community facility floor space having regard for the reduced population. Indicative infrastructure delivery times have also been revised. The review or re-phasing of several infrastructure items seeks to maintain the required level of infrastructure delivery in alignment with the progress of development while ensuring the financial sustainability of the Plan. The review of the works schedule included:

- The removal of traffic and transport infrastructure works totalling \$941,000. The majority of this was a contribution to the RMS for the upgrade of the Mona Vale Road and Ponderosa Parade intersection. This upgrade is being fully funded by RMS as part of the Mona Vale Road East upgrade.
- The removal of creek rehabilitation work totalling \$1,074,000 at 120-122 Mona Vale Road and 3 Boundary Street. These properties are at the top of the Narrabeen Creek catchment and it is unlikely that any creek rehabilitation outside of weeding will be required. The Draft Plan will still fund the dedication of creek land at 120-122 Mona Vale Road at the time the property is developed however creek land at 3 Boundary Street has been removed as this property is unlikely to ever develop.
- For the reasons described above, the forecast income into the Plan has been reduced. To ensure the long term financial sustainability of the Plan is maintained and a positive closing position remains in place, a comprehensive review of expenditure items across all elements was undertaken. In undertaking the review of expenditure, regard has been given to the work completed to date (see Appendix A of the Plan) and the remaining items to be completed (see Appendix B of the Plan). Significant investment has already been made on the delivery of infrastructure to support the growing community in Warriewood Valley. With this in mind, there were limited opportunities to reduce expenditure on items that form part of the provision of a wider network i.e. to ensure a completed road network is provided, it was not considered prudent to reduce expenditure on this element and deliver a disconnected and/or unsafe road network. This same principle applies to the creekline corridor, and pedestrian and cyclist networks. Further, the provision of open space has long been identified as a high

priority for the incoming community and therefore a reduction in this element has not been proposed. This process resulted in a review of the expenditure on the proposed community facility. It is proposed to reduce expenditure on the community facility from \$7,000,000 to \$5,000,000 to ensure a balanced Plan is achieved. \$5,000,000 is still sufficient to deliver a multi-purpose community facility to meet the demands of the Warriewood Valley Release Area. Notwithstanding the above, the Plan remains dynamic and as part of a responsible approach to financial management, the Plan will be subject to a regime of ongoing future review. This may lead to a revisiting of the expenditure on this item.

5. Updated economic inputs to the financial model underpinning the cash flow of the Contributions Plan including the Consumer Price Index, Building Price Index and interest rates.

## CONSULTATION

The Draft Plan was publicly exhibited from 30 June to 29 July 2018 concurrently with Warriewood Valley Landscape Masterplan & Design Guidelines (June 2018) and the Warriewood Valley Roads Masterplan (June 2018). Exhibition of the Draft Plan was undertaken in accordance with the Environmental Planning & Assessment Regulation 2000 and included the following consultation:

- 'Your Say' web page enabling online submissions
- Notice in the Manly Daily
- Hard copies available at Council's Customer Service Centres.

At the completion of the exhibition, the 'Your Say' page received a total of 240 visits, with the *Draft Plan, Landscape Masterplan & Roads Masterplan* being downloaded a total of 64, 36 & 37 times respectively.

Four (4) submissions raising specific concerns and one (1) letter of support of the above-mentioned documents were received in response to the public exhibition. Responses to the issues raised in submissions are summarised in the Submission Table (Attachment 4).

## POST-EXHIBITION CHANGES

As a result of issues raised by the submissions, the following post-exhibition changes are proposed to the Draft Warriewood Valley Contributions Plan (Amendment 16, Revision 3), Warriewood Valley Landscape Masterplan & Design Guidelines (June 2018) and the Warriewood Valley Roads Masterplan (June 2018):

### Warriewood Valley Contributions Plan (Amendment 16, Revision 3) (Attachment1)

- Remove reference to the 2017/18 contribution rate and replace with the 2018/19 rates;
- Map updates to reflect exhibited changes to the works schedule; and
- Minor typographical changes.

### Warriewood Valley Landscape Masterplan & Design Guidelines (Public Domain) (Attachment2)

- Add technical specification & details of tree guards for street trees; and
- Include specific wordings advising that the Landscape Masterplan also applies to work undertaken by Council.

### Warriewood Valley Roads Masterplan (Attachment 3)

- Minor changes to reflect current legislative references and grammatical corrections; and

- Updates to completed road works.

## **TIMING**

If adopted by Council, the Draft Plan, the Warriewood Valley Landscape Masterplan & Design Guidelines (June 2018) and the Warriewood Valley Roads Masterplan (June 2018) will come into force on the day that a public notice is published in the Manly Daily. All applications in the Release Area determined on or after this date will be subject to the provision of the adopted documents.

## **FINANCIAL CONSIDERATIONS**

Adoption of the *Draft Plan* will ensure the efficient and equitable funding and delivery of infrastructure in Warriewood Valley. The *Draft Plan* seeks to continue its financial sustainability and ensure that the existing Northern Beaches community is not burdened by the provision of local infrastructure in the Release Area.

The Plan forecasts approximately \$50 million in future income. This forecast income, combined with funds currently held in reserves and forecast interest will fund the delivery of approximately \$66 million in future capital works and land acquisitions by the end of the 2021/22 financial year.

The current financial position of the Contributions Plan will be outlined in the Annual Financial Report, anticipated to be reported to Council in September 2018. The Warriewood Valley funding and reserves balance will be available on request following the review of this financial year-end work.

## **SOCIAL CONSIDERATIONS**

The *Draft Plan* and the supporting *Masterplans* facilitate the timely funding and provision of local infrastructure such as open space areas, pedestrian/cycle networks, traffic improvements and community facility which will enhance social outcomes for current and future residents and workers in the Release Area.

## **ENVIRONMENTAL CONSIDERATIONS**

Funds levied under the *Draft Plan* will assist in the acquisition, conservation and enhancement of the creek line corridors within the Release Area. The rehabilitation of these creeks will ensure they become important habitat areas and linkages for native flora and fauna.

## **GOVERNANCE AND RISK CONSIDERATIONS**

The *Draft Plan* has been prepared to ensure that Council's mechanism for funding local infrastructure is contemporary and in accordance with all legislative requirements. To ensure a sound level of risk management, an ongoing review of the Plan with respect to cost estimates, income projections and economic factors will be undertaken.

<b>ITEM 11.3</b>	<b>AMENDMENT OF MERITON VOLUNTARY PLANNING AGREEMENT</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2018/473671</b>
<b>ATTACHMENTS</b>	<p>1 <a href="#">Draft Second Deed of Amendment to Planning Agreement (Included In Attachments Booklet)</a></p> <p>2 <a href="#">Explanatory Note (Included In Attachments Booklet)</a></p>

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## EXECUTIVE SUMMARY

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### PURPOSE

To seek endorsement of a voluntary planning agreement amendment (draft VPA) as per the attached draft Second Deed of Amendment to Planning Agreement between Northern Beaches Council, and Karimbla Properties (No.41) Pty Ltd and Meriton Properties Pty Ltd, relating to 9, 11, 15 and 17 Howard Avenue, 14-16 and 28 Oaks Avenue and 884, 888 – 890, 892, 894 and 896 Pittwater Road Dee Why (commonly referred to as Site B).

### SUMMARY

At the meeting on 22 May 2018, Council resolved to place the draft Second Deed of Amendment to the Planning Agreement and draft Explanatory Note (draft VPA) on public exhibition for 28 days.

Based on concerns for the safety of pedestrians when work is continuing on the eastern tower the draft VPA proposes to vary the timing of the delivery of:

- i. the Town Square
- ii. Pedestrian Connection Works

Meriton has confirmed that tower cranes will be operational during the time of opening the retail operations facing the Town Square, with potential for objects to fall on pedestrians. Accordingly the proposed changes will restrict access to these areas while construction is being completed.

The completion of the Town Square Works will be required prior to the issue of an occupation certificate for the top two floors of the eastern tower or six (6) months from the installation of the Temporary Pedestrian Access Works (whichever occurs first).

The value to the developer of completing the units at the top of the eastern tower is greater than the cost of the provision of the Town Square. Consequently, the developer remains highly motivated to complete the tower and the Town Square.

One submission was received during the exhibition period against the proposal.

No changes are proposed to the draft VPA as a result of the above submission. It is recommended that Council endorse the draft VPA.

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**RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY**

That:

- A. Council endorse the draft Second Deed of Amendment to the Planning Agreement between Northern Beaches Council, Karimbla Properties (No.41) Pty Ltd and Meriton Properties Pty Ltd.
  - B. Pursuant to s377 of the *Local Government Act* 1993, Council delegate authority to the Chief Executive Officer to execute the Second Deed of Amendment to the Planning Agreement and Draft Explanatory Note between Northern Beaches Council, Karimbla Properties (No.41) Pty Ltd and Meriton Properties Pty Ltd.
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## REPORT

### BACKGROUND

#### Location

The site comprises 13 individual parcels of land at 890-896 Pittwater Road, 9-17 Howard Avenue, 14-16 and 26 Oaks Avenue, Dee Why (commonly referred to as Site B).

The cross hatched area in Figure 1 below shows an aerial view of the site.



Figure 1 – Site B

### BACKGROUND

On 4 January 2008, Multiplex Dee Why Pty Ltd lodged Development Application No.2007/1249 for Site B.

Council entered into a VPA with Multiplex Dee Why Pty Ltd and Brookfield Multiplex Developments Australia Pty Limited (Brookfield Multiplex) relating to Site B on 12 December 2008.

The VPA provided for various developer contributions, with a total value of \$2,991,000 and comprising:

- The construction and embellishment of a Town Square and Pedestrian Connection (between Oaks Avenue and the Town Square) open to the public 24 hours a day 7 days a week (secured via right of way)
- Ongoing maintenance of the Town Square and Pedestrian Connection

- The right for Council to use the Town Square for 30 days a year for community and cultural events
- The construction and embellishment of a Bus Set Back area on Pittwater Road
- A cash payment of \$500,000 as a contribution to the cost of construction and dedication of the proposed new road to be constructed on "Site A" (Council's car park).

DA2007/1249 was approved by the former Warringah Development Assessment Panel (WDAP) in February 2009.

On 6 August 2013 Council adopted the Dee Why Town Centre Masterplan which reconfirmed Site B as the location for a publicly accessible town square and for the tallest built form in the Dee Why Town Centre.

Brookfield Multiplex sold Site B to Karimbla Properties (No. 41) Pty Ltd (Meriton), on 29 November 2013 and the Site B VPA was assigned to Meriton and Meriton Properties Pty Ltd in January 2014.

Following the announcement of a Bus Rapid Transport (B-Line) stop on Pittwater Road adjoining the Meriton site in 2014, Meriton sought approval to amend the Site B VPA to dedicate land in stratum to Council on Pittwater Road for a future Bus Setback area and provide a monetary contribution of \$300,000 in lieu of constructing the previously proposed Bus Set Back area.

Following public exhibition of the proposed amendments, Council resolved to support the changes at its meeting on 22 March 2016 and a Deed of Amendment to the VPA was signed on 6 April 2016.

### **CURRENT VPA REQUIREMENTS FOR THE DELIVERY OF WORKS**

The VPA, as amended by the 2016 Deed of Amendment, requires The Town Square Works and the Pedestrian Connection Works to be completed prior to the earlier of:

- The issue of an Occupation Certificate for any ground level component of the Development; or
- The first day that any part of the retail component of the development is open for trading.

### **APPLICATION TO AMEND VPA TO STAGE CONSTRUCTION WORKS**

In July 2017 Meriton Group contacted Council to request an amendment to the VPA to allow:

- Completion of the Town Square Works prior to the issue of an Occupation Certificate for the upper two levels of Building B (eastern tower) on the site; and
- Completion of the Pedestrian Connection Works by the commencement of trading of the supermarket component of the development fronting the Pedestrian Connection Works.

The request to delay the completion of the Town Square Works until Building B was almost complete is based on concerns for the safety of pedestrians using the Town Square when work was continuing on the eastern tower.

Meriton notes in other submissions that the value of apartments at the upper two levels of Building B is approximately \$8.2 million – adequate security to ensure delivery of the Town Square which is valued in the original VPA at \$1.72 million.

The request to link the Pedestrian Connection Works to the commencement of trading of the proposed supermarket rather than the issue of an Occupation Certificate for any ground level component of the development was made because the ground floor construction would be subject to multiple occupation certificates, many of which would be unrelated to the commencement of operation of the retail use – the main concern for Council. It is proposed to undertake temporary



pedestrian access works to allow access to shops fronting the proposed Town Square during the completion of work on Building B.

### Draft Second Deed of Amendment to Planning Agreement (Meriton VPA amendment)

At its 22 May 2018 Council meeting, Council resolved to place the draft Second Deed of Amendment to Planning Agreement and draft Explanatory Note (draft VPA) on public exhibition for 28 days.

The draft VPA proposes varying the timing of the delivery of the Town Square, Temporary Pedestrian Access Works and Pedestrian Connection Works (see Figure 2), as follows:

- temporary pedestrian access works to be put into place to allow access to new shops fronting the proposed Town Square during the construction of Building B (Eastern tower)
- completion of the Town Square must occur within 6 months of the erection of the temporary pedestrian access works or before the issue of an Occupation Certificate for the upper two levels of Building B (whichever occurs earlier)
- completion of the Pedestrian Connection Works must occur before the issue of an Occupation Certificate for any ground level component of the Development with frontage to the Pedestrian Connection Area; or the first day that any part of the retail component of the Development with frontage to the Pedestrian Connection Area is open for trading; or the date for Practical Completion of the Town Square Works (whichever occurs first).

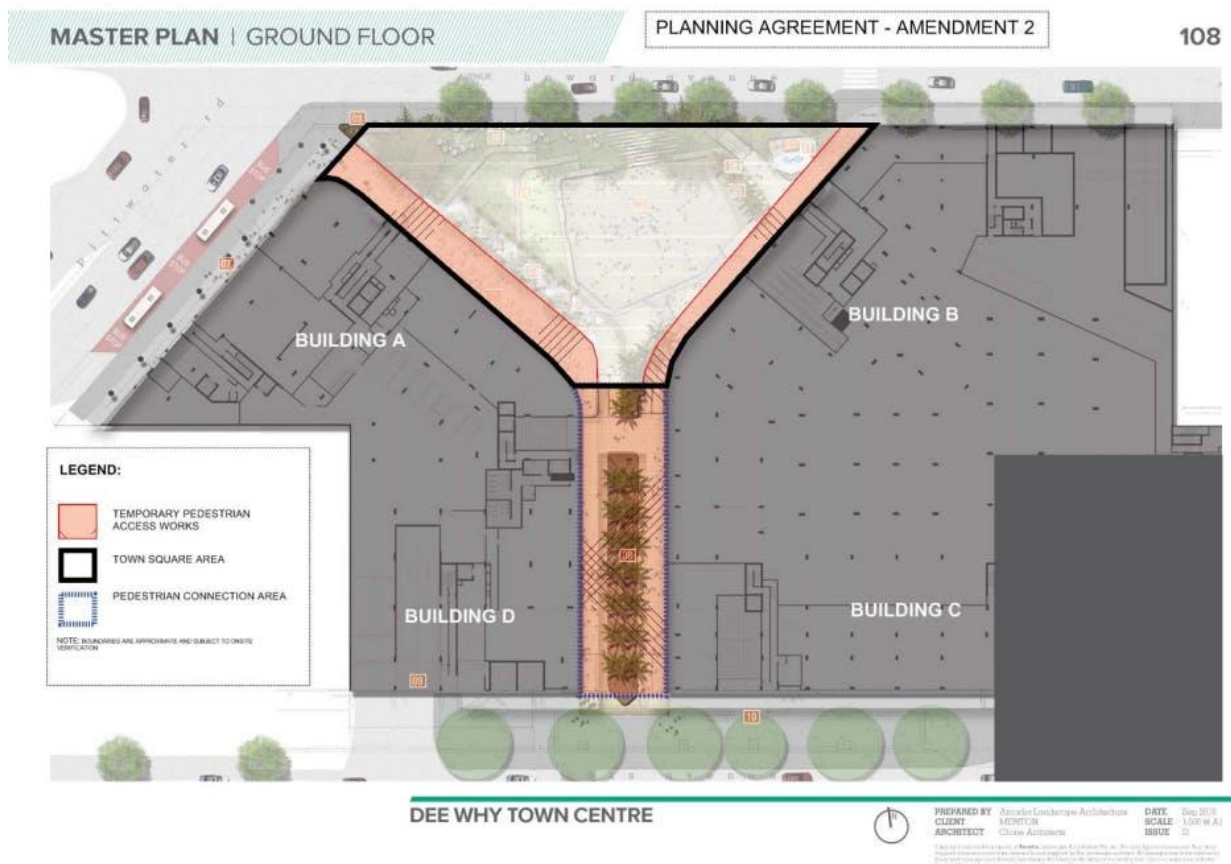


Figure 2 – Site Plan

These amendments are proposed to ensure pedestrian safety around the construction site while works continue on the eastern tower.

The details are included in the Draft Second Deed of Amendment to Planning Agreement (Attachment 1) and Explanatory Note (Attachment 2).

## CONSULTATION

The draft VPA was placed on public exhibition for 28 days between Saturday 2 June 2018 and Sunday 1 July 2018.

The exhibition included the following:

- Public notices in the Manly Daily newspaper on 2 June and 30 June 2018
- Hardcopies of the exhibition material were available for viewing at Council's Customer Service Centre in Dee Why.
- Electronic copies of the exhibition material available on Council's website.

## Submissions

One submission was received during the exhibition period against the proposal.

The key relevant issues raised and Council's responses are detailed below:

### Submission against proposal:

*Issue: The timing matter should have been evident prior to developing original VPA.*

*Response:* The original VPA was drafted 10 years ago. It is not always possible to foresee every issue that may arise in complex construction projects like this one. The identification and addressing of the matter at this point of the development is considered necessary and acceptable to ensure public safety.

*Issue: Reasonable compensation should be provided to the community for delayed timing of delivery.*

*Response:* Activating the ground floor and gaining public access to the retail facilities is considered to be a reasonable outcome having regard for the safety issues with construction above the town square. Further, the market value of the upper levels of the tower is considered appropriate security towards the delivery of the public spaces.

No changes are proposed to the draft VPA as a result of the above submissions. It is recommended that Council endorse the draft VPA.

## FINANCIAL CONSIDERATIONS

The full amount of contributions outlined in the VPA will be provided to Council. The timing of delivery of access to the town square will be adjusted having regard for pedestrian safety concerns.

## SOCIAL CONSIDERATIONS

Provisions in the proposed VPA amendment will permit access to shops earlier than would have been the case, providing a much needed service to the community. Whilst completion of the Town Square remains a priority, the safety of pedestrians is paramount.

**ENVIRONMENTAL CONSIDERATIONS**

The proposed VPA amendment will have no significant environmental impacts as it relates only to the timing of the delivery of public benefits.

**GOVERNANCE AND RISK CONSIDERATIONS**

The proposed VPA amendment complies with Council's *Voluntary Planning Agreements Policy PL 600*.

The proposed VPA amendment addresses public safety concerns, ensuring pedestrians are not exposed to potential danger from construction activities. There would be a risk to Council and the community should Council not agree to the proposed VPA changes.

<b>ITEM 11.4</b>	<b>PLANNING PROPOSAL (PP0003/17) AT 2-4 NOOAL STREET AND 66 BARDO ROAD, NEWPORT</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING</b>
<b>TRIM FILE REF</b>	<b>2018/483072</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">📄</a> Draft Planning Proposal - PP0003/17 at 2-4 Nooal Street and 66 Bardo Road, Newport (Included In Attachments Booklet)</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

This report is to inform Council of the advice received from the Northern Beaches Local Planning Panel with regards to Planning Proposal PP0003/17 and to confirm the Planning Proposal will be submitted to the Department of Environment and Planning for a Gateway Determination in accordance with the decision of the Sydney North Planning Panel.

### SUMMARY

In September 2017, Council received a Planning Proposal to amend the Pittwater Local Environmental 2014 (PLEP) to add 'Seniors Living' as an additional permitted use at 2-4 Nooal Street and 66 Bardo Road, Newport.

Council, at its meeting of 27 November 2017 resolved not to support the Planning Proposal and formally notified the applicant on 11 December 2018.

On 28 February 2018, the applicant sought a Rezoning Review with the Sydney North Planning Panel. At its meeting of 2 May 2018, the Sydney North Planning Panel recommended that the Planning Proposal should be proceed to a Gateway Determination subject to amendments.

In accordance with the Minister for Planning's Local Planning Panel Directions, the Planning Proposal must be referred to the relevant local planning panel first, before being forwarded to the Department of Planning and Environment and the Minister for a Gateway Determination. Subsequently the proposal has been prepared for the Panel's advice.

On 14 June 2018 Council agreed to be the Relevant Planning Authority for the Planning Proposal. This requires the preparation of a Planning Proposal, and subsequent management of this Proposal through the plan making process.

The Minister for Planning has provided a Local Planning Panel Direction to require all Councils to refer Planning Proposals to the Local Planning Panel for advice. Accordingly, the current Planning Proposal was referred to the Northern Beaches Local Planning Panel. This report provides the advice of the Northern Beaches Local Planning Panel to Council.

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## RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council note the advice received from the Northern Beaches Local Planning Panel.
  - B. Council now submits the Planning Proposal to the Department of Planning and Environment for a Gateway Determination as required by the Sydney North Planning Panel.
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## REPORT

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### BACKGROUND

Council received a Planning Proposal on 4 September 2017 to amend the Pittwater Local Environmental Plan 2014 (PLEP 2014) for land at 2-4 Nooal Street and 66 Bardo Road, Newport. The Planning Proposal sought to add an additional permitted use on the site through Schedule 1 of the PLEP to permit 'Seniors Housing'. The subject properties would have retained their E4 Environmental Living Zoning.

Council at its meeting of 27 November 2017 resolved to not support the Planning Proposal. Council resolved:

*That:*

- A. *Council does not submit the Planning Proposal lodged for 2-4 Nooal Street and 66 Bardo Road, Newport for a Gateway Determination for the following reasons:*
  - a. *It is inconsistent with the Pittwater Local Planning Strategy (2011)*
  - b. *It does not have strategic merit or site specific merit when assessed in accordance with the NSW Planning & Environment's Planning Proposal: A guide to preparing planning proposals (2016)*
  - c. *It does not align with the goals and targets of the Revised Draft North District Plan.*
  - d. *It is inconsistent with the following State Environmental Planning Policies;*
    - i. *Housing for Seniors or People with a Disability*
    - ii. *Coastal Protection*
    - iii. *Draft Coastal Management*
  - e. *Is inconsistent with the following Local Planning Directions;*
    - i. *2.1 – Environmental Protection Zones*
    - ii. *4.3 - Flood Prone Land*
    - iii. *7.1 – Implementation of the Metropolitan Strategy*
    - iv. *Draft Coastal Management Local Planning Direction.*
  - f. *It is inconsistent with the objectives of the E4 Environmental Living Zone in Pittwater Local Environmental Plan 2014.*
  - g. *It seeks to permit medium density residential development that is inconsistent with the established low density character of the area.*
  - h. *It would set an unacceptable precedent.*
- B. *The proponent and interested parties who made a submission be advised of Council's decision.*

The applicant subsequently sought and was granted a Rezoning Review by the NSW Department of Planning & Environment. At its meeting of 2 May 2018, the Sydney North Planning Panel heard the matter and on the following day determined the Planning Proposal should proceed with amendments. Rather than pursuing an amendment to Schedule 1 of the Pittwater Local Environmental Plan 2014 to introduce seniors housing as an additional permitted use, the Sydney

North Planning Panel supported a rezoning from E4 Environmental Living to R2 Low Density Residential.

At its meeting of 2 May 2018, the Sydney North Planning Panel heard the matter. Council provided written commentary to the panel beforehand indicating their reasons for refusal and provided an oral submission on the day as to why it should not be supported. The following day the Panel determined the Planning Proposal should proceed with substantial amendments that were not communicated or discussed previously. Rather than pursuing an amendment to Schedule 1 of the Pittwater Local Environmental Plan 2014 to introduce seniors housing as an additional permitted use the Panel supported a straight rezoning from E4 Environmental Living to R2 Low Density Residential, and a recommendation to investigate expanding the subject area to include 13 additional properties up to Irrubel Road.

Significant concerns were raised regarding this decision. An extract from Council's letter to the Planning Minister in relation to this matter is provided below:

*This decision represents an egregious overreach by the Panel. In making this decision, the Panel are in breach of the Planning Panel Operational Procedures which state as follows:*

*"The Panel's determination should provide a clear decision on whether the planning proposal before it should proceed, or not proceed, for a Gateway determination rather than recommending improvements".*

*Clearly the Panel have not followed their own Operational Procedures. Rather than making a decision on the proposal before it, the Panel have significantly expanded the scope of the proposal. In making this recommendation the Panel has exceeded their authority.*

*Further, the Panel are ignoring the newly published North District Plan which states that "Councils are in the best position to investigate and confirm which parts of their local government areas are suited to additional medium density opportunities". The Panel are seemingly attempting to step into the role of Council and undertake strategic planning on our behalf on a Planning Proposal by Planning Proposal basis. The Pittwater LEP 2014 is less than 5 years old and Northern Beaches Council is on track to achieve our housing target. We are committed to preparing a housing strategy to address growth. The demand for seniors housing is recognised however, there are literally hundreds of other sites within the northern beaches where seniors housing is permitted. These sites can yield thousands of seniors housing apartments. Accordingly, to change the zone of these lots is unnecessary and unwarranted.*

*The development and gazettal of the Pittwater LEP was undertaken following extensive investigation, research and community consultation. The first objective of the E4 Environmental Living zone is as follows:*

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic value.*

*Every residential property that fronts the Pittwater Waterway is zoned E4 Environmental Living on the basis of 'aesthetic value'. The Panel have taken it upon themselves to arbitrarily dismiss this and make a decision which sets a precedent that will undermine the consistency and integrity of this zone and all it sets out to achieve.*

*There are also serious site specific issues related to this recommendation. Nine of the additional lots recommended to be rezoned are subject to medium or high risk flooding affectation. Additionally, the State Environmental Planning Policy (Housing for Seniors or People with a Disability) (SEPP (HSPD)) contains site related requirements that include the need for a site to be within 400m of a bus stop. All of the additional sites are beyond 400m from the nearest bus stop. Accordingly, these properties should not be developed for seniors housing in accordance with SEPP (HSPD).*



*Having regard for the above, we request an immediate review of this decision.*

An extract from the response from the Department of Planning and Environment is provided below:

*The Panel unanimously determined that the proposed instrument should be submitted for a Gateway determination because the proposal demonstrated clear strategic and site-specific merit. The Panel supported the planning proposal's objective to allow for seniors housing on the site; however, it recommended an alternative mechanism to the proponent's submission to achieve this objective, being rezoning of the site.*

*The Panel considered that an R2 Low Density Residential zone would be more appropriate to achieve the proposal's intended outcome rather than an additional permitted use in Schedule 1 of the Pittwater Local Environmental Plan 2014.*

*In the reasons for their decision, the Panel recommended to the delegate of the Greater Sydney Commission, the additional investigation and rezoning of land in the immediate vicinity of the site, including the 10 lots north of the subject land.*

*Through the rezoning review process, the planning panel determines whether a proposed instrument should be submitted for a Gateway determination based on the strategic and site-specific merits of the proposal. The panel's recommendations are then taken into consideration when the planning proposal is submitted to the Department for Gateway determination.*

*The Department is currently assessing the submitted planning proposal for a Gateway determination. I would like to assure you that whilst this includes consideration of the Panel's recommendation, it also considers the information in the planning proposal. The planning proposal does not include the additional land referred to by the Panel and this will mean that the relevant planning and environmental studies are not available for assessment and a subsequent Gateway determination decision by the Delegate of the Greater Sydney Commission.*

Given the substantial changes proposed by the Sydney North Planning Panel, Council sought to be the Relevant Planning Authority (RPA) for this Planning Proposal. This means Council is now responsible for the preparation of a Planning Proposal and subsequent Management of this proposal through the plan making process. Council has subsequently prepared the Planning Proposal (Attachment 1).

In accordance with the Minister for Planning's Directions, the RPA must now submit a Planning Proposal to the relevant local council planning panel for advice, before it is submitted to the Department for a Gateway Determination. This Direction was not in place when this Planning Proposal was first assessed by Council, and as such the Planning Proposal was not referred to the local planning panel at that time. The Minister's Direction came into effect on 1 June 2018, however there are no savings provisions and as such it does apply to planning proposals prepared, but not submitted to the Minister, before 1 June 2018.

Accordingly, the Planning Proposal was submitted to the Northern Beaches Local Planning Panel for advice. The Panel considered the Planning Proposal at its meeting of 1 August 2018. The advice of the panel is outlined below:

1. *The proposal has not demonstrated strategic merit given the isolated nature of the site. It is inconsistent with the Pittwater Local Planning Strategy (2011).*
2. *The proposal fails to provide any public benefit or improvement.*
3. *There is no physical contribution to local affordable housing proposed.*
4. *The proposal does not represent orderly and economic planning.*



5. *The site is adversely affected by flooding as shown in the Pittwater Overland Flow Mapping and Flood Study and is therefore an inappropriate site for any increase in housing density or development for aged and disabled persons.*
6. *It does not align with the goals and targets of the North District Plan (March 2018).*
7. *The lack of strategic direction in the proposed amplifies the likelihood of similar applications in this environmentally sensitive area.*

Council must now submit the Planning Proposal to the Department of Planning and Environment for a Gateway Determination in accordance with the decision of the Sydney North Planning Panel.

## **CONSULTATION**

If the proposal was to proceed through Gateway and receive a determination to proceed, an additional round of statutory public exhibition would be undertaken for 28 days.

## **TIMING**

If the proposal receives a Gateway Determination to proceed, it is anticipated that it will take approximately 9 months to exhibit the proposal, finalise and then publish the proposed LEP amendment.

## **FINANCIAL CONSIDERATIONS**

There are no substantive financial considerations with the preparation of the Planning Proposal.

## **SOCIAL CONSIDERATIONS**

This proposal is subject to community opposition. 23 submissions objecting to the proposal were received during the non-statutory public exhibition period from surrounding land owners as well as the Newport Residents Association.

## **ENVIRONMENTAL CONSIDERATIONS**

The proposal is considered to have potential negative environmental impacts on the aesthetic qualities and amenity of the locality.

## **GOVERNANCE AND RISK CONSIDERATIONS**

Governance and risk considerations are standard procedural considerations in relation to actions arising from the recommendations of this report.

<b>ITEM 11.5</b>	<b>EXTENSION OF THE MANLY CBD ALCOHOL FREE ZONE</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE</b>
<b>TRIM FILE REF</b>	<b>2018/499611</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Manly AFZ Map</b> <b>2 <a href="#">↓</a> NSW Police Northern Beaches Local Area Command - Letter of Support</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

To establish the proposed extension to the Alcohol Free Zone (AFZ) in the Manly CBD area to include the streets surrounding Manly Oval and Ivanhoe Park bounded by Sydney Road, Park Ave and Raglan Street, Manly, as identified in the Map (see Attachment 1), in accordance with the requirements of the Local Government Act 1993.

### SUMMARY

Alcohol Free Zones are a public space management tool that assists in combatting anti-social behaviour in relation to excessive alcohol consumption. By establishing AFZs, Council can assist the Police in managing alcohol consumption on public roads, footpaths and carparks. To date the implementation of these controls has been effective in the curbing of anti-social behaviour in Manly.

When advertising the proposal to reinstate the AFZ in the Manly CBD, Council received correspondence from the NSW Police Northern Beaches Police Area Command (NBLAC) supporting the AFZ and requesting an extension to the existing AFZ in the Manly CBD (see Attachment 2).

In response to this request from the NSW Police, at the Council meeting of 26 June 2018, Council resolved:

*That:*

- A. Council adopt the proposal to create an Alcohol Free Zone in Manly for a further four year period from 8 July 2018 to 8 July 2022. The Zone will cover public roads, footpaths and carparks within the vicinity bounded by North Steyne and South Steyne, Ashburner Street, East and West Esplanade, Eustace Street, Pittwater Road and Steinton Street, Manly.*
- B. Council place the proposed extension of the Alcohol Free Zone, surrounding Manly Oval and Ivanhoe Park, bounded by Sydney Road, Park Ave and Raglan Street, Manly, on public exhibition for a period of 30 days.*

The proposed extension to the AFZ was placed on public exhibition from 7 July to 8 August 2018.

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## RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council adopt the proposed extension of the Alcohol Free Zone to include the streets surrounding Manly Oval and Ivanhoe Park bounded by Sydney Road, Park Ave and Raglan Street, Manly.

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## REPORT

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### BACKGROUND

#### Operation of the Alcohol Free Zone

Under the Local Government Act 1993 (Part 4 'Street Drinking', Sections 642-648), an Alcohol Free Zone (AFZ) covers public roads, footpaths and carparks. As per the map shown in Attachment 1, the AFZ in Manly covers the Central Business District (CBD) and will now also include the streets surrounding Manly Oval and Ivanhoe Park bounded by Sydney Road, Park Ave and Raglan Street, Manly.

The AFZ restricts the consumption of alcohol 24 hours a day, 7 days a week in that zone and is an effective tool to assist both Council and Police in managing public safety.

The intention of an AFZ is to combat anti-social behaviour and to address community concern for specific locations. NSW Police and authorised Council Rangers are empowered to confiscate alcohol that is in the possession of persons within the AFZ whom they believe either have been drinking or are about to drink alcohol within these zones. Confiscated alcohol may be seized and disposed of on the spot. The AFZ is regularly monitored; with particular attention given to the AFZ on Friday and Saturday nights and certain public holidays, when the rate of alcohol related crime is significantly higher than any other time of the week.

In order to validly establish an AFZ Council must comply with the procedures in Section.644 of the Local Government Act 1993 as well as the Ministerial Guidelines on Alcohol Free Zones. An AFZ may only be established for a maximum of four years and must undergo all requirements to establish the zone again. After complying with the procedures a council may, by resolution, adopt a proposal to establish an AFZ. The resolution itself will establish the zone.

An AFZ has been in place in the Manly CBD area for sixteen years, with some location extensions occurring following previous reviews.

#### Alcohol Prohibited Areas

Section.632A(4) of the Local Government Act 1993 enables Council to declare any public place or part of a place controlled by Council to be an Alcohol Prohibited Area (APA). All beaches, parks and reserves that border the current AFZ in Manly are designated APAs.

Both AFZs and APAs have a common purpose, which is to prevent disorderly behaviour caused by the consumption of alcohol in public areas to improve public safety. AFZs and APAs also have consistent enforcement powers. The main distinction between them is the areas they cover and their establishment process. Council is able to declare an APA in consultation with the local Police Commander without the degree of community consultation required of an AFZ. Another difference is that APAs can be used to prohibit drinking alcohol at all times or only for specific days, times or events, whereas AFZs apply 24 hours a day.

This report only deals with the AFZ in the Manly CBD. All APAs in the Northern Beaches will be the subject of a separate review in order to develop consistency across the whole Council area.

### CONSULTATION

A public exhibition period of 30 days was undertaken outlining the proposed extension areas for the AFZ in the Manly CBD, as required under the Local Government Act 1993. The proposal details were placed on public exhibition on the Council 'Your Say' page, in the Manly Daily newspaper, e-newsletters and in a notification sent out via email to those registered on the community engagement register. All contained links to the map of the existing and proposed Manly CBD AFZ. Submissions closed on 8 August 2018.

As a result of the public exhibition period a total of 9 submissions were received. The majority were in support of the AFZ, with six (6) submissions for and three (3) submissions against. The supporters cited anti-social behaviour, rubbish and disruption to residents as the reasons for supporting the AFZ. Those against the AFZ cited Manly being a vibrant, tourist community where responsible drinking should be permitted, with the small percentage of irresponsible drinkers spoiling it for the majority. While there is some merit in this argument, data and police information show a high occurrence of anti-social and criminal incidents around the Manly CBD, with the majority of incidents alcohol related.

There was some confusion that this proposed extension to the AFZ included surrounding areas including East Esplanade Reserve, West Esplanade, Delwood Beach, Shelley Beach and Fairlight Beach. This highlights some confusion in the public around AFZs and APAs.

### **TIMING**

If Council resolves to establish the proposed extension to the AFZ, Council must then publicly notify their establishment. The zone can then be activated seven (7) days after this advertisement, provided the appropriate signage is installed. It will then be in force for four years after the date of the public notification until September 2022.

### **FINANCIAL CONSIDERATIONS**

There will be a cost for the creation and installation of new signs. This will be covered by the Community Arts & Culture business unit.

### **SOCIAL CONSIDERATIONS**

Establishing AFZs will aid the management of problematic consumption of alcohol in the Manly CBD and surrounding areas.

### **ENVIRONMENTAL CONSIDERATIONS**

There are negligible environmental considerations.

### **GOVERNANCE AND RISK CONSIDERATIONS**

There are no Governance or Risk considerations.

# Manly Alcohol Free Zone (AFZ)



- AFZ Alcohol Free Zone (24 hours)
- Proposed Extension







Sensitive – Law Enforcement



**NSW Police Force**  
www.police.nsw.gov.au

8 June 2018

Our Ref: d/2018/471651

Kylie Walshe  
Executive Manager  
Community, Arts & Culture  
Northern Beaches Council  
DEE WHY NSW 2099

Dear Madam,

**Re: Re-establishment of Alcohol Free Zones (AFZs) – Manly Area**

Northern Beaches Police Area Command is in receipt of a letter from Council proposing the re-establishment of the Manly AFZ (see attached).

NSW Police Force has a crucial interest in ensuring the safety of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

- It is not possible to make areas evaluated by NSW Police Force absolutely safe for the community and their property;
- Recommendations are based upon information provided to, and observations made by NSW Police Force at the time the document was prepared; and
- The contents of the evaluation are not to be copied or circulated otherwise than for the purposes of the Northern Beaches Council.

The NSW Police Force hope that by using the recommendations contained within this document, criminal activity will be reduced and the safety of the community and their property will be increased. However, it does not guarantee that all risks have been identified or that the area evaluated will be free from criminal activity if its recommendations are followed.

Northern Beaches Police Area Command supports the re-establishment of the existing Manly AFZ, but requests an extension to the Alcohol-Free Zone that includes the streets surrounding the Manly Oval and Ivanhoe Park area. This is bounded by Sydney Road, Park Avenue and Raglan Street, Manly. This follows a range of alcohol related issues concerning groups of young people, sporting group users and homeless people in this vicinity. This has become increasingly problematic over the last year.

**Northern Beaches Police Area Command**  
**CNR St David Avenue & Fisher Road**  
DEE WHY NSW 2095

Telephone 02 9971 3399 Facsimile 02 9971 3366 ENet 52399 EFax 52366 TTY 9211 3776 (Hearing/Speech impaired)  
ABN 43 408 613 180

Sensitive – Law Enforcement

**NSW POLICE FORCE RECRUITING NOW 1800 222 122**

WWW.POLICE.NSW.GOV.AU/RECRUITMENT





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- 2 -

Should any information relating to the re-establishment of Alcohol Free Zones be required, please don't hesitate to contact Licensing Office on 9976-8019.

Yours faithfully,



  
C. WONDERS -  
A/COMMANDER

For .

Dave Darcy  
Commander  
NORTHERN BEACHES POLICE AREA COMMAND

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7 May 2018

Superintendent Dave Darcy  
Northern Beaches Local Area Command  
NSW Police  
St David Ave  
DEE WHY NSW 2099

Ref:2018/279341

Dear Sir

**Re-establishment of Alcohol Free Zones (AFZs)**

Council is currently in the process of re-establishing the AFZs in the Manly area. The AFZ is used as an early intervention measure to prevent the escalation of irresponsible, street drinking which can lead to incidents involving serious crime. The AFZ restricts consumption of alcohol on the street and will apply 24 hours a day, 7 days a week. Council proposes to re-establish these AFZs for a further period of 4 years and is currently consulting with key stakeholders and community.

**Re-establishment time period – 8 July 2018 to 8 July 2022.**

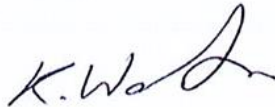
**Proposed AFZ area - bounded by North Steyne and South Steyne, Ashburner Street, East and West Esplanade, Eustace Street, Pittwater Road and Steinton Street.**

Further detail and accompanying map can be viewed at  
[www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au)

Council invites your response to be received in writing by 28 May 2018 to:  
[records@northernbeaches.nsw.gov.au](mailto:records@northernbeaches.nsw.gov.au) marked as "Manly Alcohol Free Zone" submission.

Enquiries may be directed to Council's Coordinator Community Safety on 9976 1567.

Yours sincerely



Kylie Walshe  
Executive Manager  
Community, Arts and Culture

t 1300 434 434  
e [council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)  
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Dee Why Office:  
725 Pittwater Road  
Dee Why NSW 2099  
DX 9118 Dee Why  
f 02 9971 4522

Mona Vale Office:  
1 Park Street  
Mona Vale NSW 2103  
DX 9018 Mona Vale  
f 02 9970 1200

Manly Office:  
1 Belgrave Street  
Manly NSW 2095  
f 02 9976 1400





## Manly Alcohol Free Zone (AFZ)



- AFZ Alcohol Free Zone (24 hours)
- Proposed Extension



<b>ITEM 11.6</b>	<b>MINUTES FROM THE COMMUNITY SAFETY COMMITTEE - 7 JUNE 2018 AND 2 AUGUST 2018</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE</b>
<b>TRIM FILE REF</b>	<b>2018/477738</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">📎</a> Draft Minutes Community Safety Committee Meeting 7 June 2018 (Included In Attachments Booklet)</b> <b>2 <a href="#">📎</a> Draft Minutes Community Safety Committee Meeting 2 August 2018 (Included In Attachments Booklet)</b>

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## REPORT

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### PURPOSE

To report the minutes of the Community Safety Committee meetings held on 7 June 2018 and 2 August 2018.

### REPORT

The Community Safety Committee (the Committee) is an advisory committee created by resolution of Council to collaborate, consider and advise Council on ways to maintain, improve, resolve and progress issues that impact on community safety and crime prevention across the Northern Beaches.

Meetings were held on 7 June 2018 and 2 August 2018 and the Minutes are presented to Council for notation.

At the meeting of 7 June 2018, the Committee discussed East Esplanade Reserve, suicide prevention and drug usage in the Northern Beaches.

At the meeting of 2 August 2018, the Committee endorsed the draft East Esplanade Reserve Community Safety Management Plan and the Suicide Prevention Working Group reported on actions following the recommendations of the recent Coroner's report.

### FINANCIAL CONSIDERATIONS

Notation of the Community Safety Advisory Committee minutes has no financial implications.

### ENVIRONMENTAL CONSIDERATIONS

Notation of the Community Safety Advisory Committee minutes has no environmental implications.

### SOCIAL CONSIDERATIONS

The Community Safety Committee provides valuable advice which relate to social and community based outcomes. The committee includes involvement and engagement with a broad range of stakeholders, community groups, associations and the wider community.

### GOVERNANCE AND RISK CONSIDERATIONS

The Community Safety Committee is conducted in accordance with Council's governance framework.

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### RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council note the Minutes of the Community Safety Committee meetings held on 7 June 2018 and 2 August 2018.

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<b>ITEM 11.7</b>	<b>EAST ESPLANADE RESERVE COMMUNITY SAFETY MANAGEMENT PLAN</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE</b>
<b>TRIM FILE REF</b>	<b>2018/526891</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">East Esplanade Reserve Community Safety Management Plan 2018</a></b>

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## REPORT

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### PURPOSE

To report on the Notice of Motion of 27 March 2018, where Council resolved:

- A. *Council endorse the Alcohol Prohibited Area (APA) at East Esplanade to an Alcohol Prohibited Area from 8.00pm to 8.00am to assist Council and Police to enforce the zoning.*
- B. *Council undertake the deployment of night rangers or alternative measures to deal with noise issues and enforcement of Alcohol Prohibited Areas. If user pays police are used in East Esplanade that should be reported to Council on a quarterly basis including costs and dates.*
- C. *Council develop other strategies to clear the area of illegal drinkers.*
- D. *Council refer the matter to the Northern Beaches Safety Advisory Committee for ongoing monitoring.*
- E. *Council prepare a Community Safety Management Plan for East Esplanade within the next three months.*

### REPORT

In response to the Council resolution, Items A to C have been implemented. The new signage for the Alcohol Prohibited Area was installed on 29 March 2018 and patrols of these new requirements commenced on 30 March 2018. Regular patrols of East Esplanade Reserve (the Reserve) have been maintained by the Ranger unit, including some additional patrols around public holidays. Rangers have observed a high level of compliance with only a small number of people requiring direction. Directions are being followed by the public.

In regards to Items D and E, the Northern Beaches Community Safety Committee has been engaged and assisted in the development of the draft East Esplanade Reserve Community Safety Plan. The draft Plan was presented at the Community Safety Committee Meeting of 2 August and endorsed unanimously.

Implementation of some actions within the draft Plan have commenced, including a funding application for the installation of CCTV in the Reserve.

### FINANCIAL CONSIDERATIONS

The implementation of the East Esplanade Community Safety Plan may have financial considerations, with any budgetary impacts to be reported and considered by Council in quarterly budget reviews and annual budget considerations.

### ENVIRONMENTAL CONSIDERATIONS

The implementation of the draft Plan is aimed at improving the amenity of the area, with no adverse impacts on the environment.

**SOCIAL CONSIDERATIONS**

The implementation of the draft Plan is aimed at reducing anti-social behaviour and providing a positive experience to all residents and visitors that use East Esplanade Reserve.

**GOVERNANCE AND RISK CONSIDERATIONS**

The implementation of the draft Plan aims to reduce the risk of personal injury due to anti-social behaviour.

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**RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY**

That:

- A. Council note the implementation of the Council resolution of 27 March 2018.
  - B. Council endorse the draft East Esplanade Reserve Community Safety Management Plan.
-





# **East Esplanade Reserve Community Safety Management Plan**

**July 2018**



## Background

Since 2013 East Esplanade reserve has become an increasingly popular place for people to gather. Peak visitation is on a sunny Saturday and Sunday afternoon/early evening during daylight savings. In recent times the demographic has shifted from predominantly family groups to include young people, students and backpackers. It is known on social media and colloquially as 'The Office'. People travel into Manly specifically to come to the park to enjoy the space and to watch the sunset. Social media has had a dramatic impact on the public space resulting in a more festive area attracting hundreds people at peak times over the summer. A large part of this includes the consumption of alcohol. This shifting use of public space is also symptomatic of the highly regulated environment in licensed venues as well as the readily accessible and extremely cheap takeaway alcohol located in nearby stores including ALDI. It is common to see groups arriving with cartons of pre-mixed spirits and beer and is a location used for pre-fuelling. Most people disperse from the area once the sun goes down.

This location has been subject of many resident complaints to Council, Police and the local State MP. The complaints mainly relate to urinating in public space and in front yards of adjacent residences, the noise and the rubbish. It is generally agreed that it is appropriate to encourage people to leave after dark as it is usually only the noisy, intoxicated people who remain after this point.

Police advise that reported crime in this location is low. It is important to note that most users of the reserve are well behaved and respectful. Like many situations it is the minority that cause the problems. Manly remains a major tourist destination with a high density of licensed venues and a late night entertainment precinct. It has a long history of alcohol related problems that have been actively and effectively managed in the public space. The consistent enforcement of both the Alcohol Free Zone (AFZ) and the Alcohol Prohibited Area (APA) is one of many strategies used in a holistic approach to reduce impacts on local residents. The current Alcohol Prohibited Area time is 8pm to 6am.

This plan addresses resolution E. from the Northern Beaches Council Meeting on 27 March 2018. It is a cross council action plan and aims to have several key short term actions in place by the Summer 2018/2019 and others more longer term.

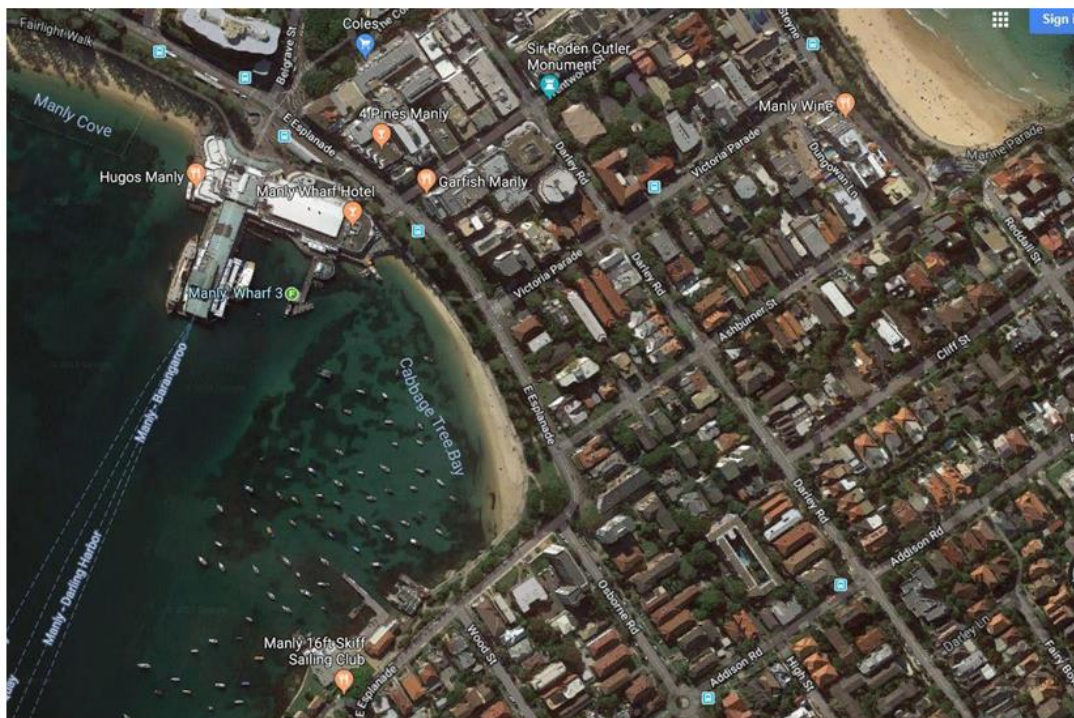
### Council Resolution

The Council Meeting on 27 March 2018 resolved that;

- A.** Council endorse the Alcohol Prohibited Area (APA) at East Esplanade to an Alcohol Prohibited Area from 8.00pm to 8.00am to assist Council and Police to enforce the zoning.
- B.** Council undertake the deployment of night rangers or alternative measures to deal with noise issues and enforcement of Alcohol Prohibited Areas. If user pays police are used in East Esplanade that should be reported to Council on a quarterly basis including costs and dates.
- C.** Council develop other strategies to clear the area of illegal drinkers.
- D.** Council refer the matter to the Northern Beaches Safety Advisory Committee for ongoing monitoring.
- E.** Council prepare a Community Safety Management Plan for East Esplanade within the next three months.

### Plan Location:

East Esplanade Reserve from Wood Street to Manly Wharf



## **Rationale**

The actions contained in the plan have been determined through an assessment of the site with consideration of Safety by Design principles using both situational and social crime prevention strategies. This plan takes into account aspects of territorial reinforcement, surveillance, access control and space and activity management. We conducted numerous site inspections, a community safety audit and consultation with various stakeholders. The actions in this Community Safety Management Plan aim to minimise opportunities for anti-social behaviour, alcohol related violence, and misconduct against property. The plan will achieve this through targeted infrastructure improvements, developing partnerships, advocacy on related issues, providing feedback to planners and managers and restoring community strength and co-operation. It is intended to implement the plan by Daylight Saving, which commences on 7 October 2018.

## **Objective**

To manage the high public use in the summer period of East Esplanade Reserve Park to ensure that safety, amenity and environment are maintained with consideration to residents and visitors.

## **Key Issues**

1. Public toilets
2. Signage / Access points
3. Lighting
4. Waste and Cleansing
5. Alcohol Prohibited Area management
6. Late night noise / Anti-social behaviour
7. CCTV
8. Landscape Masterplan
9. Community Engagement, Communications and Place Management

**Stakeholders**

- Council (Community Safety, Place Co-ordination, Parks & Recreation, Waste & Cleansing, Properties, Facilities, Environmental Compliance)
- Police
- Residents, Manly Community Forum
- Skiff Club
- Manly Wharf (Hotel, Aldi, Manly Wharf Management)
- James Griffin MP
- Tourists / Visitors

**Evaluation**

- Site inspections / Observational studies
- Community Safety Audit – November 2018/April 2019
- Ranger statistics (baseline)
- Police statistics (baseline)
- Resident complaints (baseline)
- Other feedback (eg. letters to Manly Daily)
- Pedestrian counts

**Review Dates**

The East Esplanade Reserve Community Safety Management Plan is to be reviewed at the end of November 2018 and the end of April 2019 to determine ongoing actions.



## Community Safety Management Plan

### Issue 1: Public Toilets

To ensure public toilets are visible, kept clean and accessible to reduce public urination

Action	Business Unit	Timeline	Status as of July 2018
1.1 Monitor sunset to sunrise opening	Facilities	October 2018	Confirmed
1.2 Arrange additional cleansing as required	Facilities	October 2018	Confirmed
1.3 Toilet Upgrade to provide greater capacity	Properties / Community Arts and Culture	Completed December 2019	Budget has been allocated for 2019/20 as part of the Landscape Masterplan. Community Arts & Culture to liaise internally to expedite timeline.
1.4 Prepare proposal re trial of porta-loos / urinals	Community Arts and Culture	October 2018	Underway
1.5 Urine repellent paint at agreed locations	Facilities / Community Arts and Culture	November 2018	To be arranged
1.6 Advocate to Manly Wharf Management for safer and more accessible toilets	Community Arts and Culture	August 2018	Follow up letters to be sent to Manly Wharf management TMG Development and local MP.

### Issue 2: Signage / Access points

To ensure that regulatory and wayfinding signage is always clear and visible

Action	Business Unit	Timeline	Status as of July 2018
2.1 Weekly site check through summer	Place and Economic Development / Community Arts and Culture / Parks and Recreation	October 2018	Confirmed
2.2 Steps (glow paint)	Parks and Recreation	TBC	Possible step closure. Action will be completed if closure of steps is after October 2018.
2.3 Toilet wayfinding signage	Parks and Recreation	October 2018	Design request submitted
2.4 Clear signs on toilets visible from park	Community Arts and Culture	October 2018	Design request submitted

### Issue 3: Lighting

To ensure all lights working

Action	Business Unit	Timeline	Status as of July 2018
3.1 Quarterly community safety night audit and follow up	Community Arts and Culture	November 2018	Subsequent audits to be undertaken in February, May and August 2019
3.2 Consider sensor light at Ashburner St wall	Community Arts and Culture	October 2018	Liaise with resident and police regarding positioning to install by October 2018



**Issue 4: Waste and Cleansing**  
To ensure no overflowing bins, less rubbish left on reserve and utilise community waste education opportunities

Action	Business Unit	Timeline	Status as of July 2018
4.1 Additional bins and bottle bins on weekends	Waste and Cleansing	October 2018	Final numbers and locations to be determined by September 2018. There can be no later pickups than 4pm due to the tip closing at 5pm. The Protection of the Environment Operations Act (POEO) restricts storing waste in trucks overnight.
4.2 Litter guards / Waste education	Waste and Cleansing	September 2018	Consider viability of volunteer involvement

**Issue 5: Alcohol Prohibited Area management**  
To educate the public and ensure consistent enforcement of the 8pm to 6am Alcohol Prohibited Area (APA) and the 24 hour Alcohol Free Zone (AFZ)

Action	Business Unit	Timeline	Status as of July 2018
5.1 All rangers to be authorised persons under Local Government Act for alcohol regulation	Environmental Compliance	October 2018	To be arranged
5.2 Police provide support and training to rangers	Environmental Compliance	October 2018	To be arranged
5.3 Negotiated joint enforcement	Environmental Compliance	October 2018	To be arranged
5.4 Ensure targeted patrols	Environmental Compliance	October 2018	Confirmed
5.6 Stencil APA message on pavement	Parks and Recreation	October 2018	Studio design request to be submitted by September 2018

**Issue 6: Late night noise / Anti-social behaviour**  
To encourage move on of groups gathered in the park after 10pm

Action	Business Unit	Timeline	Status as of July 2018
6.1 Trial sprinklers for a four week period	Parks and Recreation	November 2018	Confirmed
6.2 Advisory signage in place	Parks and Recreation	November 2018	Confirmed
6.3 Review trial and refer results / recommendations to Community Safety Committee for consideration	Community Arts and Culture	6 December 2018	Confirmed

#### Issue 7: CCTV

To improve ability to respond and follow up incidents

Action	Business Unit	Timeline	Status as of July 2018
7.1 Confirm locations, logistics and timings	Systems and Information	Commence August 2018	Will progress once specialist technical staff return from leave
7.2 Install CCTV as agreed on site	Systems and Information	Operational by October 2018	To be arranged

#### Issue 8: Landscape Masterplan

To ensure the ten year Landscape Masterplan is implemented with reference to the objectives of this plan

Action	Business Unit	Timeline	Status as of July 2018
8.1 Improve drainage/edging walls	Parks and Recreation	July 2018	Underway
8.2 Street furniture upgrade	Parks and Recreation	TBA	Consideration of this plan when design of new infrastructure is being planned
8.3 Public Toilets increase capacity	Properties	Design July 2018, Completed December 2019	Liaise internally re final design aspects

#### Issue 9: Community Engagement, Communications and Place Management

To ensure a broad range of views are collated, considered at the outset and ongoing  
To ensure prompt response to all feedback  
To ensure accurate portrayal of situation  
To promote community education and awareness

Action	Business Unit	Timeline	Status as of July 2018
9.1 All issues/complaints to be collated. To provide real time and post weekend feedback to assist with continual improvement	Place and Economic Development / Community Arts and Culture	October onward	Logistical arrangements underway
9.2 Communications team briefed and prepared for pro-active and re-active messaging	Community Arts and Culture / Communications	Ongoing	Community Safety to continue to liaise with Communications Manager

<b>ITEM 11.8</b>	<b>GLEN STREET THEATRE COMPLIMENTARY TICKETS POLICY</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE</b>
<b>TRIM FILE REF</b>	<b>2018/485266</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> Glen Street Theatre Complimentary Tickets Policy</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To inform Council of the outcomes of the public exhibition of the Glen Street Theatre Complimentary Tickets Policy, and seek Council's approval of its adoption.

#### SUMMARY

Council, at its meeting on 26 June 2018, considered and resolved to publicly exhibit the *draft Glen Street Theatre Complimentary Tickets Policy*. The exhibition period was 30 June to 29 July 2018.

Sixteen people viewed the draft Policy via the "Your Say" website, with two submissions being made. Both of these submissions were in support of the draft Policy, with no changes recommended to the policy.

Complimentary tickets are leveraged by theatres to deliver on business and community objectives. A review of past complimentary ticket practices at Glen Street Theatre has been undertaken, with the draft Policy providing clear guidelines on when it is appropriate to use complimentary tickets for strategic advantage.

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#### RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That Council adopt the Glen Street Theatre Complimentary Tickets Policy.

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## REPORT

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### BACKGROUND

Since its inception, Glen Street Theatre has allocated complimentary tickets to improve the profile of the theatre in the community, and to meet business objectives. In 2017, a number of actions were identified to be undertaken by Glen Street Theatre to improve transparency of the allocation of complimentary tickets and provide clarification of the distribution methodology. This policy addresses the professional use of complimentary tickets to deliver on business objectives and community obligations in the following ways:

- To ensure oversight by management, funding bodies and councillors to improve understanding of the activities they manage and invest in.
- To provide training and professional development opportunities for staff to build customer service and operational professionalism.
- To maximise ticket sales through publicity and word of mouth generated from VIPs, media and influencers attending Opening Nights.
- To ensure community accessibility through outreach strategies such as the provision of tickets to those who may find the theatre cost-prohibitive, delivered through accredited non-profit organisations.
- To create relationships with key decision-makers, businesses and potential funders.

The Glen Street Director will be responsible for the authorisation of all complimentary tickets, as is accepted practice in Australian venues, with oversight from the Executive Manager Community Arts & Culture. All tickets at Glen Street Theatre are documented through a professional ticketing system that provides audit trails and appropriate documentation of ticket distribution.

### CONSULTATION

The draft Policy was placed on public exhibition from 30 June to 29 July 2018. The consultation process was:

- Information on the “Your Say” project web page including an online submission form resulting in sixteen visits and two positive responses.
- Advertisements in the *Manly Daily*.

### TIMING

The draft Policy will be effective immediately once adopted by Council.

### FINANCIAL CONSIDERATIONS

Theatre tickets are perishable inventory with the allocated tickets able to be sold for the advertised price if they are not used by Councillors or identified staff. It should be noted that theatre capacity is managed so that the distribution of complimentary tickets does not compromise or cannibalise any realistic ticket sales opportunities.

### SOCIAL CONSIDERATIONS

The distribution of complimentary tickets will increase community accessibility and provide a positive community outcome through the provision of tickets to those who may find the theatre cost-prohibitive, delivered through accredited non-profit organisations.

**ENVIRONMENTAL CONSIDERATIONS**

There are no environmental considerations with this proposal.

**GOVERNANCE AND RISK CONSIDERATIONS**

The policy demonstrates a transparent approach to the distribution of complimentary tickets by Glen Street Theatre and contributes to good governance practices for Councillors and senior staff in the facilitation of their oversight of Council's investment in arts and culture.

## Council Policy

### Glen Street Theatre Complimentary Tickets

#### Policy Statement

Northern Beaches Council is committed to supporting the arts and creative communities through the management of a professional performing arts venue. Glen Street Theatre is an integral part of the Northern Beaches cultural fabric and a high profile example of Council building strong relationships with the community and providing cultural leadership.

The strategic, discretionary use of complimentary tickets is a tool to facilitate the governance, promotion, revenue generation, staff training, customer service and community engagement outcomes that underpin Council's investment in Glen Street Theatre.

#### Principles

- Council wishes to maximise its investment in Glen Street Theatre and demonstrate best practice in professional theatre management, as identified by industry peak bodies PAC Australia and Live Performance Australia. Glen Street Theatre is a member of both organisations.
- Theatre tickets are perishable inventory and can only deliver value if they are used.
- Government subsidised performing arts venues in Australia maximise the outcomes from government investment through the strategic use of complimentary tickets in order to deliver on their business objectives, their community obligations, and to defray risk in the following ways:

##### 1. Good Governance

Provision of complimentary tickets on a discretionary and transparent basis to the community's elected representatives and senior council staff provides an opportunity to monitor Council's investment in the delivery of arts events and venue management.

##### 2. Outreach and Accessibility

Arts venues and organisations across the country, from time to time at the discretion of delegated staff, provide complimentary tickets to accredited educational institutions and non-profit organisations who service constituents suffering economic disadvantage that prevents them from accessing the arts.

##### 3. Professional Development and Training

Council supports the training and development of staff to deliver high quality customer service, which can only be delivered by knowledgeable staff. It is the widespread practice of performing arts companies and venues in Australia to provide complimentary tickets to staff as part of the on-going training so that they may understand how their roles impact upon the overall patron experience and to learn about theatre content and practice. Understanding the patron experience is key to service quality and continuous improvement. Complimentary tickets are only provided to Glen Street Theatre staff for training and professional development purposes, or as part of their fundamental roles in managing and marketing the theatre, not as a benefit, a gift or a reward.

##### 4. Maximise Ticket Sales

A full and successful opening night drives the word of mouth, social, broadcast and print media that results in future ticket sales. The identification and invitation of media and high profile arts figures generates publicity for the venue and Council. The strategic, discretionary



distribution of complimentary tickets for traditional and online marketing opportunities that enables the venue to reach new markets is also a successful and widespread practice within the industry.

#### 5. Maximise Venue Utilisation and Revenue Partnerships

In order to attract potential hirers and producers, tickets may be provided to demonstrate the quality of the venue in operation. Key to developing partnerships with community organisations, businesses, and state and federal government that maximise activity and minimise expenses, is an understanding of alignment and opportunity, often realised through experiencing the theatre in action. The distribution of complimentary tickets outlined in this policy enables greater participation from those who may not normally pay to attend, but who play key decision-making roles with respect to arts and culture.

#### Scope and Application

This policy applies to all complimentary tickets issued by Glen Street Theatre that are not the subject of written agreements with venue hirers, sponsors, government funding bodies or third party providers, undertaken in consideration of the supply of grants, goods or services. It does not cover tickets supplied to rectify a customer service issue.

The Director of Glen Street Theatre is responsible for the approval of all complimentary tickets referred to under this policy, with oversight by the Executive Manager Community Arts & Culture, within the following framework.

Stakeholder/Comp Type	Permitted Use	Parameters*
Councillors	2 tickets each, by invitation to Opening Nights	Non-transferrable to other recipients or dates. Response to invitation within RSVP date. Total 9 performances per Annual Season.
Chief Executive Team; Executive Manager, Community Arts & Culture	2 tickets each, by invitation to Opening Nights	Non-transferrable to other recipients or dates. Response to invitation within RSVP date. Total 9 performances per Annual Season.
Media	2 tickets each, by invitation to Opening Nights	Non-transferrable to other dates. Current media only. All Opening Nights permitted. –
Opening Night VIPs e.g. state and federal government representatives, arts industry leaders	2 tickets each, by invitation to Opening Nights	Rationale for contribution to business objectives for each invitee to be documented and approved by Director. Transferrable dependent upon attendance rationale.
Educational and non-profit organisations servicing those suffering economic disadvantage.	Pre-determined number of tickets for a specific performance, where sales are less than 50% of capacity.	Non-transferrable. Number of tickets determined by Director. Recipients jointly determined by the Director and the relevant Council business unit for the target market.

Stakeholder/Comp Type	Permitted Use	Parameters*
Charity/donation requests from LGA	2 tickets for registered charities for specific performances where sales are less than 50% of capacity.	Transferrable to other performances where sales are less than 50% of capacity.
Glen Street Theatre permanent staff (for training purposes, not when attending as part of position requirements).	1 ticket per show to any performance.	Not transferrable to other recipients. Total 9 performances per annual season.  May be required to vacate seat for paying or VIP patrons
Glen Street Theatre casual staff (for training purposes, not when attending as part of position requirements)	1 ticket per show to any performance.	Not transferrable to other recipients. Employee must have worked a shift in the previous 4 operating weeks. Total 5 performances per annual season.  May be required to vacate seat for paying or VIP patrons
Potential future venue users & revenue partners e.g. hirers, producers, sponsors	2 tickets each for organisation to one performance.	Transferrable to another date. May be transferrable to another person within the same organisation

*\*The provision of complimentary tickets is dependent upon the availability of tickets for a given performance.*

#### Management Controls

Complimentary tickets are documented through the professional ticketing software system. No-one is permitted into the auditorium without a valid ticket. The system provides an audit trail to identify ticket holders. Opening Night lists will document the invitation criteria and be authorised by the Director.

A protocol will be developed for the allocation of tickets to educational and non-profit organisations to ensure equity of distribution to all eligible organisations in the Northern Beaches.

#### **References and related documents**

Council Code of Conduct

#### **Definitions**

*Annual Season* – The Glen Street Theatre program is based on a calendar year. The annual season is defined as events and productions that are actively programmed by the theatre. The numbers of shows vary per year. The annual season does not include events and productions by hirers of the theatre.

*Availability* – The number of seats left unsold for a performance, taking into account projected future sales.

*Opening Nights* - Performances pre-determined by Glen Street Theatre as part of the annual season. Not all productions may have designated opening nights.

#### **Responsible Officer**

Executive Manager Community Arts and Culture

**Review Date**

August 2022

**Revision History**

Revision	Date	Details	TRIM Ref
1	28 Aug 2018	First Glen Street Theatre Complimentary Tickets policy for adoption following public exhibition – no changes made from draft.	2018/239704
2			

DRAFT

<b>ITEM 11.9</b>	<b>FIRE &amp; RESCUE NSW INSPECTION REPORT - 42 NORTH STEYNE, MANLY</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE</b>
<b>TRIM FILE REF</b>	<b>2018/492579</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> FRNSW Inspection Report - 42 North Steyne Manly</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

Council received an Inspection Report from Fire & Rescue NSW (FRNSW) as shown in attachment 1, in relation to 42 North Steyne, Manly.

Where the FRNSW carries out an inspection of a building under Section 9.32 of the *Environmental Planning and Assessment Act 1979* (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.

#### SUMMARY

Council received an Inspection Report from FRNSW in relation to 42 North Steyne, Manly. (Sugar Lounge Restaurant, Bar, Club and Apartment Building).

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued seeking submission of an annual fire safety statement.

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### RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council issue Fire Safety Order number 1 pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to require the owner(s) of No. 42 North Steyne, Manly to provide an Annual Fire Safety Statement for the building to Council.
  - B. Council provide notice to Fire & Rescue NSW of this determination.
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## REPORT

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### BACKGROUND

Council received a FRNSW Inspection Report dated 17 July 2018 in relation to 42 North Steyne, Manly (Sugar Lounge Restaurant, Bar, Club and Apartment Building), 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*.

A Fire Safety Order number 1, is used to require the implementation of measures to prevent fire, suppress fire, prevent spread of fire and to provide fire safety to building occupants.

Council had previously investigated the restaurant, bar and club premises and carried out an inspection on 11 December 2017 and subsequently issued a Notice of Intention to issue a Fire Safety Order on 8 February 2018.

Council had not proceeded to issue an Order due to representations made and works already completed to address the fire safety concerns.

FRNSW conducted an inspection of part the building on 7 May 2018 and identified further concerns as detailed in their Inspection Report. Further inspections were conducted by FRNSW on 31 May 2018 and 18 June 2018 and FRNSW subsequently found the terms of the Order had been complied with.

The Inspection Report recommends that Council inspect the building for items 1 through 3, and for any other deficiencies.

Council staff re-inspected the building on 8 August 2018 and are also of the opinion that the fire safety and egress provisions are now adequate. However, 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). Further, a current AFSS has not been provided to Council for the building.

A Fire Safety Order number 1 is therefore recommended requiring the owners to provide an AFSS to Council and the NSW Fire Brigade detailing all the existing Essential Fire Safety Measures and their Standard of Performance installed in the building. This will ensure that all fire safety measures within the building are annually inspected and that Council receives confirmation that the measures are being tested and are working to the required performance standards.

### 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.





## Fire & Rescue NSW

Unclassified

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](mailto: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.

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Fire & Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

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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.

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Fire &amp; Rescue NSW

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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]

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## Appendix 1 – Emergency Order 1



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# Emergency 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.  
Issue an Order in accordance with Section 9.34(1)(a)  
Issue the Order as an Emergency Order Pursuant to Schedule 5, Part 8, Section 16**

**Please note:**

- Pursuant to Schedule 5, Part 8, Section (16) of the EP&A Act, this Order has been given as an Emergency Order as there are circumstances which the authorised fire officer believes constitute an emergency or a serious risk to safety.
- Pursuant to Section 8.18(2) of the EP&A Act, a person may not appeal against a fire safety order given by an authorised fire officer (other than an order that prevents a person using or entering premises).
- A person that fails to comply with this Order may be guilty of an offence under Section 9.37 of the EP&A Act, or fails to comply with this Order by a particular time, or within a particular period, continues after the time has expired or the period ended, and so must still be complied with may also be guilty of an offence under Section 9.50 of the EP&A Act.

I, **Paul Scott** Station Officer **6776**  
(name) (rank) (number)

being an Authorised Fire Officer in accordance with Schedule 5, Part 8, Section 16 of the Environmental Planning and Assessment Act 1979, and duly authorised for the purpose, hereby order:

**BARECALL PTY. LIMITED** Owner  
(name of person whom Order is served) (position i.e. owner, building manager)

with respect to the premise

**SUGAR LOUNGE AND APARTMENT BUILDING  
42 NORTH STEYNE MANLY ("the premises")**  
(name/address of premises to which Order is served)

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to do, or refrain from doing, the following things:

1. Reinstate the Automatic Smoke Detection and Alarm System so that it operates to the standard of performance when it was originally approved, designed, installed and commissioned by completing the following:
  - a. Repair the Fire Indicator Panel, so that it operates automatically, by removing the all faults, isolations and alarms displayed on the panel at the time of the inspection;
  - b. Repair the smoke detector located adjacent to Unit No. 3;
2. Remove all items that is likely to cause an obstruction or impediment which allows the safe evacuation of the occupants in 'the premises' in the following areas:
  - a. All stairways identified at the time of the inspection as being impeded.
  - b. All paths of travel that lead to an exit identified at the time of the inspection as being obstructed.
3. Repair or reinstate the fire doors in the following locations:
  - a. The Sugar Lounge kitchen – the self-closing device that was damaged
  - b. Level 4 of the residential tower – there were two devices to open the door.

The terms of the Order are to be complied with:

By no later than 1600 hours on the 16 May 2018.

The reasons for the issue of this Order are:

- a. At the time of the Inspections:
  - i. The building was occupied.
  - ii. The Fire Indicator Panels installed at the premises displayed multiple detector faults, isolations and an alarm at the premises.
  - iii. Cleaning and maintenance tools were stored in the fire isolated stairwells and stairways.
  - iv. The paths of travel to an exit was obstructed by stored materials.
  - v. Two handles were installed on the egress door located on level 4.
- b. At the time of the inspection, the Fire Indicator Panel displayed three (3) Faults, three (3) isolations and one (1) alarm. The Smoke Detection maintenance books indicate that Zone 18 has been in ALARM & ISOLATION in excess of twelve months;

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- c. The smoke detector located outside Unit No. 3 was held in place with duct tape;
- d. Ladders, cleaning equipment and electrical tools are stored in the fire isolated stairwell at the residential levels;
- e. Gas cylinders are stored in the path of travel from the fire isolated stairwell to the final exit door in Henrietta Lane;
- f. Building material is stored in the stairwell providing egress from the Brooklyn nightclub to the loading dock
- g. The required self-closing device on the fire door, separating the Sugar Lounge kitchen from the egress passageway has been removed, which may trap occupants in the residential portion of the building as a result of a fire in the kitchen;
- h. Clause D2 21 (a) of the National Construction Code 2016 Volume One, Building Code of Australia requires a door in a required exit must be readily openable without a key from the side that faces a person seeking egress, to include a single hand downward action on a single device. At the time of the inspection the door providing egress from Level four (4) residence, has two door handles installed making egress difficult.
- i. To ensure compliance with the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000.

This Order No 6 was sent by mail on 8 May 2018.



6776 Paul Scott  
Fire Safety Officer  
Fire Safety Compliance Unit

Unclassified

Fire & Rescue NSW  
Community Safety Directorate  
Fire Safety Compliance Unit  
firesafety@fire.nsw.gov.au

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## Appendix 2 – Show Cause Letter

**Fire &  
Rescue NSW**

Unclassified

File Ref. No: BFS17/2876 (2126)  
TRIM Ref. No: D18/33639  
Contact: Station Officer Paul Scott

18 May 2018

BARECALL PTY. LIMITED  
Suite 3, 515 Pittwater Road  
BROOKVALE NSW 2100

Dear Sir / Madam

**RE: SHOW CAUSE  
SUGAR LOUNGE AND APARTMENT BUILDING  
42 NORTH STEYNE MANLY ("the premises")**

An inspection of 'the premises' on 16 May 2018 by officers of the Fire Safety Compliance Unit of Fire & Rescue New South Wales (FRNSW), was in response to FRNSW's Order 1 dated 9 May 2018 ("the Order") issued under Section 9.34 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) (copy attached).

At the time of the inspection on 16 May 2018 observations confirmed that the following items remain outstanding:

- a. Item 1 of 'the order' requires the repair of the Fire Indicator Panel (FIP). Three (3) faults, three (3) isolations and one (1) alarm was displayed on the FIP.
- b. Item 3 of 'the order' requires the fire door to level 4 to be repaired or reinstated to a single handle. Two handles remain installed on the fire egress door on level 4.

Please be advised that failure to comply with 'the Order' and the continued use of 'the premises' may constitute a significant fire hazard to person/s that occupy the building, including property in the neighbourhood. You are therefore requested to provide details in writing that confirms a proposed date for compliance with the outstanding items listed in 'the Order' by no later than 24 May 2018.

Failure to comply with 'the Order' may result in legal action that includes but not limited to, Orders to evacuate 'the premises' or significant fines. Should FRNSW not receive these details by the specified date a determination will be made based on the information available at the time.

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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



Edren Ravino  
Building Surveyor  
Fire Safety Compliance Unit

Attachments [Appendix 1 – Order 1 – 3 pages]

CC: John Oppedisano  
Director, Barecall PTY LTD  
[John.oppedisano@bigpond.com](mailto:John.oppedisano@bigpond.com)

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<b>ITEM 11.10</b>	<b>FIRE &amp; RESCUE NSW INSPECTION REPORT - 46 MALVERN AVENUE, MANLY</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE</b>
<b>TRIM FILE REF</b>	<b>2018/521684</b>
<b>ATTACHMENTS</b>	<b>1 <a href="#">↓</a> FRNSW Inspection Report - 46 Malvern Avenue Manly</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

Council received an Inspection Report from Fire & Rescue NSW (FRNSW) as shown in attachment 1, in relation to 46 Malvern Avenue, Manly.

Where the FRNSW carries out an inspection of a building under Section 9.32 of the *Environmental Planning and Assessment Act 1979* (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.

#### SUMMARY

Council received an Inspection Report from FRNSW in relation to 46 Malvern Avenue, Manly.

Staff have investigated the concerns raised and recommend that a Fire Safety Order number 1 is issued seeking submission of a BCA Fire Safety Audit and Upgrade Report for the building.

---

### RECOMMENDATION OF GENERAL MANAGER PLANNING PLACE AND COMMUNITY

That:

- A. Council issue Fire Safety Order number 1 pursuant to section 9.34 and Part 2, Schedule 5 of the *Environmental Planning and Assessment Act 1979* to require the owner(s) of No. 46 Malvern Avenue, Manly to provide a BCA Fire Safety Audit and Upgrade Report for the building to Council.
  - B. Council provide notice to Fire & Rescue NSW of this determination.
-

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## REPORT

---

### BACKGROUND

Council received a FRNSW Inspection Report dated 31 July 2018 in relation to 46 Malvern Avenue, 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*.

A Fire Safety Order number 1, is used to require the implementation of measures to prevent fire, suppress fire, prevent spread of fire and to provide fire safety to building occupants.

FRNSW conducted a conceptual overview of the building on 31 July 2018 and were unable to access the building to determine if smoke detection was installed in the premises.

The Inspection Report was referred to Council to determine compliance.

Council staff inspected the building on 14 August 2018 which confirmed smoke alarms are installed in each unit. An Annual Fire Safety Statement (AFSS) is being submitted to Council which certifies smoke alarms, portable fire extinguishers and fire blankets. However, at the time of inspection it was noted that the building was deficient in terms of fire safety provisions. It was also noted that the 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).

A Fire Safety Order number 1 is recommended for the owners to engage the services of a suitably qualified consultant to carry out a Building Code of Australia (BCA) Fire Safety Audit of the subject premises.

Separate investigations are being undertaken by staff regarding the ongoing use and activities associated with 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.



**Fire &  
Rescue NSW**

Unclassified

File Ref. No: BFS18/28 (2594)  
TRIM Ref. No: D18/43729  
Contact: Station Officer Paul Scott

31 July 2018

The General Manager  
North Sydney Council  
PO Box 12  
NORTH SYDNEY NSW 2059

Email: [council@northsydney.nsw.gov.au](mailto:council@northsydney.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT  
BOMBORA HOTEL  
46 MALVERN STREET MANLY ("the premises")**

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

The correspondence stated that:

- *Essential fire safety measures in the building were not evident.*

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.

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.

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## COMMENTS

The following items were identified as concerns during the inspection:

1. FRNSW were unable to access the building to determine if smoke detection was installed in the premises.

This matter is referred to Council as the appropriate regulatory authority.

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 BFS18/28 (2594) for any future correspondence in relation to this matter.

Yours faithfully



John Bruscino  
Building Surveyor  
Fire Safety Compliance Unit

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Fire & Rescue NSW

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## 12.0 NOTICES OF MOTION

<b>ITEM 12.1</b>	<b>NOTICE OF MOTION NO 49/2018 - INGLESIDE PRECINCT PLAN</b>
<b>TRIM FILE REF</b>	<b>2018/403149</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Rory Amon

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### MOTION

That:

- A. Council supports the Mona Vale Road East upgrade.
- B. Council supports the funding and commencement of the Mona Vale Road West upgrade by the State Government without delay.
- C. Council writes to the State Government requesting that the Ingleside Precinct Plan not take effect until the completion of the Mona Vale Road East and West upgrades have been completed.

---

### ACTING 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 Mona Vale Road upgrade is being delivered by the NSW Roads and Maritime Services as dual lanes each direction.

This project is being delivered in two stages:

- i) eastern section from Manor Road to Foley Street
- ii) western section from Powderworks Road to McCarrs Creek Road

Upgrading Mona Vale Road to two lanes in each direction will enhance the corridor as the major transport corridor in the region and will encourage a greater proportion of through traffic to use the route. This will provide an alternate route for through traffic currently using Powderworks Road or Lane Cove Road.

The AECOM Ingleside Precinct - Traffic and Transport Assessment Report is predicated on the upgrade of Mona Vale Road prior to the commencement of the Ingleside development as the current road corridor will not cope with the additional traffic generated by the land release.

The New South Wales Government, in the 2018/2019 State Budget, allocated \$18M towards the planning and construction of the eastern section of the Mona Vale Road. This eastern section is to be completed by 2022.

Additionally, \$13.15M has been allocated towards the planning and detailed design of the western section of Mona Vale Road upgrade.

Council's 2013 decision to participate with NSW Government on the Ingleside precinct planning process had, at the time, resolved inter-alia,

*"identified the need to upgrade Mona Vale Road corridor and relevant intersections which would be exacerbated by any intensification of development in Ingleside."*

Council officers, through inter-agency discussions as part of the Ingleside Precinct planning process, continue to lobby for continued Government commitment to the Mona Vale Road upgrade.

<b>ITEM 12.2</b>	<b>NOTICE OF MOTION NO 50/2018 - BEACHES LINK TUNNEL</b>
<b>TRIM FILE REF</b>	<b>2018/528747</b>
<b>ATTACHMENTS</b>	<b>NIL</b>

Submitted by: Councillor Sarah Grattan

---

## MOTION

That:

- A. Council note the strategic significance of the Beaches Link tunnel to the Northern Beaches community and the direct linkages to The Northern Beaches Community Strategic Plan.
- B. Council staff prepare a submission to Roads and Maritime Services on the Beaches Link Tunnel driven by the goals of our Community Strategic Plan and draft Northern Beaches Transport Strategy for the approval of Council at its October meeting.
- C. In preparing the submission, Council engage with the local community, in particular those residing in Balgowlah, Seaforth and North Balgowlah, to ensure their views are heard and alternative proposals for the tunnel portals, road connections, worksites, emission stacks and retention of green space are fully considered by the Roads and Maritime Services. Consultation forums with Council to include:
  - a. Council's Traffic Network team meeting directly with representatives of local groups to understand their ideas and enable identification of alternative solutions
  - b. Council host a community forum to enable the local community to provide feedback on the Beaches Link project.

---

## BACKGROUND FROM COUNCILLOR SARAH GRATTAN

The Beaches Link tunnel will be the largest investment in infrastructure on the Northern Beaches in living memory. It is a NSW Government State Significant Infrastructure Project that is estimated to cost \$14billion. This project will be the largest and most strategic change to impact the Northern Beaches over the next few decades. It is imperative that we get this project right and provide for facilities and amenities that will have regard to the long-term needs of the community.

The Council contribution to the tunnel project must be guided by our Community Strategic Plan. The NB Community Strategic Plan vision is "a safe, inclusive and connected community that lives in balance with its extraordinary coastal and bushland environment".

Key goals in the Community Strategic Plan include:

- 16. *Our integrated transport network meets the needs of the community*
- 17. *Our community can safely and efficiently travel within and beyond the NB*
- 11. *Our community feels safe and supported*
- 6. *Our neighborhoods inspire social interaction, inclusion and support health & well-being*
- 21. *Our community is actively engaged in decision making processes*
- 22. *Our council builds and maintains strong partnerships & advocates on behalf of the community*

In addition, our draft MOVE Transport Strategy Vision is “to enable freedom of movement to, from and within the Northern Beaches using a safe, smart, efficient, integrated and sustainable transport network ...”

Council’s response to the Beaches Link tunnel must be guided by these strategic vision and goals.

Further, during development of the community strategic plan, consultation identified that the top priority concerns of the NB community were

- Transport & congested roads 35%
- Public transport 23%
- Ensure services and infrastructure meet the needs of the growing population 21%

The release of the Northern Beaches Transport Discussion paper and subsequent consultation process in May/June 2018 also identified that the provision of public transport and active transport were also very important to the Northern Beaches Community. Council understands that the Northern Beaches community are largely supportive of the tunnel, but are keen to ensure it includes public transport and also minimizes impacts on the local residents.

Late July 2018 saw the release of the latest Project Update that outlined a proposed design for community consultation. The Roads Maritime Services (RMS) are seeking feedback from the community over the next 3 months prior to the Environmental Impact Statement process. The consultation period ends on 9 November 2018. It is vital Council staff develop a submission from Northern Beaches Council during this RMS Consultation period

During the early design phases of the tunnel project, the RMS consulted with local representatives, local community groups and council officers on concerns raised over project design details. This resulted in a number of changes to the project design such as provision of fauna crossings, active transport infrastructure, re-location of portals away from houses, schools and Seaforth Oval, the saving of Burnt Bridge Creek and residences. These changes have been well received by those involved.

The revised design has resulted in a very significant change to the Balgowlah tunnel entrance and access arrangements. This new design has directly impacted a community of residents living adjacent to the golf course that haven’t previously engaged with the Beaches Link tunnel plans. The plans also acknowledged the use of Crown Land, on which Balgowlah Golf club is located, as a construction work zone and site of a “link road” to provide access to the tunnel for the residents of the Manly to Seaforth area via a new signalised intersection opposite Balgowlah Boys High School. Post construction, sections of this land will be returned to recreational use/ parkland. A motorway operations centre and emissions stack is located within this zone. Other options for consideration include the choice of worksites on the Wakehurst parkway and provision of a park & ride facility in Seaforth.

In developing Council’s own submission to RMS, it is important that Council also facilitate engagement with residents newly engaged with the Beaches Link Tunnel Project to seek their views, ideas and alternatives in order to minimise the impact on these residents and the environment. To many of these residents the revised design is a surprise and has caught them unawares. These residents have asked Council for assistance in having their voices heard and taken into account.

This includes (but is not limited to) those residents impacted:

- during Beaches Link (BL) tunnel construction;
- by BL tunnel access and egress and associated infrastructure;
- by conversion of Balgowlah Golf Course

- by new intersection on Sydney Road outside Balgowlah Boys High School
- by choice of worksite on Wakehurst Parkway
- by surface road changes near either portal

We want to hear from residents about their ideas on the tunnel and the resulting direct access provided to other parts of Sydney including the Airport, Inner West, Western Suburbs and Macquarie Park.

This motion proposes that Council facilitate the collation of northern beaches community views on the Beaches Link Tunnel during September 2018 for the purposes of informing Council's submission, including:

- During the draft Northern Beaches Transport Strategy community consultation
- Council's Traffic & Transport team meeting directly with representatives of local groups to understand their ideas and enable identification of alternative solutions; and
- Council host a community forum to enable the local community to provide feedback on the Beaches Link project

It proposes that Council advocate to the NSW Government on Council-wide and local impacts and include in the Council submission:

- A summary of issues raised by the Northern Beaches community
- Active consideration of alternative Balgowlah access design proposals through a systematic process, including a discussion of at least two alternatives
- Possible alternatives and/or schemes to unfiltered emission stacks in the Burnt Bridge Creek valley
- Further consideration of moving the portal on the Wakehurst Parkway further north and incorporating meaningful crossings for fauna

The Beaches Link tunnel project is the most important project facing the Northern Beaches. With our size and scale the Northern Beaches Council can help to influence the final design so it is in accordance with our Community Strategic Plan and its goals. It is imperative that we do everything in our power to get it right for our community.

This motion can be largely funded within existing operational budgets. A community forum may require up to \$15K to be reallocated from other projects. Council staff have suggested:

- Delaying implementation of the short term Manly Vale traffic study actions to mid-2019; or
- Reducing the funding for the East West rapid transport feasibility study (currently \$100K)

#### **ACTING 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:*

Council has a clear role to play in reviewing the NSW Government's plans for the Beaches Link tunnel, in listening to and advocating on behalf of the community, and working to ensure the best possible outcome from this important strategic project.

Community engagement conducted in developing Council's draft Transport Strategy identified that the community is supportive of the Beaches Link project, subject to the inclusion of public transport in the tunnel and minimising impacts on local residents.



Preparation of a submission to the NSW Government is included in Council's delivery program for 2018/19. It is intended that the community's view on the Beaches Link project be gathered through the engagement on the draft Transport Strategy, by staff meeting with residents groups or other concerned parties. Council's transport network staff are also reviewing the project plans from a traffic viewpoint to provide professional advice to Council on the project and alternative options as part of the submission, planned to be reported to Council for consideration at its October 2018 meeting.

As Council is aware, this is a NSW Government project and the RMS is conducting community engagement on behalf of the government. It is considered that a key strategic consideration for Council is that, while Council's role is to advocate on behalf of the community, holding public community forums has the potential to confuse the RMS's community engagement program and create the perception that it is Council that is the driver of this project.

This motion if adopted by Council can largely be delivered through existing operational budgets. Additional funding of up to \$15K would be required for the community forums and the additional resourcing required to appropriately collate and reflect community feedback at these forums. Options for Council's consideration to fund this activity are delaying implementation of the short term Manly Vale traffic study actions to mid-2019, or reducing the funding for the East West rapid transport feasibility study (currently \$100K).

## 13.0 QUESTIONS ON NOTICE

ITEM 13.1	QUESTION ON NOTICE NO 09/2018 - EXPENDITURE ON LOGO CHANGE AND IMPLEMENTATION
TRIM FILE REF	2018/530987
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

### QUESTION

Following amalgamation:

- A. What was the total expenditure on the design of new Northern Beaches Council logo?
- B. What has been the total expenditure to change old logos on street signs, buildings, stationery, websites etc. since the new logo was introduced?

## 14.0 RESPONSES TO QUESTIONS ON NOTICE

### ITEM 14.1 RESPONSE TO QUESTION ON NOTICE NO 07/2018 - PUBLIC BENEFIT JUSTIFICATION FOR HEIGHT INCREASES IN DEE WHY TOWN CENTRE

TRIM FILE REF 2018/441409

ATTACHMENTS 1 [Dee Why Town Centre Masterplan draft LEP Centres Map](#)

Submitted by: Councillor Vincent De Luca OAM

#### QUESTION

- A. Noting that Council's former Administrator, Dick Persson promised and used to justify when increasing the height limits in the Dee Why Town Centre for the sites owned by Multiplex (and now Meriton) that there would be public benefits by way of a new 2,700 sq/m library, a library square, a 400 sq/m Community facility, 310 car parking spaces for free public use and a new Dee Why Police Station and that these purported public benefits now appear to have been abandoned and not created immediately near the Meriton Towers, can Council Staff please outline the public benefit for increasing height limits on the Meriton sites (previously Multiplex) and subsequently on other land within the Dee Why Town Centre?
- B. Could Council staff please advise of the total amount of funds collected via Section 94, 94A and any VPAs since 2011 for development consents in the Dee Why Town Centre and exactly what those funds have been expended on since collection (please outline each project and cost of same) for the public benefit?

#### RESPONSE

- A. The Dee Why Town Centre Master Plan, adopted by Council in 2013, endorsed a range of public benefits acknowledging Dee Why's key economic and social role as a strategic centre within the Northern Beaches. Council is implementing the Masterplan through a program of street and public open space upgrades including the recently completed Walter Gors Park and Redman Road Plaza and proposed traffic and streetscape improvements through to 2019.

Further public benefits identified in the Master Plan include the development of a central community hub on the Civic Centre site with community and library facilities and a Civic Plaza.

Plans for the redevelopment of the Civic Site and the Oaks/Howard Car Park have not been abandoned.

The public benefits provided on what is known as Site "B" and currently under construction are as follows:

##### **Town Square**

The public will have a non-exclusive right to use the Town Square Area 24 hours a day 7 days a week, while Council will also have the right to use the Town Square for 30 days (at its selection) per calendar year for any community events without any occupancy cost to Council. The total value of contribution is valued at \$1,720,000.

##### **Pedestrian Connection Area**

Design, construction and embellishment of Pedestrian Connection Area between the Town Square Area and Oaks Avenue of which the public will have non-exclusive access 24 hours a day 7 days a week. Total value of contribution is valued at \$471,000.

### Dedication of Land

Dedication of land in stratum for Road Widening to a standard footpath finish for the purpose of a future bus set back area on Pittwater Road. The developer will embellish the road widening prior to dedication.

### Monetary Contributions

\$300,000 for the purposes of civic improvements to be used consistently with Council Capital Works Program.

\$500,000 for the construction and dedication (by Council) of Church Lane located to the east of the site bordering St Kevin's Church.

The total contribution value as per the Voluntary Planning Agreement is \$2,991,000.

Please note the Draft Second Deed of Amendment as part of the proposed Voluntary Planning Agreement Amendment, which includes the variation in timing of the delivery of the Town Square and Pedestrian Connection Area, will be tabled for resolution at the 28 August 2018 Council meeting. The total public benefit is not altered by this amendment, only the timing of delivery in order to satisfy public safety obligations.

In terms of public benefit in the Dee Why Town Centre, the Dee Why Town Centre Master Plan and Part 7 of the Warringah Local Environmental Plan (WLEP) 2011 reconfirms the provision of the publically accessible Town Square and Pedestrian Connection Area in exchange for amended development controls on specific sites within the Dee Why Town Centre.

- B. Development Contributions for land identified in the Dee Why Town Centre Masterplan Draft LEP Centres Map (Attachment 1) have totaled \$3,326,826.20 since January 2011.

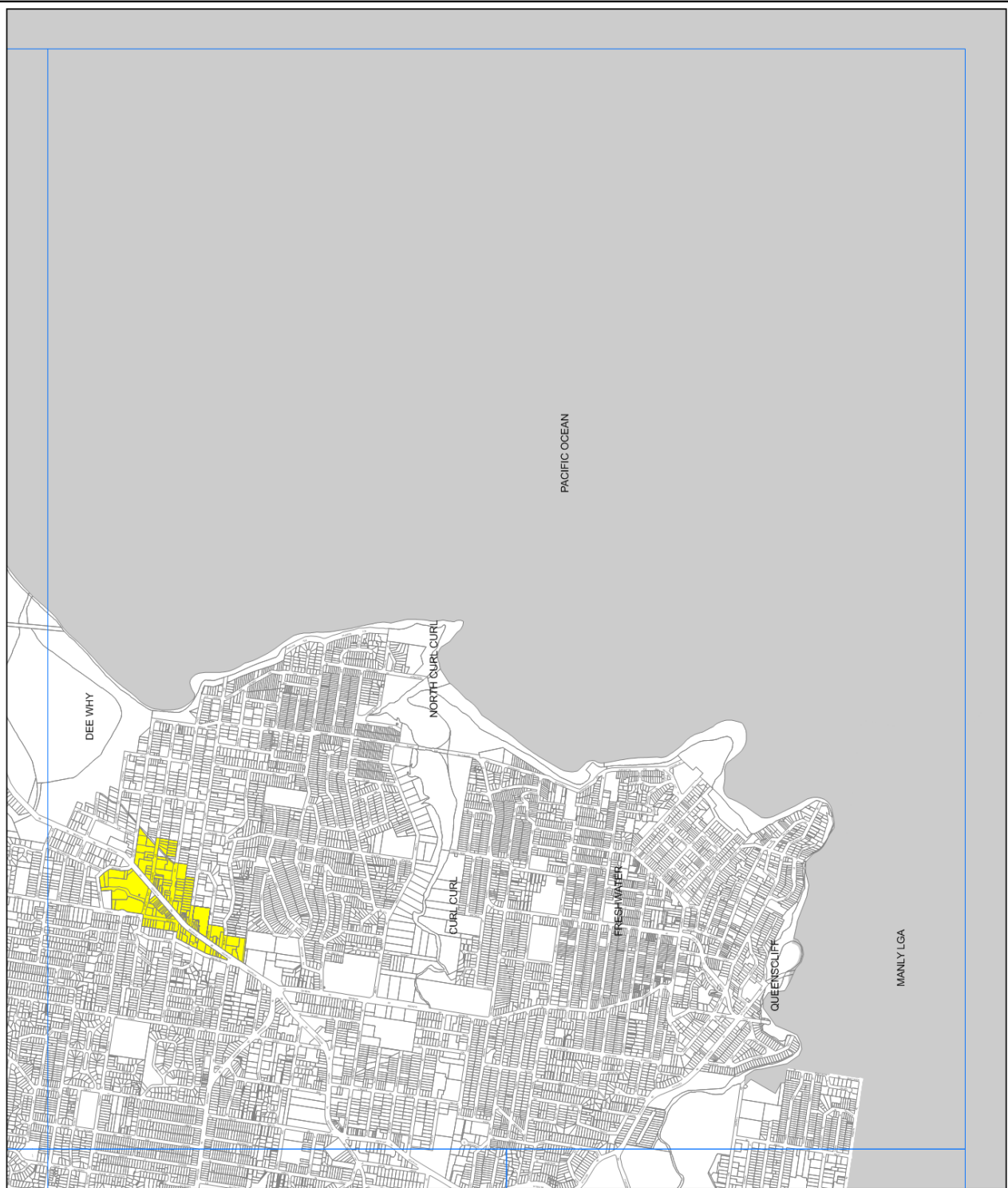
This comprises funds collected under the former Warringah Section 94A Contributions Plan and monetary payments required by voluntary planning agreements.

Development contributions levied under the former Warringah Section 94A Contributions Plan in Dee Why Town Centre are not isolated for the provision of public infrastructure in that area. The Contributions Plan identifies that funds are pooled and applied progressively for the delivery of infrastructure identified in the works schedule across the Contribution Plan's catchment area (being the former Warringah LGA).

Development contributions have funded the following public infrastructure works within the Dee Why Town Centre Masterplan area.

Year	Job Number	Description	Cost
Jan - June 2011	CN.4405.3404	New footpath in Sturdee Parade and Redman Road.	\$9,965.50
2011/12	CN.5301.3410	Fisher Road Shared Path.	\$21,465.85
2012/13	CN.5800.3404	Consultancy and architectural services for Construction of PCYC.	\$214,254.13
2013/14	CN.5800.3404	Construction of the PCYC.	\$945,738.88
	CN.6022.3410	New footpath construction in Kingsway and Francis Street.	\$17,078.25
	CN.6061.3404	Design and investigation work for implementation of Dee Why Town Centre.	\$72,510.07

2014/15	CN.5800.3404	Construction of PCYC.	\$4,413,194.41
	CN.5856.3404	Design and consultancy work for Walter Gors Park.	\$273,400
	CN.6061.3404	Design, investigation and minor works for implementation of Dee Why Town Centre Masterplan (traffic & streetscape).	\$761,389
2015/16	CN.5800.3404	Construction of PCYC.	\$3,758,093.27
	CN.5856.3404	Construction of Walter Gors Park.	\$843,487.99
	CN.6061.3404	Design, investigation and minor work for implementation of Dee Why Town Centre Masterplan (traffic & streetscape).	\$406,448.99
2016/17	CN.5856.3404	Construction of Walter Gors Park.	\$4,108,839.44
	CN.5856.3410	Construction of Walter Gors Park.	\$840,616.19
	CN.6061.3404	Design work for implementation of Dee Why Town Centre Masterplan (traffic & streetscape).	\$378,851.80
	CN.6061.3410	Design work for implementation of Dee Why Town Centre Masterplan (traffic & streetscape).	\$5,667.15
	CN.6225.3410	Construction of raised threshold in Richmond Road Dee Why.	\$4,800
	CN.6429.3404	Construction of Redman Road Plaza Stage 1.	\$544,495.29
2017/18	CN.01014.3625	Construction of Redman Road Plaza Stage 1	\$2,051,046.01
	CN.01016.3625	Design work for implementation of Dee Why Town Centre Masterplan.	\$307,112.25
	CN.01017.3625	Upgrade works on western side of Pittwater Road.	\$851,084.37
	CN.01094.3625	Finalisation of contract costs for the construction of Walter Gors Park Dee Why.	\$178,780.24
Total			\$21,008,319.08.

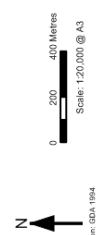
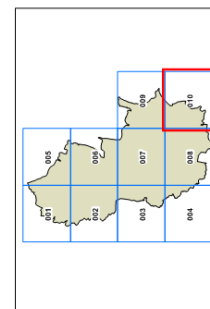


Warringah Local  
Environmental  
Plan 2011



Centres Map - Sheet CEN\_010

Centres  
Dee Why Town Centre  
Cadastral  
Cadastral 05/05/2016 © Warringah Council



Projection: GDA 1984  
Map identification number: 1100\_CEN\_010\_030\_20160501



**ITEM 14.2                                      RESPONSE TO QUESTION ON NOTICE NO 08/2018 - DEE WHY  
- 131 CAR SPACE DEFICIENCY****TRIM FILE REF                                      2018/410094****ATTACHMENTS                                      NIL**

Submitted by: Councillor Vincent De Luca OAM

**QUESTION**

Noting Council Staff's advice that Meriton's Dee Why development had a 131 car space deficiency, occasioning Council to value between \$14m-\$16m the cost of building a necessary car park to meet the deficiency via a Voluntary Planning Agreement (VPA), could I please be informed:

- A. What DA was approved by Council that had the 131 short fall in car spaces?
- B. When the above mentioned DA was submitted, was Council aware there was a 131 short fall in car spaces, what was recommended in the assessment report, and what conditions were imposed in its determination?
- C. When Council subsequently wrote to Meriton on 5 July 2016 and apparently again on 11 July 2016 stating that instead of the \$14-16m cash contribution it was prepared to "support the offer of \$11 million as a cash contribution toward the provision of car parking in the Dee Why Centre" what was the Planning benefit and reasoning for the reduction and what net public benefit was there ie the benefits that exceeded the benefit derived from measures that would address the impacts of the particular development on surrounding land and the wider community
- D. On what basis and calculations did Council justify to accept Meriton's \$11 million offer referred to in council's July 2016 letter to Meriton.
- E. Where was the car park that would make up the 131 car park short fall via the VPA contribution proposed to be built?

**RESPONSE**

- A. No DA was approved with a shortfall in parking.
- B. As per response to Question A, no DA was approved with a shortfall in parking.
- C. The assessment of a VPA requires public exhibition and consideration by Council of the offer and public benefit. As advised to Council on 26 June 2018, Question on Notice response B, Meriton abandoned any further consideration of the VPA before the offer was placed on public exhibition or Council's consideration of the offer, occurred.
- D. The proposed VPA, including valuations are required to be endorsed by resolution of Council. As the VPA was abandoned, the processing of the VPA ceased.

It is noted that Council officers calculated the cost of providing 131 carparking spaces at an alternative site in Dee Why. A Quantity Surveyors report provided the high level estimate of \$9.4 million to construct a decked parking structure on an alternative site in Dee Why. This cost did not include associated costs for the site including due diligence, obtaining approvals and the like, as no formal selection of a site had been approved by Council.

- E. No site was endorsed by Council as the VPA was abandoned prior to any consideration. It is noted that the preliminary estimate of construction costs used the existing Mooramba Rd carpark to estimate construction costs.

## 15.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

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### 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 consider and discuss:
- a **Item 15.1 RFT 2017/165 - Waste Collection Services - Update on Negotiations** 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*]; and commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council [10A(2)(d(ii)) *Local Government Act 1993*].
- 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 organisations who supplied it.
- b **Item 15.2 Notice of Rescission No 04/2018 - RFT 2017/208 - District Park New Sport and Community Facility and Long Term Lease of Existing Facilities** on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) *Local Government Act 1993*].
- 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 compromise the commercial position of businesses that participated in the confidential tender process.
- 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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## 17.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

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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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northern  
beaches  
council

