

AGENDA

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

Tuesday 24 March 2020

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



Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 24 March 2020
at the Civic Centre, Dee Why
Commencing at 6:00**

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

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

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 25 FEBRUARY 2020

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 25 February 2020, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

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

6.0 ITEMS RESOLVED BY EXCEPTION

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

7.0 MAYORAL MINUTES

ITEM 7.1 MAYORAL MINUTE NO 02/2020 - CHILDREN'S SERVICES - NATIONAL QUALITY FRAMEWORK RECOGNITION FOR EXCEEDING THE NATIONAL QUALITY STANDARD

TRIM FILE REF 2020/150865
ATTACHMENTS NIL

BACKGROUND

Once again, our Children's Services have been recognised for their outstanding service. The Roundhouse and Harbour View Children's centres have recently been awarded as 'Exceeding the National Quality Standard' under the National Quality Framework.

Harbour View Children's Centre was particularly proud to have achieved an outstanding 7 out of 7 Quality Areas and 15 Standards rated at the Exceeds level.

As an example of the quality care provided by these centres, the Assessment Officer commenting on the Roundhouse Children's Centre said:

"Your service is acknowledged for its achievements in meeting the National Quality Standard and striving for quality outcomes for children. In particular, an educational program that responds to children's interests and scaffolds their learning and the effective leadership and management of the service demonstrate the commitment to quality by the approved provider, educators and staff."

In relation to the Harbour View Children's Centre, stated:

"Educators consistently take opportunities to extend children's learning and participation through the use of open - ended questions and consistently respond to children's ideas, development and play. They are deliberate and purposeful in their planning and organisation of the learning environments."

The National Quality Standard (NQS) sets the national benchmark for the quality of children's education and care services across Australia. Northern Beaches is now sitting in the top percentile in the State for the standard of services we provide to our families and children.

Reaching this high standard is not easy and assessment is made against seven key areas including health and safety, education programs, relationships with children and leadership.

This is a significant achievement and stands testament to the passion, professionalism and commitment to our managers, educators and other childcare staff who continue to provide highly personalised, flexible, quality care for children aged 6 weeks to 12 years.

As elected representatives, we understand the high importance to ensure we deliver high quality services to our community, this recognition is a reminder of how fortunate we are to have dedicated and committed staff who are continuously looking to improve the quality of the services we provide.

MOTION

That Council again acknowledges the efforts of all the staff who work in our Children's Services area at all our services and thank them for their part in this achievement.



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1 NORTHERN BEACHES COUNCIL DISCRETIONARY FUND - QUARTERLY REPORT

REPORTING MANAGER EXECUTIVE OFFICER

TRIM FILE REF 2020/135564

ATTACHMENTS NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

The Northern Beaches Council Discretionary Fund provides the opportunity for Councillors to put forward requests from individuals and community organisations for financial assistance towards initiatives and services which yield a community benefit. Payments made for the period 18 December 2019 to 24 March 2020 totalling \$6989 include:

Recipient	Description	Allocation
Zonta Club of Northern Beaches	Assistance towards the cost of the 2020 International Women's Day Breakfast	\$500
Creative Space Garden	Contribution to community committee to assist with the costs for equipment to maintain the garden	\$500
Special Olympics Sydney Northern Beaches	Donation towards Annual Golf Fundraising Event	\$800
Freedom Outdoors Sydney	Assistance towards a kayak clean-up community event on Narrabeen Lagoon on Clean Up Australia Day 2020	\$1000
Resident of Claireville	Assistance for an additional waste bin service due to medical reasons	\$89.00
Claire Wilmott (local resident) GoFundMe Charity appeal	Donation towards fundraising for Ms Wilmott	\$500
Northern Beaches Youth Sport and Lifestyle Festival	Assistance towards the cost of holding the Festival's youth sports events including events for youth with disabilities	\$1,000
Variety Beach to Bush Charity Golf Event – (local resident participating in the Variety Car Bash event)	Donation towards Golf Fundraising Event and towards the resident's participation in the Variety Car Bash event	\$500
Lions Club of Manly	Donation towards the cost of 10 tickets for local children with special needs to attend Circus Quirkus & towards the Lions Kids Cancer Genome Project	\$600
Zero Emissions Sydney North	Assistance towards the cost of holding community workshops promoting reducing energy usage	\$1,000
'Be a Pineapple' charity event	Donation towards Kids Cancer Project in honour of local young resident – event organised by local residents	\$500

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council note payments totalling \$6989 have been allocated by the Northern Beaches Council Discretionary Fund for the period 18 December 2019 to 24 March 2020.

REPORT

BACKGROUND

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

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

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

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

The next report to Council will be presented at the ordinary Council meeting of 23 June 2020.

CONSULTATION

Requests upon the Discretionary Fund are submitted to the Mayor, Deputy Mayor or Councillor and the Chief Executive Officer for approval in accordance with the Policy.

TIMING

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

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging - Goal 11: Our Community feels safe and supported.

FINANCIAL CONSIDERATIONS

The funds allocated are provided within the existing annual budget of \$30,000 for the Northern Beaches Discretionary Fund. No funding will be provided outside of the allocated budget in each financial year.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund – Quarterly Report has no specific environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

Payments allocated under the Northern Beaches Council Discretionary Fund have satisfied the requirements under both the Northern Beaches Council Discretionary Fund Policy and the approval process as last adopted by Council on 19 December 2017.

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1 MONTHLY INVESTMENT REPORT - FEBRUARY 2020

REPORTING MANAGER CHIEF FINANCIAL OFFICER

TRIM FILE REF 2020/126143

ATTACHMENTS NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

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

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

The Investment Report shows that Council has total cash and investments of \$202,672,569 comprising:

- Trading Accounts \$10,027,787
- Investments \$192,644,782

Performance over the period from 1 July 2019 to date was strong having exceeded the benchmark: 2.11%pa vs. 1.62%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.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2019 to date was \$2,892,845 compared to budgeted income of \$3,745,077, a negative variance of \$852,232.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

Council's Investment Policy and Strategy were reviewed in August 2019 by Council's Investment Advisors, Laminar Capital Pty Ltd, who confirmed that the current policy *"remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet"* and that they *"do not recommend any changes to the list of approved investments or credit limit frameworks"*.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council receives and notes the Investment Report as at 29 February 2020, including the certification by the Responsible Accounting Officer.

REPORT

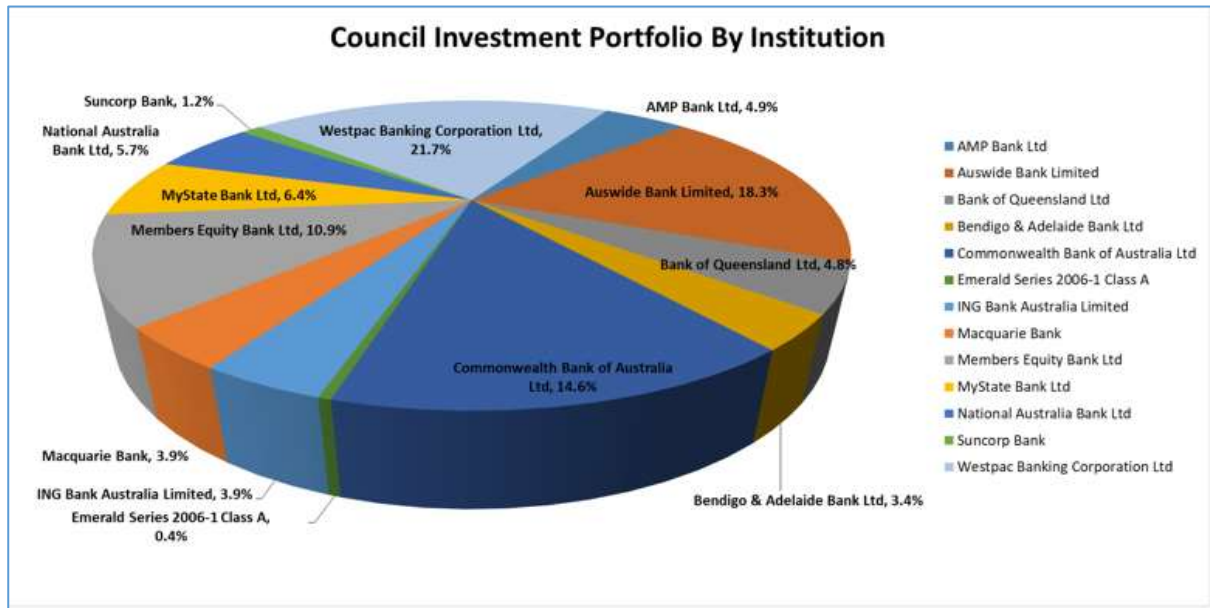
INVESTMENT BALANCES

INVESTMENT BALANCES				
As at 29-Feb-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	8,405,127		0.80%
National Australia Bank Ltd	A1+	15,490		0.50%
		8,420,616		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	513,964	At Call	1.10%
		513,964		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	AAA	819,828	21-Aug-51	1.3548%
		819,828		
Term Deposits				
Macquarie Bank	A1	3,000,000	03-Mar-20	1.80%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Mar-20	1.73%
Auswide Bank Limited	A2	3,000,000	03-Mar-20	2.75%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Mar-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	12-Mar-20	2.10%
National Australia Bank Ltd	A1+	2,000,000	17-Mar-20	1.72%
MyState Bank Ltd	A2	2,000,000	24-Mar-20	1.75%
MyState Bank Ltd	A2	2,000,000	26-Mar-20	1.80%
Members Equity Bank Ltd	A2	3,000,000	31-Mar-20	1.65%
Macquarie Bank	A1	3,000,000	02-Apr-20	1.80%
MyState Bank Ltd	A2	2,000,000	02-Apr-20	1.80%
MyState Bank Ltd	A2	2,000,000	07-Apr-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	07-Apr-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Apr-20	2.10%
National Australia Bank Ltd	A1+	2,000,000	16-Apr-20	1.70%
Westpac Banking Corporation Ltd	A1+	2,000,000	21-Apr-20	1.78%
Bank of Queensland Ltd	A2	1,000,000	23-Apr-20	1.65%
Members Equity Bank Ltd	A2	3,000,000	28-Apr-20	1.65%
Auswide Bank Limited	A2	2,000,000	30-Apr-20	1.75%
MyState Bank Ltd	A2	3,000,000	05-May-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	07-May-20	2.10%
Westpac Banking Corporation Ltd	A1+	2,000,000	12-May-20	2.10%
National Australia Bank Ltd	A1+	3,000,000	14-May-20	1.70%
AMP Bank Ltd	A2	2,000,000	14-May-20	1.90%
AMP Bank Ltd	A2	2,000,000	14-May-20	1.90%
Westpac Banking Corporation Ltd	A1+	2,000,000	19-May-20	1.78%
Members Equity Bank Ltd	A2	3,000,000	26-May-20	1.65%
Bank of Queensland Ltd	A2	2,000,000	28-May-20	1.65%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	28-May-20	1.60%
Bank of Queensland Ltd	A2	2,000,000	02-Jun-20	1.65%
Members Equity Bank Ltd	A2	3,000,000	04-Jun-20	1.60%
Members Equity Bank Ltd	A2	2,000,000	09-Jun-20	1.60%
MyState Bank Ltd	A2	2,000,000	11-Jun-20	1.65%

INVESTMENT BALANCES				
As at 29-Feb-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Members Equity Bank Ltd	A2	2,000,000	16-Jun-20	1.60%
Members Equity Bank Ltd	A2	1,000,000	23-Jun-20	1.60%
Westpac Banking Corporation Ltd	A1+	4,000,000	23-Jun-20	2.50%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	23-Jun-20	1.60%
Members Equity Bank Ltd	A2	2,000,000	25-Jun-20	1.60%
Westpac Banking Corporation Ltd	A1+	3,000,000	02-Jul-20	2.50%
Westpac Banking Corporation Ltd	A1+	2,000,000	02-Jul-20	1.70%
Members Equity Bank Ltd	A2	1,000,000	07-Jul-20	1.60%
Auswide Bank Limited	A2	2,000,000	07-Jul-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	10-Jul-20	2.55%
Bank of Queensland Ltd	A2	2,000,000	16-Jul-20	1.65%
Westpac Banking Corporation Ltd	A1+	3,000,000	24-Jul-20	2.25%
Auswide Bank Limited	A2	2,000,000	04-Aug-20	1.65%
Westpac Banking Corporation Ltd	A1+	2,000,000	04-Aug-20	1.70%
Auswide Bank Limited	A2	2,000,000	11-Aug-20	1.72%
AMP Bank Ltd	A2	2,000,000	18-Aug-20	1.65%
Bank of Queensland Ltd	A2	1,000,000	20-Aug-20	1.60%
Auswide Bank Limited	A2	2,500,000	27-Aug-20	1.65%
ING Bank Australia Limited	A1	2,000,000	27-Aug-20	1.65%
Westpac Banking Corporation Ltd	A1+	2,000,000	03-Sep-20	1.70%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Sep-20	1.60%
Macquarie Bank	A1	2,000,000	15-Sep-20	1.65%
AMP Bank Ltd	A2	1,500,000	15-Sep-20	1.70%
Members Equity Bank Ltd	A2	2,000,000	17-Sep-20	1.60%
ING Bank Australia Limited	A1	2,000,000	22-Oct-20	1.60%
Auswide Bank Limited	A2	2,000,000	10-Nov-20	1.60%
Auswide Bank Limited	A2	2,000,000	12-Nov-20	1.72%
Auswide Bank Limited	A2	2,000,000	24-Nov-20	1.70%
Auswide Bank Limited	A2	2,000,000	26-Nov-20	1.70%
Auswide Bank Limited	A2	2,000,000	03-Dec-20	1.65%
Auswide Bank Limited	A2	3,000,000	05-Jan-21	1.65%
ING Bank Australia Limited	A1	2,000,000	14-Jan-21	1.65%
ING Bank Australia Limited	A1	2,000,000	19-Jan-21	1.65%
Auswide Bank Limited	A2	1,000,000	04-Feb-21	1.65%
Auswide Bank Limited	A2	2,000,000	11-Feb-21	1.72%
Auswide Bank Limited	A2	2,500,000	23-Feb-21	1.65%
Auswide Bank Limited	A2	2,000,000	25-Feb-21	1.65%
		152,500,000		

INVESTMENT BALANCES				
As at 29-Feb-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,607,171		0.40%
		1,607,171		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	159,829	At Call	0.10%
Commonwealth Bank of Australia Ltd	A1+	1,000,423	At Call	0.70%
		1,160,252		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	30-Mar-20	1.39%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	28-Apr-20	1.42%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	18-May-20	1.44%
Commonwealth Bank of Australia Ltd	A1+	9,850,738	28-May-20	1.44%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	26-Jun-20	1.43%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Jun-20	1.44%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	13-Jul-20	1.44%
		17,850,738		
New Council Implementation Fund				
Term Deposits				
AMP Bank Ltd	A2	900,000	21-May-20	1.90%
		900,000		
Stronger Communities Fund				
Term Deposits				
Westpac Banking Corporation Ltd	A1+	900,000	12-May-20	1.70%
AMP Bank Ltd	A2	1,500,000	18-Jun-20	1.80%
		2,400,000		
Stronger Communities Fund Round 2				
Term Deposits				
National Australia Bank Ltd	A1+	2,500,000	05-Mar-20	2.65%
National Australia Bank Ltd	A1+	2,000,000	09-Apr-20	2.50%
Suncorp Bank	A1	750,000	23-Apr-20	1.63%
Suncorp Bank	A1	1,750,000	21-May-20	1.63%
Westpac Banking Corporation Ltd	A1+	1,000,000	18-Jun-20	1.78%
Bank of Queensland Ltd	A2	1,700,000	14-Jul-20	1.65%
Westpac Banking Corporation Ltd	A1+	2,000,000	17-Jul-20	2.25%
Bendigo & Adelaide Bank Ltd	A2	1,800,000	21-Jul-20	1.60%
Auswide Bank Limited	A2	1,000,000	06-Aug-20	1.72%
Auswide Bank Limited	A2	2,000,000	25-Aug-20	1.65%
		16,500,000		
Total Cash and Investments		202,672,569		

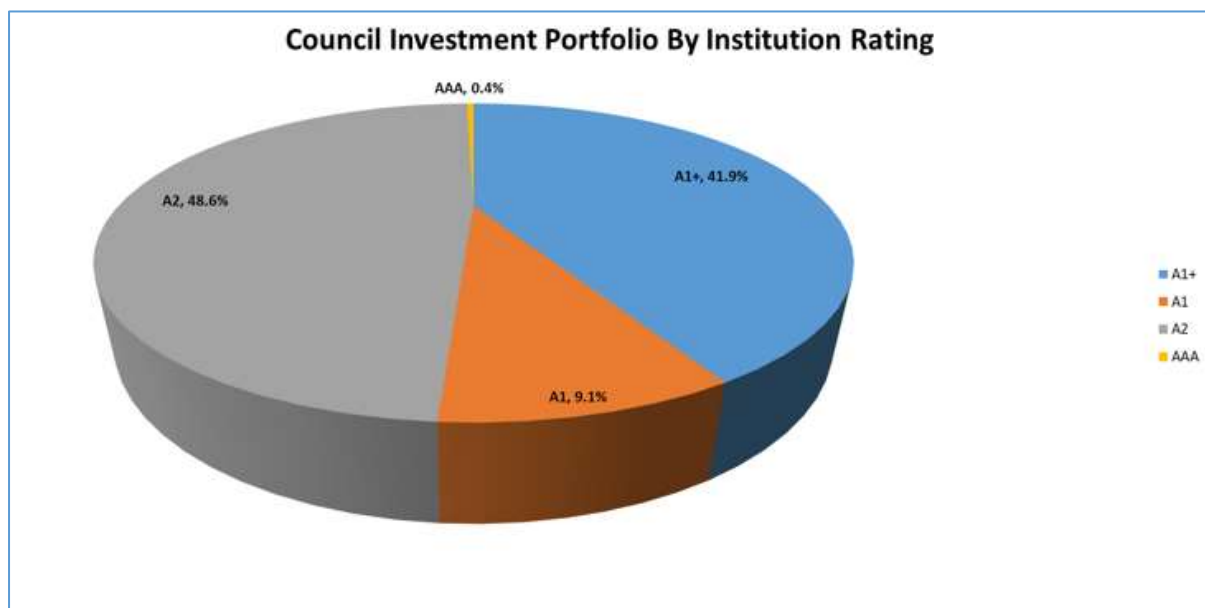
PORTFOLIO ANALYSIS



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)



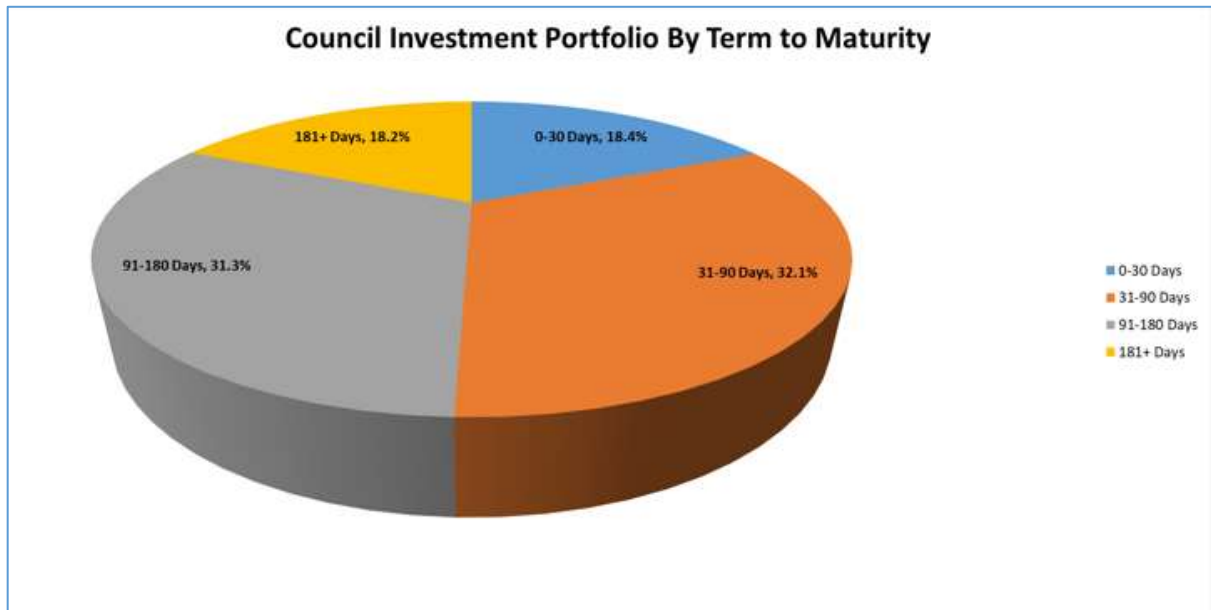
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

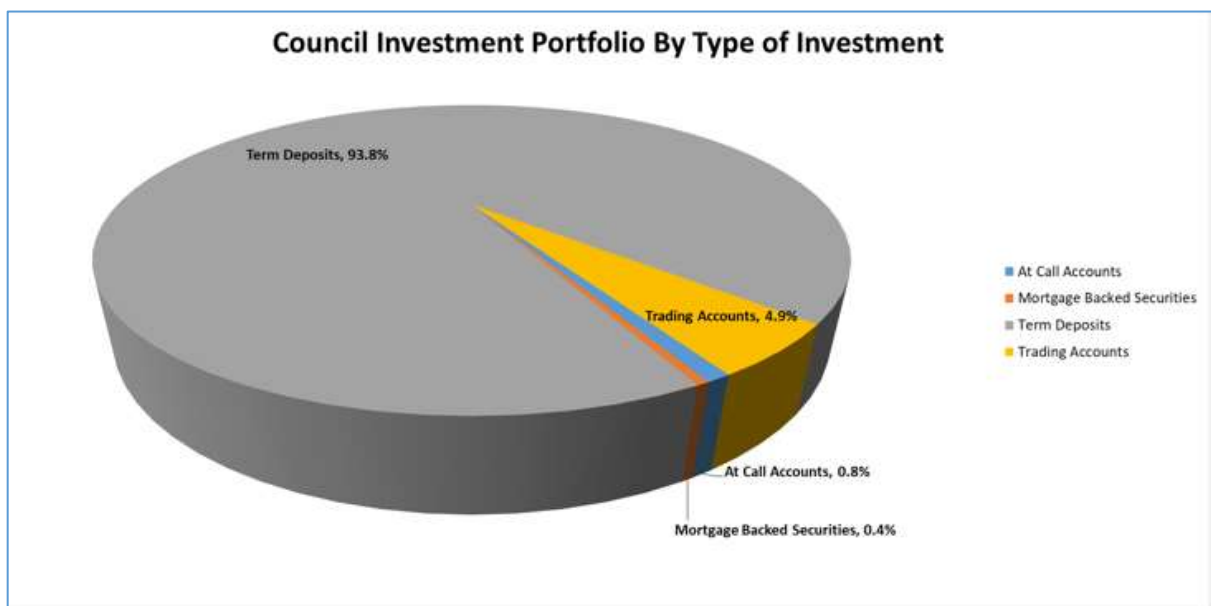
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

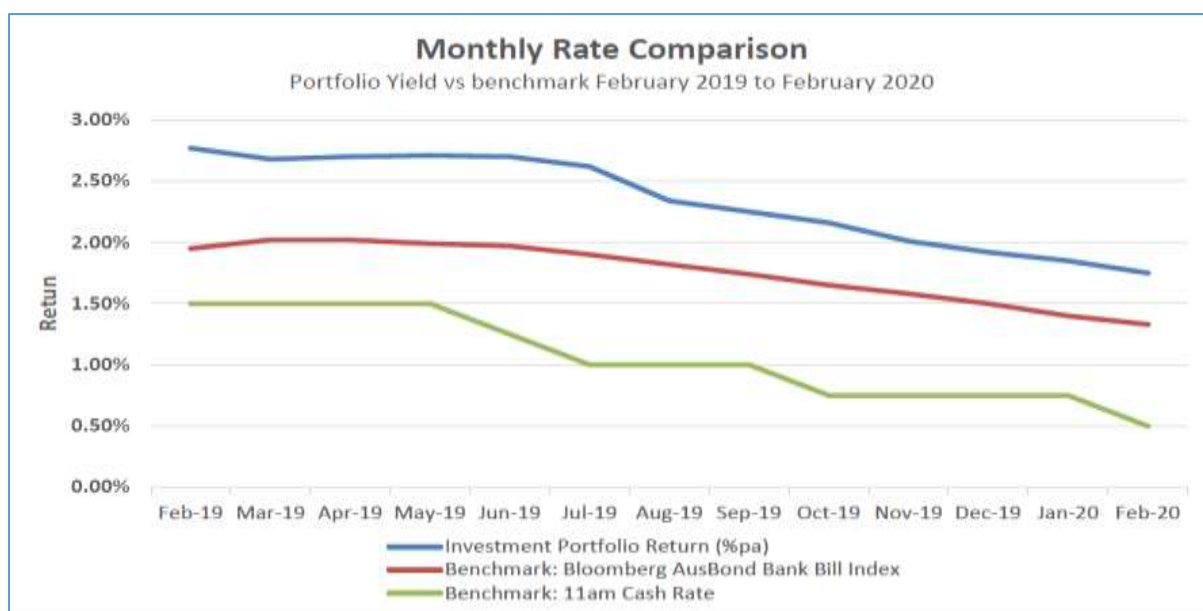


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	1.75%	1.33%	0.50%
3 Months	1.84%	1.41%	0.67%
6 Months	1.99%	1.53%	0.75%
FYTD	2.11%	1.62%	0.81%
12 Months	2.30%	1.74%	1.02%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

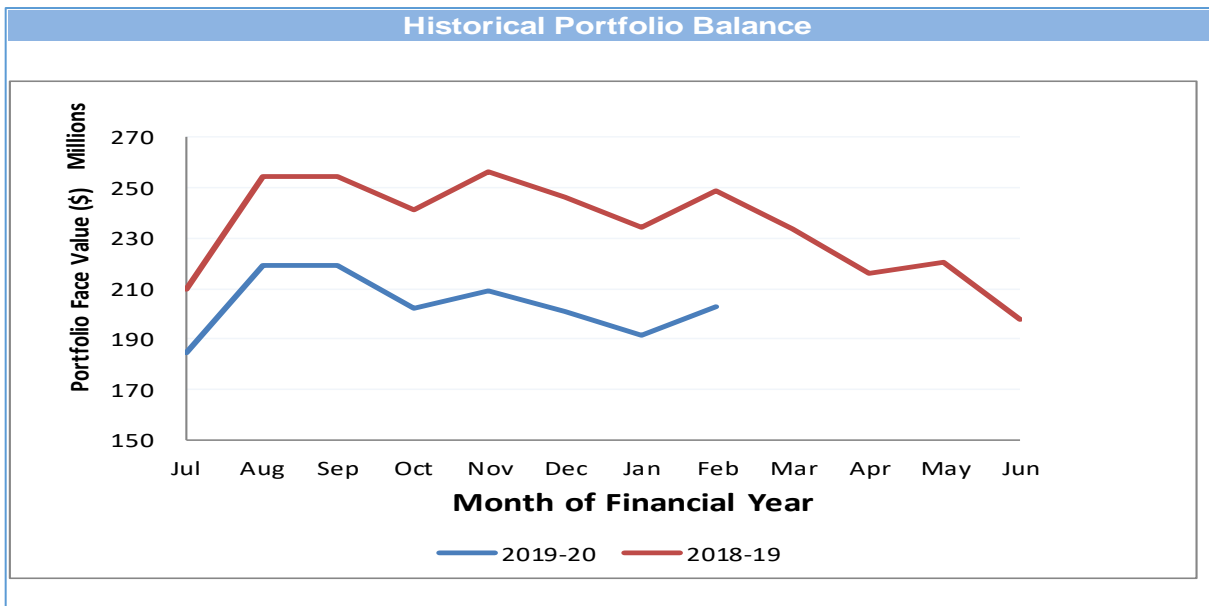


MONTHLY INVESTMENT INCOME* VS. BUDGET

	Feb 2020 \$	Year to Date \$
Investment Income	285,273	2,881,424
Adjustment for Fair Value	4,214	11,421
Total Investment Income	289,487	2,892,845
Budgeted Income	449,667	3,745,077

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2019-20	2018-19
Jul	184,317,848	209,605,515
Aug	219,369,559	254,510,268
Sep	219,459,189	254,769,836
Oct	201,971,383	240,996,644
Nov	209,221,468	256,137,875
Dec	200,959,271	246,453,069
Jan	191,226,461	234,499,949
Feb	202,672,569	249,011,046
Mar		233,537,191
Apr		215,948,342
May		220,652,093
Jun		198,030,610
Average Portfolio Balance	203,649,718	234,512,703



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 not 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 coronavirus outbreak will dent Quarter 1 global economic growth, but the impact is likely to be “V-shaped” with growth reduction in Quarter 1 and perhaps Quarter 2 recovering in Quarter 3 and Quarter 4. Our “V-shaped” recovery view does not depend upon when the coronavirus outbreak is contained – health experts dealing with the outbreak seem to see it peaking in March or April – instead it is based on signs of improvement in global growth ahead of the outbreak and likely policy stimulus delivered in response to the outbreak, especially in China. Australian economic growth may suffer a bigger dip than most in Quarter 1 because of the overwhelming importance of China in Australia’s trade in goods and services. The corollary is that the actions taken by China’s authorities to boost the economy as it recovers from the coronavirus outbreak are likely to boost Australian economic growth as well.

Returning to the theme of improving global growth ahead of the coronavirus outbreak the best example is the US economy. The latest US economic readings still point to strengthening economic activity supported by growth in household spending. January retail sales rose 0.3% month-on-month after a 0.2% gain in December. The major support for household spending continues to come from the buoyant US labour market. January non-farm payrolls rose by 225,000 after lifting 147,000 in December. Annual growth in average hourly earnings rose to a decade-high 3.1% year-on-year and the unemployment rate at 3.6% in January remains close to a 50-year low.

In China, at the epicentre of the coronavirus outbreak, the near-term reduction in GDP growth is likely to be pronounced. Extreme quarantining restrictions have shut down factories and public gatherings. In the short-term the authorities have made corporate loan conditions easier and reduced interest rates. The initial handling of the coronavirus outbreak and its early spread wrong-footed the Beijing Government authorities. The authorities are now fighting to arrest growing public unease by showing that they are on the front-foot combatting the outbreak - imposing severe quarantining restrictions unthinkable anywhere else in the world but at the same time ramping up coronavirus research and building a quarantine hospital in Wuhan in record time. The public unrest threat to the Beijing authorities from coronavirus, however, will not be alleviated unless they can deliver a quick return to economic growth and prosperity after the coronavirus outbreak has peaked. Almost certainly, the authorities will deliver whatever fiscal and monetary stimulus it takes to reset annual GDP growth near 6% year-on-year after a Quarter 1 fall to near zero.

In Europe, lack-luster annual economic growth moderated further to 0.9% year-on-year in Quarter 4 2019 and the biggest economy, Germany, has all but stalled showing no growth in the quarter and annual growth of only 0.4% year-on-year. Surprisingly, the latest leading economic indicators out of Europe are mostly a touch stronger. February consumer confidence improved to -6.6 from -8.1 in January. The February manufacturing sector purchasing managers’ index rose unexpectedly to 49.1 from 47.9 while the services sector PMI rose to 52.8 from 52.5. The latest unemployment rate reading for January showing a reduction to a decade-low 7.4% from 7.5% in December also seems inconsistent with soft and moderating annual GDP growth. Certainly, the European Central Bank is well aware of the potential downside risks to European growth and new President, Christine Lagarde, emphasises continuing monetary policy growth support and also the need for those European governments that able to provide fiscal support to do so.

In Australia, the latest economic readings point to economic growth accelerating late in 2019 ahead of the dent that will occur in Quarter 1 from the bushfires and coronavirus outbreak. Interestingly, the recovery in home-buying and prices that started mid-2019 is showing signs of gathering pace on the latest weekend’s home auction reports showing around 80% clearance rates in both Sydney and Melbourne and on higher listings. At this stage, it seems that housing activity will continue to improve providing a springboard for more general improvement in the economy once the coronavirus outbreak is contained.

ITEM 9.2	REVOCATION OF VARIOUS GRAFFITI POLICIES OF FORMER COUNCILS
REPORTING MANAGER	EXECUTIVE MANAGER WASTE MANAGEMENT AND CLEANSING
TRIM FILE REF	2019/676306
ATTACHMENTS	<ol style="list-style-type: none"> 1 ↓ Graffiti and Vandalism Policy (former Pittwater Council) 2 ↓ Graffiti Policy (former Warringah Council) 3 ↓ Graffiti Management Policy (former Manly Council)

BRIEF REPORT

PURPOSE

To seek Council approval to revoke three policies of the former Manly, Warringah and Pittwater Councils.

REPORT

The Local Government (Council Amalgamations) Proclamation 2016 states that the policies of the three former councils (Manly, Warringah and Pittwater) remain in effect until Council adopts a new policy or the former policy is revoked.

Upon amalgamation, a policy review project commenced to re-establish the policy environment for the Northern Beaches Council and the project is progressing with the review of the policies of the former councils. Council's policy framework consists of a tiered approach as outlined below:



Since the project commenced with 255 council adopted policies, 141 policies of the former councils have been revoked, 43 new Northern Beaches Council policies have been adopted and 114 policies of the former councils remain in effect. This brings the total number of council adopted policies currently in effect to 157.

This report proposes to revoke a further three policies (Attachments 1, 2 and 3) which have been identified as no longer required:

- Graffiti and Vandalism (former Pittwater.)
- Graffiti Policy (former Warringah).
- Graffiti Management Policy (former Manly).

These policies have been identified as no longer relevant as the policy impact areas are being addressed through other Council processes, policies and strategies. Council's cleansing principles are incorporated into operational and procedural processes. While the community development principles and street art components of the policies are included within the Public Art Policy (adopted by Council on 28 May 2019) and the Arts and Creativity Strategy (adopted by Council on 22 October 2019).

The street art components covered by the policy and strategy are detailed below:

Public Art Policy (May 2019)

Council will:

- Support the development and commissioning of a diverse range of permanent, temporary and ephemeral artworks in public places.
- Ensure the creation of art that will contribute to the enhancement, enjoyment or understanding of its context and place.
- Enhance the design and functionality of the public domain through public art.

Arts and Creativity Strategy (22 October 2019)

Outcome 1 - Infuse public places with creativity: We are...“embedding creative expression in the public domain through art in public places such as street art and other projects” (pg 33).

Ongoing Graffiti Management

Council's Cleansing Services team actively manages the removal of graffiti by way of responsive contracted removal and reporting services.

Graffiti reporting is managed via an online centralized database, the Australian Graffiti Register (AUSGR) that records the location, position, size, content and photos for each incident of graffiti/vandalism. AUSGR may be accessed by the community, Council staff, contractor and other agencies for the reporting and tracking of antisocial behaviour. AUSGR provides Council with a monthly report identifying hotspots, number of incidents by source, incident heat maps, completion rate and duration and other comparative analytical reports.

Council's contracted graffiti removal service aims to maintain and improve the appearance of the Northern Beaches and discourage vandalism through the prompt identification and removal of graffiti and bill posters. The contractor is required to patrol and actively remove all identified graffiti from Council owned public places as well as from private properties that are accessible from public areas, e.g. private fences and external walls directly adjacent to public walkway, footpath and reserves. Under the contract, graffiti is to be removed and the database updated within 5 days of reporting. Approximately 90% of graffiti is removed within 2 days. Offensive graffiti must be removed within 24 hours from the time of reporting.

Graffiti found on public assets that are owned by state and other agencies is reported directly to the responsible entity, such as AUSGRID and RMS, for removal.

Those wanting to report Graffiti can call 1800 707 125 or online
<https://www.service.nsw.gov.au/transaction/graffiti-hotline>

Enforcement and Compliance

Under the Graffiti Control Act 2008, the NSW Police Service is the relevant authority with respect to the enforcement and penalty dispensation for acts of vandalism including graffiti.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance: Goal 19 – Our Council is transparent and trusted to make decisions that reflect the values of the community.

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 allocated budgets in line with existing operational guidance.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts to consider in the revoking of the proposed policies as the policy impact areas will continue to be addressed through existing operational guidance and Council's enterprise risk and opportunity management framework.

SOCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

There are no changed governance or risk impacts relating to the revocation of these policies, as the policy impact areas continue to be managed with operational and procedural guidance in line with Council's enterprise risk and opportunity management framework and in accordance with the policy framework adopted by Council.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council revoke the following policies:

1. Graffiti and Vandalism Policy (former Pittwater Council)
 2. Graffiti Policy (former Warringah Council)
 3. Graffiti Management Policy (former Manly Council).
-



Policy – No 188	Adopted:	OM: 17.10.2011
	Reviewed:	OM: 05.08.2013
	Amended:	
	Revoked:	

TITLE:	GRAFFITI AND VANDALISM
STRATEGY:	BUILDING COMMUNITIES
BUSINESS UNIT:	COMMUNITY, LIBRARY AND ECONOMIC DEVELOPMENT
RELEVANT LEGISLATION:	NONE
RELATED POLICIES:	NONE

Objectives

To reduce the social, environmental and economic impact of graffiti and vandalism throughout Pittwater.

To develop partnerships with community stakeholders to assist in the prevention and removal/repair of graffiti and vandalism.

To divert and discourage those who may have a predilection towards graffiti and vandalism.

Policy Statement

Council views any unauthorised damage, drawing, names, words or marks on public buildings, infrastructure or private property as illegal.

Council believes that the prevention and removal/repair of graffiti and vandalism is the responsibility of all levels of government, as well as private residents, businesses and utility owners.

Council is committed to the apprehension and prosecution of graffiti and vandalism offenders, and where possible will use the law to prosecute those who perpetrate acts of graffiti and vandalism within Pittwater.

Council recognises that it must use its position to provide leadership in the management of graffiti and vandalism within Pittwater. As such, Council will look to form partnerships with other stakeholders to assist in the elimination of graffiti and vandalism throughout Pittwater.

Council is committed to a program of systematic inspection and the rapid removal of graffiti from Council owned property and within budget constraints from private property accessible from public domain within Council's main villages.



Warringah Council Policy

Policy No. PL 810 Graffiti

Graffiti Policy

1 Purpose of Policy

The purpose of this policy is to provide Council with a framework through which to respond to graffiti in Warringah. It provides a set of principles on responding to illegal graffiti in the local streetscape – including public and private property – as well as the creation of conditions that may contribute to a reduction in the incidence of new graffiti in the long term.

2 Principles

Overview

Graffiti is of ongoing concern to Council and to the Warringah community because of its continuing visibility, detrimental impact on the local streetscape, and high cost of removal. It is also of concern to many people because it represents the social exclusion of a section of the community. Irrespective of whether such exclusion is self-imposed, the result of external factors or a combination of both, its manifestation in the form of graffiti results in a significant cost to the entire community. Graffiti is a visual representation of the fact that a part of the community, and in particular some younger people, feel sufficiently disconnected from community as to feel compelled to deface the property of others.

Whilst graffiti is literally an age-old phenomenon, found in human cultures since ancient times, the motivations and methods of graffitiists vary considerably. It is therefore unrealistic to suggest that Council can eradicate graffiti from Warringah. Graffiti's longevity and universal presence in human cultures also suggests that if Council wishes to have any real impact on reducing its prevalence it must adopt long-term strategies that deal both with its symptoms *and* its causes. Both aspects require a detailed understanding of the motivations and practices of graffitiists, and apply to both legal and illegal graffiti.

The intent of this policy is to reduce over time the prevalence of graffiti in Warringah in a manner that is:

- a) *Demonstrable* – Various approaches will be trialled and will be designed in such a way as to enable their effectiveness to be regularly measured.
- b) *Evidence based* – The continuing roll-out of the program will be based on the results of the trialling of different approaches. Empirical data will be employed as well as specifically targeted consultation. Measures shown to be effective will be maintained and those shown to be ineffective will be modified or discontinued.
- c) *Holistic* – Council will implement measures to address both the symptoms of graffiti and its underlying causes.
- d) *Consistent* – Subject as it is to an ever-changing policy environment, the graffiti debate is susceptible to the imposition of simplistic and non-evidence based solutions. Council therefore needs to give consistent attention to evaluating all measures it implements so as to ensure it has sound data upon which to base the program's continuation.

Reactive measures address the symptoms of graffiti, in that their focus is on responding after the event. These include:

- Rapid removal

Policy No.

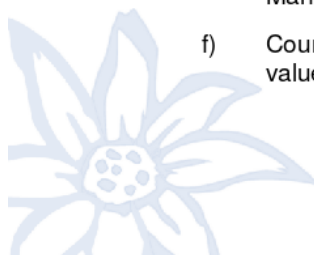
- Liaising with the police and other agencies to identify and, where necessary, prosecute perpetrators
- Developing programs in collaboration with NSW Police, NSW Department of Justice & Attorney General, NSW Department of Human Services (Juvenile Justice) and other agencies to facilitate both appropriate penalties and rehabilitation.

Measures to address causes are preventive, and are intended to minimise the occurrence of graffiti in the first place. They include:

- Community education
- Collaboration with external agencies including the NSW Police, NSW Department of Justice & Attorney General, NSW Department of Human Services (Juvenile Justice), other councils, retailers and youth agencies
- Active engagement of young people to incorporate an early intervention approach, as well as programs to effect behaviour change among perpetrators or potential perpetrators
- Adopting a comprehensive approach to urban design that actively encourages the incorporation of 'Crime Prevention Through Environmental Design' (CPTED) for new development sites and existing susceptible high visibility sites in Warringah
- Developing a detailed understanding of the motivations and practices of perpetrators or potential perpetrators, including the development of programs to harness the energies and talents of young people who are aspiring artists to enable them to use and showcase their talents legally.
- Incorporating practices that reduce the possibility of repeat 'attacks' or that enable easy removal of new graffiti.

General guidelines

- a) Council will employ the best available contemporary research to guide the implementation of its approach to graffiti – hereafter called the Graffiti Management Plan. It will where possible support research conducted by external agencies as a contribution to comprehensive best practice knowledge base that can be shared between agencies.
- b) Council recognises the value of programs that focus on the prevention of graffiti before it occurs as being complementary to those aimed at removing it once it has been applied.
- c) Council recognises the need for its Graffiti Management Plan to support applicable law enforcement so as to ensure that offenders are appropriately dealt with through the proper legal channels.
- d) Council recognises that all measures taken to deal with graffiti need to be cost effective. In particular, it should be expected that a key measure of the effectiveness of preventive programs would be a long-term reduction in the cost of removal programs. Similarly, reactive programs such as rapid removal should be able to demonstrate their own cost reductions over time, founded as they are on the notion that rapid removal provides a deterrent to further graffiti.
- e) Council will involve the community, key agencies and young people in its Graffiti Management Plan.
- f) Council recognises the value in creating an environment in which young people are valued and their needs are integral in local planning. It is within such a culture that



Policy No.

young people feel connected to their community, and this in turn has flow-on benefits in reducing the inclination towards graffiti by perpetrators or potential perpetrators.

3 Authorisation

This Policy was adopted by Council on 19 October 2010.

It is effective from the 20 February 2010

It is due for review in October 2015.

4 Amendments

Nil

5 Who is responsible for implementing this Policy?

- Group Manager, Community Services
- Group Manager, Roads, Traffic & Waste
- Group Manager, Building Property & Spatial Information
- Group Manager, Development & Compliance
- Group Manager, Strategic Planning

6 Document owner

Deputy General Manager, Environment

7 Related Council Policies

- Public Art STR-PL 010 – February 2008
- Cultural CCS-PL 210 – March 2002
- Community Consultation STR-PL 520 – May 2005
- Warringah Design Guidelines – Public Spaces ST-PR 350 – July 2003
- Asset Management GOV PL 550 – February 2003
- Vandalism of Council Buildings GOV PL 861 – November 2006

8 Legislation and references

- Graffiti Control Act 2008
- Graffiti Control (Amendment) Act 2009
- Summary Offences Act 1998
- Children (Community Service Orders) Act 1987
- Crimes Act 1900

9 Definitions

Graffiti

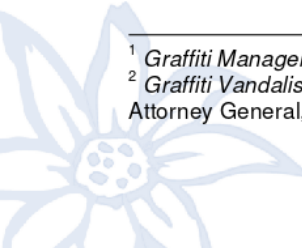


Policy No.

Graffiti refers to the act of defacing property with markings and / or graphics. Graffiti without the consent of the owner of the property is illegal.¹

Crime Prevention Through Environmental Design

CPTED is a situational crime prevention method that aims to design out opportunities for graffiti . . . It is based on the rationale that graffiti is most likely to be applied at locations that are accessible, where there is little surveillance, where there is ease of escape and where the graffiti will be on show².



¹ *Graffiti Management Model*, NSW Government, 2009

² *Graffiti Vandalism - Review of graffiti reduction demonstration projects*, NSW Department of Justice & Attorney General, 2009

G30. Graffiti Management Policy

Title: Graffiti Management Policy
Policy No: G30
Keywords: Graffiti, Graffiti Removal
Responsible Officer: Divisional Manager - Human Services and Facilities

1. PURPOSE AND AUTHORITY

The objective of this policy is to provide a policy framework for the removal of graffiti from Council owned and Council managed property, accurate recording of graffiti removal work, encouraging community involvement in reporting and providing the community with information to help with prevention and removal.

2. POLICY STATEMENT

Manly Council is committed to rapid removal of graffiti from Council owned and Council managed property, accurate recording of graffiti removal work, encouraging community involvement in reporting and providing the community with information to help with prevention and removal. (Note. Graffiti vandalism refers to "illegally defacing private and public property with markings and/or graphics without the owner's consent" (Stop Graffiti Vandalism – Lawlink, NSW Attorney General's website).)

Manly Council aims to protect the community, by providing services and making decisions that enhance the residents' quality of life and our economic and our natural environment. The effectual implementation of Council's risk management function serves, among other things, -to document and assist groups within Council by distributing the adopted procedures for gathering information and information systems.

This policy, together with the procedures, provides the minimum data standards for the gathering of information. It is aimed at providing Council's defence lawyers quality information to support their defence of claims against Council. The checklist should be used to ensure that all the appropriate data is gathered and contains the appropriate information. Listed information source documentation from the checklist, must be appropriately recorded and archived in accordance with Council's records.

Council will within its budgetary constraints and using existing information systems available to it, endeavour to ensure accurate and systematic information.

3. PRINCIPLES

The underlying principles of this policy, and the practical approach to responding to instances of graffiti, can be summarised as follows:

- Remove
- Engage
- Educate

Policy – Graffiti Removal

Manly Council removes graffiti from Council owned and Council managed property only. Manly Council may choose to remove graffiti from property without the agreement of the owner or occupier if the graffiti is racist or defamatory and is visible and accessible from a public place.

Legislation regarding graffiti removal

The *Graffiti Control Act 2008* provides for graffiti removal on other property, without the agreement of the owner or occupier. Part 4, Section 12 of the *Graffiti Control Act 2008* applies to graffiti which is visible from a public place, and removal of such graffiti can only be carried out from a public place. Council is to "bear the cost of graffiti removal work", and Council will "give the owner or occupier of the land concerned written notice that the work has occurred". Council "must pay compensation for any damage caused by the council in carrying out graffiti removal work in accordance with this section".

Legislation requiring the keeping of records in a Graffiti Register

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In accordance with Part 4, Section 13 of the *Graffiti Control Act 2008*, Council will maintain a Graffiti Register of all graffiti removal work conducted by its painters and contractors, including details which show the owner or occupier of the premises, the nature of the work, and the actual or estimate of cost.

4. SCOPE

This policy applies to all Council officials (including Councillors and Council staff and consultants engaged by Council) who are involved, directly or indirectly, in decision-making (including preparatory and recommendatory decision-making) with respect to the subject-matter of this policy.

5. DEFINITIONS

See the *Graffiti Control Act 2008* for definitions of relevant terms and expressions used in this policy.

6. IMPLEMENTATION

This policy will be implemented without delay once adopted by Council. Upon adoption this policy will be entered into Council's policy register, made available online and provided to all staff and any other people directly affected by this policy.

Council and/or the General Manager may, during a civil emergency only, set aside any policy terms to ensure public safety.

7. MONITORING AND BREACHES

Regular monitoring of compliance with this policy, relevant legislation and Manly policies and procedures will be undertaken and documented by the responsible officer for this policy.

Breaches of this policy are considered to be breaches of Manly Council's Code of Conduct and therefore invoke the relevant sanctions outlined in that Code. Persons in breach of any legislation may be subject to relevant criminal action.

8. REPORTING

No specific reporting is required by this policy.

9. POLICY REVIEW

This policy is subject to regular review at a maximum interval of Insert the review period as required by legislation, generally every two (2) years.

For the purposes of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this policy.

Any recognised change to relevant legislation; or directives or guidelines issued by agencies including the NSW Ombudsman and the Division of Local Government; or to Manly Council's related guidelines and procedures will activate an immediate review of this policy to ensure it remains current and aligned to best practice policies.

10. RELEVANT REFERENCES AND LEGISLATION

Graffiti Control Act 2008
Local Government Act 1993
Young Offenders Act 1997
Young Offenders Amendment (Graffiti Offenders) Regulation 2009
Children (Community Services Orders) Act 1987
Summary Offences Act 1988
Crimes Act 1900.

11. RELEVANT COUNCIL POLICIES

G32 Graffiti Reward Policy.

12. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
147/09	19 October 09	Adopted OM 191009.		
n/a	22 Oct 2009	Added to the Policy Register.	OM, Corporate Services	Manager Administration
PS53/11	2 May 2011	Periodic Review	Secretariat, Corporate Services	Manager, Administration
	June 2013	Comprehensive Review		General Counsel
PS16/14	3 March 2014	Periodic Review	OM CSS	Manager Governance

ITEM 9.3	AUDIT, RISK AND IMPROVEMENT COMMITTEE ANNUAL REPORT
REPORTING MANAGER	ACTING EXECUTIVE MANAGER INTERNAL AUDIT AND COMPLAINTS RESOLUTION
TRIM FILE REF	2020/052423
ATTACHMENTS	1 Audit, Risk and Improvement Committee Annual Report (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To present the Audit, Risk and Improvement Committee Annual Report for 2019.

REPORT

The Audit, Risk and Improvement Committee (ARIC) plays a pivotal role providing Council with independent assurance and advice in the areas of internal audit, financial management, risk management, compliance and control, and organisational performance and improvement, along with external accountability responsibilities.

As per the conditions of the ARIC Charter, the Chair of the Committee will provide an Annual Report to Council on the Committee's operations. The ARIC Annual Report is presented in full as per Attachment 1.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The Committee functions in accordance with the non-mandatory guidelines issued by the Chief Executive of the Office of Local Government under section 23A of the Local Government Act 1993 and in consideration of Part 4A of the Local Government Act 1993 as proposed by the Local Government Amendment (Governance and Planning) Act 2016.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the Audit, Risk and Improvement Committee Annual Report for 2019.

ITEM 9.4	CONFIRMED MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 10 DECEMBER 2019
REPORTING MANAGER	ACTING EXECUTIVE MANAGER INTERNAL AUDIT AND COMPLAINTS RESOLUTION
TRIM FILE REF	2020/052407
ATTACHMENTS	1 ARIC Minutes - 10 December 2019 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To report the confirmed minutes of the Audit, Risk and Improvement Committee meeting held on 10 December 2019.

REPORT

The Audit, Risk and Improvement Committee (ARIC) plays a pivotal role providing Council with independent assurance and advice in the areas of internal audit, financial management, risk management, compliance and control, and organisational performance and improvement, along with external accountability responsibilities.

In accordance with the Audit, Risk and Improvement Committee Charter, the confirmed minutes of Audit, Risk and Improvement Committee meetings are to be reported to Council. The confirmed minutes of the meeting held on 10 December 2019 are reported in full as per Attachment 1.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The Committee functions in accordance with the non-mandatory guidelines issued by the Chief Executive of the Office of Local Government under section 23A of the Local Government Act 1993 and in consideration of Part 4A of the Local Government Act 1993 as proposed by the Local Government Amendment (Governance and Planning) Act 2016.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee meeting held on 10 December 2019.

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	DEMENTIA-FRIENDLY ORGANISATION
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2020/040558
ATTACHMENTS	1 Dementia-Friendly Organisation Statement of Commitment 2 DRAFT Dementia-Friendly Organisation Action Plan

SUMMARY

PURPOSE

To consider the presentation of the draft Northern Beaches Council Dementia-Friendly Organisation Action Plan (Attachment 1) for accreditation, which will enable Council to become a Dementia Friendly Organisation.

EXECUTIVE SUMMARY

On 24 September 2019, Council resolved (303/19):

- A. *A briefing be provided to Council that evaluates Council being accredited as a Dementia Friendly organisation through staff training and appropriate identification at key customer locations.*
- B. *The wider goal of providing appropriate access to Council's range of services including community awareness and signage be included for consideration on Council's Social Plan and where appropriate Asset Management Plans.*

In response to Part A of the Resolution, a Councillor Briefing was held on 10 December 2019 outlining the process required for Council to become an accredited Dementia-Friendly Organisation.

A draft Northern Beaches Council Dementia-Friendly Organisation Action Plan has been developed and has in principle support of the local Northern Beaches Dementia Alliance. Part of this Action Plan includes a signed commitment to being a dementia friendly organisation.

The implementation of the Plan requires a commitment from Council to dementia-friendly actions and will require staff resources and funding over the 5-year life of the Plan.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Sign the Dementia-Friendly Statement of Commitment.
 2. Present the draft Northern Beaches Council Dementia-Friendly Organisation Action Plan to the Northern Beaches Dementia Alliance for endorsement and accreditation.
-

REPORT

BACKGROUND

Following a Notice of Motion on 24 September 2019, Council resolved (303/19):

- A. *A briefing be provided to Council that evaluates Council being accredited as a Dementia Friendly organisation through staff training and appropriate identification at key customer locations.*
- B. *The wider goal of providing appropriate access to Council's range of services including community awareness and signage be included for consideration on Council's Social Plan and where appropriate Asset Management Plans.*

A Councillor Briefing was held on 10 December 2019 outlining the process required for Council to become an accredited Dementia-Friendly Organisation.

Becoming a Dementia-Friendly Organisation is different to a Dementia Friendly Community. Through the annual Community, Arts and Culture Grants Program Council has provided three year funding to the Northern Beaches Dementia Alliance, auspiced by the community services provider Yourside. The role of the Alliance is to oversee and implement the Northern Beaches Dementia-Friendly Community Action Plan, to facilitate the Northern Beaches to become 'a place where people living with dementia are supported to live a high quality of life with meaning, purpose and value.'

The Council funded program includes the following activities:

- free dementia awareness education sessions for community groups and organisations
- inter-generational education in primary and high schools
- a music program for people living with dementia and primary school students.

Dementia Australia is the peak national body, with the Northern Beaches Dementia Alliance being the local organisation. The Dementia Alliance also assists local organisations to develop their Dementia Friendly Organisation Action Plans.

To become a Dementia-Friendly Organisation, Council must have a Dementia-Friendly Organisation Action Plan that has been endorsed by the local Dementia Alliance.

A Dementia-Friendly Organisation Action Plan enables an organisation to:

- better meet the needs of people living with dementia, whether they are staff, volunteers, clients or customers
- demonstrate an inclusive, people-friendly culture
- provide staff with professional development that expands their knowledge of dementia, improving customer service skills.

The essential principles of a Dementia-Friendly Organisation Action Plan are:

1. involve people with dementia in the planning process
2. commitment from senior staff (including resourcing)
3. upskilling staff
4. review physical environment
5. review business documentation
6. review plan and continuous improvement.

People living with dementia

A growing body of research and evidence notes that dementia is a significant and growing issue, with key statistics including:

- Dementia is the second leading cause of death of Australians, with females accounting for 64.5% of all dementia related deaths
- in 2019, an estimated 447,115 Australians were living with dementia. Without a medical breakthrough, this number of people is expected to increase to 589,807 by 2028 and 1,076,129 by 2058
- three in 10 people over the age of 85 and almost one in 10 people over 65 have dementia
- in 2019, there were an estimated 27,247 people with younger onset dementia, expected to rise to 29,353 people by 2028 and 41,249 people by 2058
- almost 1.5 million people are involved in the care of someone living with dementia
- in 2018, dementia was estimated to cost Australia more than \$15 billion. By 2025, the total is predicted to increase to more than \$18.7 billion in today's dollars, and by 2056, to more than \$36.8 billion
- on the Northern Beaches, almost 8,000 people live with dementia, a number expected to grow by 38% by 2050 (Northern Beaches Dementia Alliance, Yourside).

As a customer facing and community focussed organisation it is appropriate that Council become a dementia-friendly organisation. As detailed in the Creating Dementia-Friendly Communities Community Toolkit:

"People living with dementia may need extra support or understanding when they interact within the community. The experience of the person living with dementia in a public situation will vary but may include:

- *problems remembering what they are doing, disorientation and confusion, especially in complex or confusing environments. Difficulties with communication – language and word finding impairments*
- *problems handling money*
- *the person living with dementia may appear to have no symptoms at all.*

How the community responds to people experiencing these issues can make a real difference for the person living with dementia. When actively engaged and included people living with dementia will feel more inclined to ask for help, when and if needed. This enables the person living with dementia to:

- *maintain independence for longer*
- *continue engaging in community life, such as shopping, dining at cafes and restaurants, and visiting local businesses*
- *stay at home longer and delay entering residential aged care*
- *participate in society and keep their mind active; e.g. using ATMs*
- *maintain executive functioning (skills used for planning and doing tasks, regulating behaviour, impulse control, and attention)*
- *enjoy a more fulfilling and socially active lifestyle."*

Proposal

It is proposed that Council sign the Dementia-Friendly Commitment Statement (Attachment 1) and present the Northern Beaches Council Dementia-Friendly Organisation Action Plan (Attachment 2) for accreditation.

Key features of the Action Plan include:

- participation as a member of the Northern Beaches Dementia Alliance
- all front line staff undertake free online Dementia-Friendly training (Est 400 staff)
- key service staff receive additional Dementia Alliance training (50 per annum x 4 years)
- audit of Council Facilities - Dementia Australia audit ten (10) key facilities
- implementation of actions identified in the audit of Council Facilities
- relevant staff undertake training on accessible design principles and AS1428 standards for dementia-friendly design
- inclusion of dementia in the Northern Beaches Council Disability Inclusion Action Plan (DIAP) Review
- inclusion of dementia in the Northern Beaches Social Plan
- an audit of Council signage, forms, documentation and media to ensure they are dementia-friendly.

Following the signing of the commitment to be a Dementia-Friendly Organisation, these actions will be implemented over the 5-year life of the Action Plan. These all require significant staff resources, including staff to coordinate the Action Plan, review of all external forms, training of up to 400 front line staff and undertaking and implementing audit results. The costs to implement the outcomes of the audits of key Council buildings are unknown and may need to be presented to Council for consideration during future budget deliberations.

Part B of the Council resolution of 24 September 2019 will be enacted through the implementation of the Dementia-Friendly Organisation Action Plan.

CONSULTATION

The draft Dementia-Friendly Organisation Action Plan relates to internal operations and has not been placed on public exhibition. There has been extensive internal consultation and the actions are able to be included in business plans for the relevant business units.

The Northern Beaches Dementia Alliance has reviewed and endorsed in principle the draft Action Plan, as required for accreditation.

TIMING

The draft Northern Beaches Dementia-Friendly Organisation Action Plan requires review every five years.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan, Community Outcome of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging - Goal 11: Our Community feels safe and supported.
- Community and Belonging - Goal 12: Our community is friendly and supportive.

FINANCIAL CONSIDERATIONS

There are significant resourcing and financial considerations associated with the implementation of the draft Northern Beaches Council Dementia-Friendly Organisation Action Plan.

Staff training will commence in 2020/21, with the first round of training able to be funded from the draft Operational Budget.

The actions that need to be funded in future years include:

- 2021/22 - \$34,000 (\$28k Facilities Audit. \$6k Staff Training)
- 2022/23 - \$6,000 (\$6k Staff Training)
- 2023/24 - \$6,000 (\$6k Staff Training)

The auditing of key Council facilities will also require future funding to implement upgrades and actions identified during those audits. This will be the subject of future Council budget reports and deliberations.

All actions will require significant staff time and resources.

SOCIAL CONSIDERATIONS

Adopting a Dementia-Friendly Organisation Action Plan will have considerable positive social impacts:

- enables an organisation better meet the needs of people living with dementia – whether they are staff, volunteers, clients or customers
- demonstrates an inclusive, people-friendly culture
- provides staff with professional development that expands their knowledge of dementia, improving their customer service skills and the customer experience of those living with dementia.
- ensures people living with dementia feel more inclined to ask for help when needed, enabling them to remain independent and engaged in community life for longer.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations.

GOVERNANCE AND RISK CONSIDERATIONS

There are no governance or risk considerations.

WORKING TOWARDS



DEMENTIA FRIENDLY

Dementia-friendly Communities Statement of Commitment

The management and staff of [Organisation / Business name] make the commitment to work towards being a dementia-friendly organisation. In making this commitment, we acknowledge and agree that:

- We will involve people living with dementia in the process of becoming dementia-friendly
- We value people living with dementia and aim to support social inclusion in our business operations
- We will strive to create broader awareness of dementia amongst our staff
- We will support staff to receive dementia awareness training and become Dementia Friends
- We will review our current practices and make changes to be more dementia-friendly
- We will work towards implementing the dementia-friendly strategies provided by Dementia Australia
- We will also identify and develop strategies that are tailored specifically for our business that align with the dementia-friendly principles
- We will follow the guidelines for use of the dementia-friendly symbol
- This is a genuine commitment to social change and we will continue to review our activities to achieve this dementia-friendly goal.

Signature

Name and position

Date



DRAFT

Northern Beaches Council Dementia-Friendly Organisation Action Plan

Who we are

Northern Beaches Council is a Local Government area stretching from Palm Beach to Manly with a population of more than 266,000 (ABS 2016). Council employs more than 1,800 staff working over 20 locations across a broad range of services including planning and building control, community services and environmental services.

There are currently 6,313 people living with dementia on the Northern Beaches which is expected to increase by 151% by 2058 (Dementia Australia, 2019). Dementia is likely to have a greater impact on our area as the proportion of residents aged 65+ is greater than Sydney, NSW & national average, and that the risk of dementia increases with age.

Our commitment to being Dementia-Friendly

Council's vision in its Community Strategic Plan, Shape 2018-2028 is:

'...a safe, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment.'

By becoming a dementia-friendly organisation, Council fulfills several strategic goals of an inclusive, healthy, safe and socially connected community (Community Strategic Plan Goals 8, 9, 11 and 12).

This Plan provides a clear roadmap for Council to prioritise actions, remove barriers and ensure all areas of Council are more Dementia-Friendly.

Our dementia-friendly action plan

This Plan received input from a range of community stakeholders including the Northern Beaches Dementia Alliance and people with lived experience of dementia. It also includes a range of internal stakeholders, including Customer Services, Libraries, Community Development, Community Centres, Human Resources, Properties and Facilities.

Several of the actions in this Plan relate to existing actions in Council's Disability Inclusion Action Plan (DIAP) 2017-2021 which have been identified to ensure continuity of outcomes and avoid unnecessary duplication.



Essential Principle 1		People living with dementia are actively involved in the process of becoming dementia-friendly		
Action	Timeline	Cost (Est.)	Notes	
1. People living with dementia assist in the development of the Plan by convening a consultation to prioritise possible actions.	Jan - Jun 2020	No financial cost.	The draft Action Plan was presented at a Northern Beaches Dementia Alliance meeting on 19 February 2020 and was approved with minor changes.	
2. Present plan to the Northern Beaches Dementia Alliance, Dementia Advisory Group.	May 2020	No financial cost.		

Essential Principle 2		Commitment		
Action	Timeline	Cost (Est.)	Notes	
3. Becoming a dementia-friendly organisation is approved.	Mar 2020	No financial cost.	Presented to Council on 24 March 2020 for approval.	
4. Continue to support the Northern Beaches Dementia Alliance and other local dementia initiatives.	Ongoing	No financial cost.	Staff continue to attend meetings and liaise with the Alliance. The Alliance received a 3 year Community Grant from Council in July 2019.	
5. Council signs the Dementia-Friendly Statement of Commitment.	April 2020	No financial cost.	Presented to Council on 24 March 2020	

Essential Principle 3		Upskilling staff		
Action	Timeline	Cost (Est.)	Notes	
6. All frontline staff become dementia aware by completing a short online training module.	Jul – Dec 2020, and every two years ongoing	Staff time	Two free 15-30 minute Dementia-Friendly modules on Dementia Australia website to be provided to all Council frontline staff through People Central e-training.	
7. Key frontline staff receive dementia awareness education. 50 staff per year for 4 years. E.g. Customer Service, Libraries, Rangers, Aquatic Centres, Community Centres.	2020-2024	\$24,000 (\$6000 per annum) Staff time.	Dementia Australia provide face-to-face dementia awareness training to front line staff tailored to Council's needs; \$1500 per 2 hour session, for 15-20 people.	



Essential Principle 3 Upskilling staff			
Action	Timeline	Cost (Est.)	Notes
8. Provide training on accessible design principles and the application of AS1428 standards for dementia-friendly design to relevant staff.	2021-23	Training by Dementia Australia, \$8000. Staff time	Dementia Australia training of existing staff will allow future developments and audits of council assets to be carried out internally. Costs include training, reimbursement for audit mentoring and lived experience personnel to participate in audits.

Essential Principle 4 Review of the physical environment			
Action	Timeline	Cost (Est.)	Notes
9. Develop priority listing of facilities requiring dementia-friendly upgrades.	2020-25	Staff time	
10. Facilities Audit - Dementia Australia audit ten (10) key facilities and provide condition reports	2021-22	10 audits = \$20,000 Staff time	Dementia Australia to carry out first 10 audits of key facilities. E.g. Customer Service [4], Libraries [6], Once staff training has been implemented (2021/22) future audits of Aquatic Centres, Recreation Centres, Community Centres, public spaces will be carried out in-house (Action 7)
11. Identify Council's top 10 public assets/locations to be accessible (relates to DIAP action)	By 2025	TBC	Ongoing implementation program currently being undertaken
12. Conduct accessibility audits of Council's public facilities and assets (relates to DIAP action)	By 2025	Staff time	Determine gaps in accessibility audit – compare to dementia audit of buildings
13. Implementation of priority asset improvements (relates to DIAP action)	By 2025	TBC	Cost will be determined following audits
14. Inclusive, accessible and universal design of Council projects (relates to DIAP action)	By 2021	Staff time	



Essential Principle 5		Business documentation		
Action	Timeline	Cost (Est.)	Notes	
15. Establish a working group to review business forms and documentation to incorporate dementia-friendly concepts	Monthly July 2020 – June 2021	Staff time		
16. Provide information and publications in alternative formats on request – e.g. plain English, large font	Ongoing	Staff time		

Essential Principle 6		Review and continuous improvement		
Action	Timeline	Cost (Est.)	Notes	
17. Include dementia-friendly community and organisation update in Council Annual Report	Ongoing	Staff time		
18. Provide annual staff updates on implementation of organisation action plan	Ongoing	Staff time		

Essential Principle 7		Advocacy and support		
Action	Timeline	Cost (Est.)	Notes	
19. Support dementia-friendly service organisations and networks	Ongoing	Staff time	Staff currently attend monthly Northern Beaches Dementia Alliance meetings.	
20. Advocate to other levels of government for increased resources for dementia-friendly organisations and services	Ongoing	Staff time		
21. Develop a policy around flexible working arrangements for staff who are carers of people with dementia and for staff who have a dementia diagnosis	June 2021	Staff time		



Contact details

Please provide primary contact details for this Dementia-Friendly Action Plan:

Sandra Faase, Community Development, 9976 1562, Sandra.faase@northernbeaches.nsw.gov.au

The Action Plan was submitted on

This Action Plan has been reviewed by the Dementia-Friendly Communities Dementia Advisory Group, with the following outcome:

☐ Dementia-friendly status approved

☐ Revision to the Action Plan required

Signature of Committee member

Date

The Action Plan has been reviewed and approved by the Northern Beaches Dementia Alliance, including people living with dementia.

Northern Beaches Dementia Alliance		
Name	Organisation	Signature

ITEM 10.2	MINUTES OF THE COMMUNITY SAFETY COMMITTEE HELD 28 NOVEMBER 2019
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2020/014840
ATTACHMENTS	1 ↓ Minutes - Community Safety Committee - 20191128

BRIEF REPORT

PURPOSE

To report the minutes of the Community Safety Committee meeting held on 28 November 2019.

REPORT

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

The discussion at the meeting of 28 November October included:

- Outcomes and feedback on the Mental Health Summit, including a presentation by Goodwill Hunting Co who facilitated the Summit.
- A presentation on the status of the Housing and Homelessness Forum Discussion Paper, including recommendations for further investigation.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and Belonging - Goal 11: Our Community feels safe and supported.

FINANCIAL CONSIDERATIONS

Adoption of the minutes of the Community Safety Committee will not result in any financial impact.

ENVIRONMENTAL CONSIDERATIONS

The adoption of the minutes of the Community Safety Committee does not present matters that will create adverse environmental impacts.

SOCIAL CONSIDERATIONS

The Committee provides valuable advice relating to social and community based outcomes. It includes involvement and engagement with a broad range of stakeholders.

GOVERNANCE AND RISK CONSIDERATIONS

The Committee is conducted according to Council's governance framework and adopted terms of reference.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council note the minutes of the Community Safety Committee meeting held on 28 November 2019.



MINUTES

COMMUNITY SAFETY COMMITTEE

held in the Guringai Room, Civic Centre, Dee Why on

THURSDAY 28 NOVEMBER 2019

Minutes of the Community Safety Committee
held on Thursday 28 November 2019
in the Guringai Room, Civic Centre, Dee Why
Commencing at 8:00 - 10:00 AM

ATTENDANCE:

Committee Members

Cr Michael Regan	Mayor – Chairperson
Cr Candy Bingham	Deputy Mayor
Cr Kylie Ferguson	
Cr Stuart Sprott	
James Griffin MP	State Member for Manly
Michelle Comito	Catholic Care
John Kelly	Community Northern Beaches
Ray Mathieson	Community Representative
Roberta Conroy	Community Representative
Trish Bramble	Manly Warringah Women's Resource Centre
Belinda Volkov	Sydney Drug Education & Counselling Centre (SDECC)

Council Officer Contacts

David Kerr	Director Community and Belonging
Kylie Walshe	Executive Manager Community, Arts and Culture
Azmeena Kelly	Executive Manager Environmental Compliance
Rob van den Blink	Manager Youth and Community Development
Will Wrathall	Team Leader Community Development
Sue Johansson	Community Development Officer
Helen Askew	Youth and Community Development Program Support Officer
Katie Kirwan	Governance Officer

Visitors

Rachel Findlay	Good Will Hunting Co.
Sera Kumeroa	Good Will Hunting Co.
Peta Garrett	Representing Federal Member for Warringah
Daniel Rubenach	Electorate Officer State Member for Manly

1.0 ACKNOWLEDGEMENT OF COUNTRY

Mayor Regan acknowledged the traditional custodians of the land on which the meeting gathered, and paid respect to Elders past and present.

2.0 APOLOGIES

Apologies were received from:

Cr Sue Heins	
Zali Steggall MP	Federal Member for Warringah
David Darcy	Superintendent Northern Beaches Police Area Command
Kara Hillier	State Transit Authority Northern Region
Michelle Povah	Community Representative
Michelle Erofeyeff	Department of Communities and Justice (DCJ)
Steve McInnes	Surf Lifesaving Sydney Northern Beaches
Ray Brownlee	CEO Northern Beaches Council
Leanne Martin	Community Safety Coordinator

The following members were not in attendance:

Christina Franze	Manly Chamber of Commerce
Drew Johnson	Manly Chamber of Commerce
Paul Klarenaar	NASLHD Health Promotion
Doug Brooker	Northern Beaches Liquor Accord

Harry Coates, Community Representative from the Frenchs Forest Ward has resigned for personal reasons.

3.0 DECLARATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Nil.

4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

4.1 MINUTES OF COMMUNITY SAFETY COMMITTEE MEETING HELD 17 OCTOBER 2019

DECISION

That the Minutes of the Community Safety Committee meeting held 17 October 2019, copies of which were previously circulated to all Members, are hereby confirmed as a true and correct record of the proceedings of that meeting.

5.0 AGENDA ITEMS

5.1 POLICE REPORT – PRESENTER EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE

DISCUSSION

Superintendent Darcy's apologies were relayed and Committee members were provided with his brief update, highlighting the following points:

- Advised that we are waiting on confirmation of the \$350,000 grant funding application for suicide prevention gate keeper training.
- Northern Beaches Police have begun implementing summer service levels in line with last year.
- At the November Council Meeting, Australia Day Alcohol Free Zones were adopted.

5.2 COMPLIANCE REPORT – PRESENTER EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE

DISCUSSION

Committee members were provided with an update on Compliance matters. A compliance report was presented to the Committee.

Recent incidents involving domestic animals, matters involving environmental health and actions concerning shopping trolley management were discussed.

The issue of noise pollution was raised, in particular, music on East Esplanade, Manly. Advice provided by staff is that powers available to Council are the same as police and that noise monitoring is measured from the complainant's location, not at the source of the noise.

ACTION

Cr Bingham to provide Executive Manager Environmental Compliance with video evidence of noise pollution at East Esplanade, Manly.

5.3 OUTCOMES AND FEEDBACK ON MENTAL HEALTH SUMMIT – PRESENTER TEAM LEADER COMMUNITY DEVELOPMENT

Note: Cr Sprott joined the meeting at 8.53am

DISCUSSION

James Griffin MP gave a brief overview of the Mental Health Summit and introduced the Goodwill Hunting Co facilitators; Rachel Findlay and Sera Kumeroa.

He noted the Committee has been a good source of progress, particularly in the area of mental health and discussed the challenges faced by the Northern Beaches community.

The Mental Health Summit's benefit was the simplicity of bringing groups together to understand the roles each played and the next steps to improve the community's mental health space.

A large number of northern beaches organisations were represented on the day, facilitated by Goodwill Hunting Co. The Committee is encouraged to consider the continuation of this initiative next year given the feedback, collaboration benefits and improved understanding of organisation roles and interactions.

Lifeline in particular found the Summit helpful to engage with different demographics and as a result, is partnering with a young individual to host [Tarp O Rama](#).

Participant feedback and shared analysis from the breakout sessions from the Mental Health Summit was presented to the Committee.

Sydney Drug Education Counselling Centre (SDECC) were happy to see the Summit mapping and snapshot of the day. The importance however, of capacity building and framework for sector group governance monitoring is vital. SDECC encouraged their involvement with smaller organisations to bridge the gap of governance understanding and knowledge. Council is seen as a neutral body that works well with the sector.

Council staff advised that another Suicide Prevention Round Table is scheduled for next year to engage a similar stakeholder group to the Summit attendees.

J Griffin MP advised he will be meeting with Northern Beaches Hospital representatives to progress discussions in the area of mental health, particularly about the referral of mental health patients to ensure direct connection with local health service providers.

SDECC are also scheduled to meet with Northern Beaches Hospital in regard to mental health and private hospital cover.

ACTIONS

1. J Griffin MP to share the list of Summit attendees with Council to assist with their inclusion in next year's Suicide Prevention Round Table.
2. Mayor Regan requested local State Members of Parliament be included in the next Suicide Prevention Round Table.

5.4 ACTIONS UPDATE – PRESENTER TEAM LEADER COMMUNITY DEVELOPMENT

DISCUSSION

Committee members were provided with an update on the following actions:

Nitrous Oxide

Action: 14 February 2019, Item 4.5

"That the Committee make representations to State Government, Local MPs and NSW Attorney General requesting that the laws around access to nitrous oxide be reviewed to reduce the possibility that they are used for illicit purposes, particularly amongst young people."

Update:

The Attorney General has replied sharing the concerns of the Committee and has now referred the matter to the Minister for Agriculture for further attention. A response from The Minister for Agriculture is yet to be received.

Online Home Delivery of Alcohol

Action: 13 June 2019, Item 4.4 Point B

"That the Committee Chair formally write to Liquor & Gaming NSW, the Minister

responsible for Liquor Licensing and local State MPs to request that the report recommendations be implemented."

Update:

Representations were made to local MPs and the Director of Liquor and Gaming. Liquor and Gaming NSW sought community feedback and public submissions on this issue which closed on 6 November. Council's original letter was forwarded to ensure that it is included in the submission request.

5.5 HOUSING AND HOMELESSNESS FORUM DISCUSSION PAPER – PRESENTER TEAM LEADER COMMUNITY DEVELOPMENT

DISCUSSION

Committee members were provided with a Housing and Homelessness Discussion Paper to address Item 4.5, Point C of the Committee's 13 June meeting recommendation:

"That Council work with local and State agencies to develop a Northern Beaches Housing and Homelessness Discussion Paper."

In summary:

- Findings resulted in unanimous support for the Housing First Model.
- Homeless persons street count based on a hot spot identification process is scheduled for February 2020 however the date won't be made public. A second planning meeting is scheduled for next week.
 - Manly Warringah Women's Resource Centre commented that the coordination of services for the street count is critical and recommended a site specific area within a 2km radius. [Beecroft House](#) is a great example of using vacant spaces well when people are homeless.

In conjunction with the Department of Communities and Justice (DCJ), the establishment of Homeless Case Coordination Teams on the Northern Beaches is being discussed.

Community Northern Beaches (CNB) commented that the draft Discussion Paper included 'Key Issues' and requested the list of outcomes be included.

The Chair raised the issue of how Council could approach NSW Parliament Treasury to discuss affordable housing and the value of social investment, eg. Mona Vale Police Station property.

J Griffin MP advised Council could correspond with the Minister for Housing, Gareth Ward or Minister for Planning and Public Spaces, Rob Stokes, referencing NSW Government's existing policy framework targets for repurposing government buildings for social housing purposes.

CNB commented that key organisations to link with are the Community Housing providers. [The Constellation Project](#) is tackling the task of providing cost benefits. Cr Candy Bingham is attending the next Constellation Project meeting.

ACTIONS

1. That the list of recommendations from the Housing and Homelessness Discussion Paper be passed onto J Griffin MP to inform his meeting with the Minister for Housing, Gareth Ward.
2. The Committee supported the formation of a Northern Beaches Housing and Homelessness Interagency.

5.6 UPDATE BY SERVICE PROVIDERS

DISCUSSION

Sydney Drug Education Counselling Centre (SDECC)

- Service expansion over two locations.
- Additional Primary Health Network (PHN) funding gained for capacity building based on data from Local Drug Action Team.
- Dropped age range to accommodate 12 year old clients.
- Presented at Hobart Scientific Community for Drug and Alcohol conference.
- New partnership agreement with the recently opened [Matilda Centre](#) at The University of Sydney.

Manly Warringah Women's Resource Centre

- Successful Walk against Domestic Violence held last week with approx. 700 attendees that included a large number of male participants.
- Invitation to all Committee members to the DV Breakfast on 4 December 2019.
- Overcrowded Premises is identified as hidden homelessness.
- Demand on the Centre is continuing with 3-4 new client requests every day.

Catholic Care

- Youth Interagency had a presence at 'A Day at the Beaches' music event in November, providing a safe partying community festival space. Also attending the all ages 2020 'Drop Festival' at Kierle Park, Manly.
- A resource to the community is the Drug and Alcohol Youth Support Services (DAYSS) Sand Bar Project that can provide a lemonade and soft drinks stand along with a chill out space at events.
- Participating In Youth Wellbeing Forum in Youth Week next year.
- "How to start conversations about drug and alcohol abuse for parents" has been introduced for Primary School education.
- Family Support Services for 0-18 years waitlist has continued to grow. Families with visa issues and private rental subsidies for young people are common barriers for successful housing placements.
- Domestic Violence against young women has increased.

Community Northern Beaches

- 1 July statistics indicate an average of 400 visitations per week.
- Recent incidents have highlighted the delay in police responses to onsite domestic violence and aggressive behaviours.
- Invited local police to meet and discuss orienting new recruits and ways in which the teams could work together.
- Primary Health Network (PHN) guidelines prohibit program funding for salaries which impacts programs.

Community Representative Ray Mathieson

- Police responsiveness has also been discussed with Superintendent Darcy. Committee members were encouraged to contact him directly with any issues.
- Manly general community are concerned with area lighting issues which Ausgrid have not responded to.
- Compliment to Northern Beaches Council Rangers for their continued work in Manly.

Community Representative Roberta Conroy

- Requested a police blitz on speeding vehicles on McCarrs Creek Road.
- Castle Tribe Drummers trial is for one year. Concerns have been raised in regard to the firepit that the group have been using.

ACTIONS

1. J Griffin MP to provide Council with the best contact for Ausgrid to address the lighting concerns.
2. That the Team Leader Environmental Compliance be notified of the use of the firepit by The Castle Tribe Drummers.

5.7 MEETING DATES FOR 2020

DISCUSSION

Members noted the 2020 Meeting dates.

6.0 SUMMARY OF ACTIONS

Item No.	Agenda Item	Action	Responsible Officer	Due Date
5.2	Compliance Report	Provide video evidence of noise pollution to A Kelly	Cr Bingham	Asap
5.3 Point 1	Outcomes and Feedback on Mental Health Summit	Share the list of Summit attendees with Council to assist with their inclusion in next year's Suicide Prevention Round Table	J Griffin MP	Asap
5.3 Point 2	Outcomes and Feedback on Mental Health Summit	Local State Members of Parliament be included in the next Suicide Prevention Round Table	Team Leader Community Development	Asap
5.5 Point 1	Housing and Homelessness Forum discussion paper	That the list of recommendations from the Housing and Homelessness Discussion Paper be passed onto J Griffin MP to inform his meeting with the Minister for Housing, Gareth Ward	Team Leader Community Development	Asap
5.5 Point 2	Housing and Homelessness Forum discussion paper	Form the Northern Beaches Housing and Homelessness Interagency	Team Leader Community Development	Asap
5.6 Point 1	Update by Service Providers	Provide Council with the best contact for Ausgrid to address the lighting concerns	J Griffin	Asap
5.6 Point 2	Update by Service Providers	Notify relevant Council staff on the use of the firepit by The Castle Tribe Drummers	Team Leader Environmental Compliance	Asap

The meeting concluded at 10.05am

This is the final page of the Minutes comprising 8 pages numbered 1 to 8 of the Community Safety Committee meeting held on Thursday 28 November 2019 and confirmed on 20 February 2020.

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS
REPORTING MANAGER	EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT
TRIM FILE REF	2020/134071
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To report to Council the variations to development standards granted under Clause 4.6 of the Manly Local Environmental Plan (MLEP 2013), Pittwater Local Environmental Plan (PLEP 2014) and Warringah Local Environmental Plan (WLEP 2011), as required by the NSW Department of Planning, Industry and Environment.

EXECUTIVE SUMMARY

During the period 1 October 2019 to 31 December 2019, the following variations were granted:

- 7 variations under Clause 4.6 of Pittwater Local Environmental Plan 2014.
- 20 variations under Clause 4.6 of Manly Local Environmental Plan 2013.
- 17 variations under Clause 4.6 of Warringah Local Environmental Plan 2011.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council note the Development Applications approved with variations to development standards during the period of 1 October 2019 to 31 December 2019.

REPORT

BACKGROUND

The following tables show all variations to development standards approved during the period 1 October 2019 to 31 December 2019 for each of the LEPs in the Northern Beaches LGA and whether the determination was made by staff under delegated authority or a determination panel. Northern Beaches Council has two external panels, being the Northern Beaches Local Planning Panel (NBLPP) and the Sydney North Planning Panel (SNPP). The internal determination panel is known as the Development Determination Panel (DDP).

Clause 4.6 Variations Granted under the Pittwater LEP2014

The following applications had a Clause 4.6 variation granted during the period of 1 October 2019 to 31 December 2019.

App. No.	Address	Category of Development	Clause 4.6 Development Standard	Variation, Control & Approval Details	Determined by
DA2019/0055	9 Minkara Road BAYVIEW NSW 2104	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 16.47% Control: 8.5m Approved: 9.9m	DDP
DA2019/0640	16 Paradise Avenue AVALON BEACH NSW 2107	Residential - Single new detached dwelling	4.1 Minimum subdivision lot size	Variation: Lot 2: 8.27% below Control: 700sqm Approved: Lot 2: 642.1sqm	Delegated Authority
DA2019/0741	3 Beaconsfield Street NEWPORT NSW 2106	Residential - Alterations and additions	4.3 Height of buildings	Variation: 33.50% Control: 8.5m Approved: 11.35m	DDP
DA2019/0858	53 Bungan Head Road NEWPORT NSW 2106	Residential - Alterations and additions	4.3 Height of buildings	Variation: 4.71% Control: 8.5m Approved: 8.9m	Delegated Authority
DA2019/0913	32 The Strand WHALE BEACH NSW 2107	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 15.94% Control: 8.5m Approved: 9.85m	DDP
DA2019/0956	81 Florida Road PALM BEACH NSW 2108	Residential - New second occupancy	4.3 Height of buildings	Variation: 16.40% Control: 8.5m Approved: 9.85m	DDP
DA2019/0993	8 Philip Road MONA VALE NSW 2103	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.80% Control: 8.5m Approved: 9.2m	Delegated Authority

Clause 4.6 Variations Granted under the MLEP2013

The following applications had a Clause 4.6 variation granted during the period of 1 October 2019 to 31 December 2019.

App. No.	Address	Category of Development	Clause 4.6 Development Standard	Variation, Control & Approval Details	Determined by
DA2018/2027	15 Addison Road MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings	Variation: 47% Control: 8.5m Approved: 8.8m	NBLPP
DA2019/0308	5 A Hilltop Crescent FAIRLIGHT NSW 2094	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 8.90% Control: 8.5m Approved: 9.26m	Delegated Authority
DA2019/0506	19 Moore Street CLONTARF NSW 2093	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 8% Control: 0.4:1 Approved: 0.43:1 (212.5m ²)	Delegated Authority
DA2019/0509	52 Lauderdale Avenue FAIRLIGHT NSW 2094	Residential - New second occupancy	4.3 Height of buildings 4.4 Floor Space ratio	Variation: 15.29% Control: 8.5m Approved: 9.8m Variation: 9.87% Control: 0.6:1 Approved: Lot 2 -0.6:1 (166m ²)	DDP
DA2019/0547	58 Alexander Street MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 1.10% Control: 0.6:1 Approved: 0.607:1 (168.1m ²)	Delegated Authority
DA2019/0700	20 Hogan Street BALGOWLAH HEIGHTS NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 6% Control: 8.5m Approved: 9.05m	Delegated Authority

DA2019/0757	2 A Castle Rock Crescent CLONTARF NSW 2093	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 1.30% Control: 0.4:1 Approved: 0.408:1 (191sqm ²)	Delegated Authority
DA2019/0877	20 Fisher Street BALGOWLAH HEIGHTS NSW 2093	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	Variation: 6.47% Control: 8.5m Approved: 8.585m Variation: 9.5% Control: 0.4:1 Approved: 0.438:1 (425.2m ²)	Delegated Authority
DA2019/0880	63 Alexander Street MANLY NSW 2095	Residential - Other	4.4 Floor space ratio	Variation: 58.30% Control: 0.6:1 Approved: 0.95:1 (391.2m ²)	Delegated Authority
DA2019/0907	43 Quinton Road MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 14.30% Control: 0.6:1 Approved: 0.68:1 (126.99m)	Delegated Authority
REV2019/0049	4 Augusta Road MANLY NSW 2095	Residential - New multi-unit	4.3 Height of buildings 4.4 Floor space ratio	Variation: 27.3% Control: 8.5m Approved: 11.7m Variation: 25.3% Control: 0.82:1 Approved: 0.752:1 (456.14m ²)	NBLPP
DA2019/0952	34 Gurney Crescent SEAFORTH NSW 2092	Residential - Alterations and additions	4.3 Height of buildings	Variation: 20% Control: 8.5m Approved: 10.2m	DDP

DA2019/0960	17 Eurobin Avenue MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.2% Control: 8.5m Approved: 8.78m	Delegated Authority
DA2019/0996	10 Cecil Street FAIRLIGHT NSW 2094	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 4.25% Control: 0.6:1 Approved: 0.626:1 (133.55m ²)	Delegated Authority
DA2019/1081	119 - 120 North Steyne MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings	Variation: 12.30% Control: 13m Approved: 14.6m	NBLPP
DA2019/1108	21 Wattle Avenue FAIRLIGHT NSW 2094	Residential - Alterations and additions	4.3 Height of buildings	Variation: 8% Control: 8.5m Approved: 9.2m	Delegated Authority
DA2019/1162	92 Peacock Street SEAFORTH NSW 2092	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 2.22% Control: 0.45:1 Approved: 0.46:1 (152.32m ²)	Delegated Authority

Clause 4.6 Variations Granted under the Warringah LEP2011

The following applications had a Clause 4.6 variation granted during the period of 1 October 2019 to 31 December 2019.

App. No.	Address	Category of Development	Clause 4.6 Development Standard	Variation, Control & Approval Details	Determined by
DA2018/2052	226 Willandra Road CROMER NSW 2099	Residential - Seniors Living	CI 40 of Seniors Housing SEPP - Allotment width	Variation: 8.50% Control: 20m (min) Approved: 18.29m	DDP
DA2019/0505	874 & 876 Pittwater Road DEE WHY NSW 2099	Mixed	4.3 Height of buildings	Variation: 12.50% Control: 24m Approved: 27m	NBLPP
DA2019/0571	34 Orlando Road CROMER NSW 2099	Industrial	4.3 Height of buildings	Variation: 10% Control: 11m Approved: 12.1m	Delegated Authority

REV2019/0028	12 A-K McDonald Street & 25 & 27 Coles Road Freshwater	Residential - Other	4.3 Height of buildings	Variation: 8.2% - Unit 1 5.9% - Unit 2 7.1% - Unit 3 2.4% - Unit 11 5.9% - Unit 12 10.6% - Unit 13 12.9% - Unit 14 0.8% - Ventilation Stack Control: 8.5m Approved: 9.2m – Unit 1 9.0m – Unit 2 9.1m - Unit 3 8.7m – Unit 11 9.0m – Unit 12 9.4m – Unit 13 9.6m – Unit 14 8.57m - Ventilation Stack	NBLPP
DA2019/0622	163-165 Pacific Parade DEE WHY NSW 2099	Residential - New multi-unit	4.3 Height of buildings	Variation: 9% Control: 11.0m Approved: 12m	NBLPP
DA2019/0628	3, 3A, 5 & 7 Loftus Street NARRABEEN NSW 2101	Residential - New multi-unit	4.3 Height of buildings	Variation: 7.00% Control: 8.5m Approved: 9.10m	DDP
DA2019/0832	11 Beacon Avenue BEACON HILL NSW 2100	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.50% Control: 8.5m Approved: 7.19m - 8.8m	Delegated Authority
DA2019/0959	1 Seaview Avenue CURL CURL NSW 2096	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.53% Control: 8.5m Approved: 8.8m	Delegated Authority
DA2019/1022	1367A Pittwater Road NARRABEEN NSW 2101	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 4.70% Control: 8.5m Approved: 8.9m	Delegated Authority
DA2019/1161	48 Lindley Avenue NARRABEEN NSW 2101	Residential - Alterations and additions	4.3 Height of buildings	Variation: 40% Control: 8.4m Approved: 11.9m	DDP

CONSULTATION

Requests to vary development standards are exhibited with Development Applications. Decisions related to Development Applications are available for viewing on Council's website.

TIMING

Not applicable.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Environment Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles. Strategy a: Ensure integrated land use planning balances the environmental, social and economic needs of present and future generations.

FINANCIAL CONSIDERATIONS

The costs associated with the assessment of variations are part of the Development Application assessment process.

SOCIAL CONSIDERATIONS

All Development Applications are required to consider the social impact through Section 4.15 of the Environmental Planning and Assessment Act 1979.

ENVIRONMENTAL CONSIDERATIONS

All Development Applications are required to consider the environmental impact through Section 4.15 of the Environmental Planning and Assessment Act 1979.

GOVERNANCE AND RISK CONSIDERATIONS

Reporting variations to Council satisfies NSW Department of Planning, Industry and Environment requirements and provides transparency in decision making, in addition to publishing this information on Council's website, reducing the risk to the organisation.

ITEM 12.2	OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF SMOKE FREE ZONES POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2020/090806
ATTACHMENTS	1 2020/113819 Smoke Free Zones Policy

SUMMARY

PURPOSE

To report on submissions received in response to the public exhibition and to seek adoption of the Smoke Free Zones Policy (the Policy).

EXECUTIVE SUMMARY

Council at its meeting of 22 October 2019 resolved to exhibit the draft Smoke Free Zones Policy. The Policy acknowledges the importance of Council providing community leadership in taking measures to prohibit smoking of cigarettes, e-cigarettes (vaping), shisha (water pipe) and the like within certain areas.

The Policy was placed on public exhibition from 25 October 2019 to 8 December 2019. Twelve submissions were received and these have been reviewed by Council's Environmental Compliance business unit. The direction and scope of the Policy remains consistent with the draft Policy proposed at the 22 October 2019 Council meeting, however minor changes have been made to include a broader range of smoking activities to address suggestions made in submissions received.

The Policy is recommended for adoption.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Adopt the Smoke Free Zones Policy.
 2. Rescind the following policies:
 - A. Smoke Free Zones in Manly Policy.
 - B. Smoke Free Zones around Pittwater Policy.
 - C. Smoke Free Public Places Policy.
-

REPORT

BACKGROUND

Since the formation of the Northern Beaches Council, a comprehensive policy review project has been underway to ensure a concise and consistent approach on all policy matters across the Northern Beaches.

The former Manly, Pittwater and Warringah Councils had each adopted a policy in relation to smoke free zones, namely:

- Manly – Smoke Free Zones in Manly Policy.
- Pittwater – Smoke Free Zones around Pittwater Policy.
- Warringah – Smoke Free Public Places Policy.

The Policy will replace the former Manly, Pittwater and Warringah policies and provide a common approach across the Northern Beaches.

The Policy acknowledges the importance of Council providing community leadership in taking measures to prohibit smoking in certain areas. Council is seeking to protect members of the community from the health and social impacts of smoking cigarettes, e-cigarettes (vaping), shisha (water pipe) and the like, improve amenity and enjoyment of public places, and contribute to the protection of the environment from the impacts of discarded cigarette butts.

CONSULTATION

The draft Smoke Free Zones Policy was placed on public exhibition from 25 October 2019 to 8 December 2019.

The public exhibition included information being provided on Council's 'Your Say' web page including an online submission form, advertisements in the Manly Daily, Community Engagement News direct email and documents made available in all customer service locations.

12 submissions were received and have been summarised below. All submissions received support Council imposing smoke free zones within the Northern Beaches.

THEME	SUMMARY	RESPONSE
Other forms of smoking to be addressed	Include reference to vaping and shisha in the Policy	The Policy has been amended under the heading 'Policy Purpose' at the first bullet point to now read 'Protect members of the community from the health and social impacts from exposure to smoke from cigarettes, e-cigarettes (vaping), shisha (water pipe) and the like in public places' Change made to Policy
Management of wood smoke	Include wood smoke matters within the Policy	The regulation of wood combustion appliances is not covered under the Smoke Free Environment Act 2000 or Local Government Act 1993 and is therefore beyond the scope of

		<p>this Policy.</p> <p>No change proposed to Policy, however staff will look to develop best practice guidelines that address impacts from wood smoke.</p>
<p>Increase extent of areas to be smoke free</p>	<p>Request to extend ban to all public areas where possible contact with smoke may occur.</p> <p>Include The Corso, Manly Beach Promenade, East/West Esplanade, Dee Why CBD, close proximity to schools, foot paths and walking trails.</p> <p>Building sites to be smoke free.</p>	<p>The Smoke Free Environment Act 2000 is the primary legislation which defines locations where smoking is banned. The outdoor locations identified are included within the Policy.</p> <p>The Local Government Act 1993 gives Council the authority to further expand upon the outdoor locations referred to above.</p> <p>The draft policy proposed that additional smoke free public places be included in the Policy which included:</p> <ul style="list-style-type: none"> i.) on public access beaches, ii) in Council owned parking stations that are partly or fully enclosed by walls and ceilings; and iii) at all activities, functions and events run or promoted by Council. <p>Smoking is also banned within and near Council owned buildings and provisions of the Policy will be included in any leases, licences or other commercial agreements that apply to Council.</p> <p>It is considered that the Policy achieves a reasonable balance.</p> <p>Building sites are privately owned property where Council has no legislative ability to enforce this requirement and Council would encourage building owners to explore and consider smoking policies related to their private</p>

		<p>properties.</p> <p>No change proposed to Policy.</p>
Enforcement of the smoke free areas	<p>Little or no enforcement evident. Request to be more proactive in the enforcement of the Policy</p>	<p>NSW Health is the authority responsible for the administration and enforcement of the Smoke Free Environment Act 2000.</p> <p>Council Rangers and Compliance officers are authorised to enforce the requirements of smoke free signage that is provided in locations under the Local Government Act 1993.</p> <p>Additionally, littering offenses can be regulated using the existing provisions of the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>The intention of the Policy is to encourage compliance through education rather than by enforcement.</p> <p>No change proposed to Policy.</p>
Signage for smoke free zones	<p>Request to have signage installed immediately.</p>	<p>The Policy details that Council will install internationally recognisable smoke free signage in areas deemed appropriate by the Chief Executive Officer and in accordance with the Local Government Act 1993.</p> <p>No change proposed to Policy.</p>
Littering by smokers	<p>Concerns with discarded butts.</p> <p>Request for increased penalties.</p>	<p>Council Rangers monitor littering as part of their daily activities. The Policy intention is to encourage compliance through education rather than by enforcement.</p> <p>Although infringement notices can be issued under the <i>Protection of the Environment Operations Act 1997</i>. The value of infringements are set down by NSW Government,</p>

		<p>currently for an individual (a) \$80 for deposit litter (extinguished cigarette), (b) \$250 for deposit litter (lit cigarette) and (c) \$450 for aggravated deposit litter (lit cigarette).</p> <p>No change proposed to Policy.</p>
Quit smoking	Support quit smoking programs for Council staff and members of the community	<p>Council currently provides support to staff through the Employee Assistance Program.</p> <p>NSW Government is the primary agency and provides the NSW Quitline 13 7848 (13 QUIT) and iCanQuit website.</p> <p>Links will be provided on Council's web site to the NSW Government services and other resource materials.</p> <p>All activities, functions and events run or promoted by Council will be smoke free.</p> <p>No change proposed to Policy.</p>
Assistance to Brewarrina Council	Provide support with signage, health educational materials about smoking and encouraging smoke free zones	<p>These matters are outside the scope of the Policy.</p> <p>No change to Policy</p>
Advocacy to Government	<p>Change laws to ban smoking in the home where children present, remove exemption to smoking on the stage during a performance, remove exemption to smoking in gambling rooms and ban smoking during a total fire ban.</p> <p>Require retailers to have a butt return program similar to container deposit program</p>	<p>These matters are outside the scope of the Policy, however Council can write to the State Government advocating for legislative changes.</p> <p>No change proposed to Policy</p>

TIMING

The Policy will take effect once it is adopted by Council. It is acknowledged that appropriate signage is required to be installed under the provisions of the Local Government Act 1993.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People: Goal 8 – Our neighborhoods inspire social interaction, inclusion and support health and wellbeing.

FINANCIAL CONSIDERATIONS

The costs of implementing the Policy can be met within the current budget.

SOCIAL CONSIDERATIONS

Council is committed to creating welcoming villages and neighbourhood centres that are vibrant, accessible and support our quality of life. The banning of smoking under this Policy will improve the liveability of these areas.

ENVIRONMENTAL CONSIDERATIONS

Banning smoking within public areas will minimise the adverse environmental impacts of litter resulting from discarded cigarette butts.

GOVERNANCE AND RISK CONSIDERATIONS

Imposing bans on smoking within public areas is consistent with the objectives of the Smoke-Free Environment Act 2000 (the Act). NSW Health is the authority responsible for the administration and enforcement of the Act.



Council Policy

Smoke Free Zones

Policy Purpose

Northern Beaches Council acknowledges the importance of providing community leadership in taking measures to prohibit smoking within public areas to:

- Protect members of the community from the health and social impacts from exposure to smoke from cigarettes, e-cigarettes (vaping), shisha (water pipes) and the like in public places;
- Improve the public amenity and enjoyment of Council owned beaches, parks and other recreational spaces; and
- Minimise the adverse environment impacts of litter resulting from discarded cigarette butts.

Principles

This Policy:

- Bans smoking in public places of congregation and close proximity, or locations used for children's activities;
- Bans smoking in and near Council owned buildings; and
- Promotes voluntary arrangements to discourage smoking in other public places owned or managed by Council through the inclusion of specific arrangements to ensure the requirements of this Policy be enforced in any leases, licences or other commercial arrangements that apply to Council.

The Policy recognises that:

- Passive smoking has identified health risks;
- Children are most vulnerable to the effects of passive smoking on respiratory illness and asthma (Cancer Council; National Health & Medical Research Council);
- Where Council provides assets and services intended to be of benefit to children and other members of the community, Council has an obligation to promote positive public health outcomes;
- Public health impacts of smoking in well-ventilated open spaces are complex, and impacts may be indirect or cumulative. Other, indirect effects can include children playing with and swallowing discarded butts, and from the accumulation of cigarette derived particles on clothing and skin;
- Some outdoor areas identified within the *Smoke-free Environment Act 2000* as locations where smoking is banned include:
 - i. Within 10 metres of children's play equipment in outdoor public spaces;
 - ii. Swimming pool complexes;
 - iii. Spectator areas at sports grounds or other recreational areas during organised sporting events;
 - iv. Railway platforms, light rail stops and stations, bus stops, taxi ranks and ferry wharves;

- v. Within 4 metres of the pedestrian access point to a building accessible to the general public, excluding those buildings that are used or partly used for residential purposes;
 - vi. Commercial outdoor dining areas;
 - vii. A place at a public hospital, health institution or health service under the [Health Services Act 1997](#) that is designated as a smoke-free area by a by-law or regulation under that Act and notified by signs displayed in, or at an entrance to, any such area; and
 - viii. An outside area that is a public thoroughfare, footpath or street where it is within 4 metres of an entrance to or exit from an applicable courtyard or garden.
- NSW Health is the authority responsible for the administration and enforcement of the *Smoke-free Environment Act 2000*. Complaints relating to persons smoking in areas defined under the *Smoke-free Environment Act 2000* shall be referred to NSW Health.
 - Council support further restrictions of areas, in addition to the current legislative requirements, where smoking is banned and that this be primarily implemented by education rather than by enforcement.

Additional smoke free outdoor public places declared under the provisions of the *Local Government Act 1993* and covered under this policy include:

- i. On public access beaches;
- ii. In Council owned parking stations that are partly or fully enclosed by walls and ceilings; and
- iii. At all activities, functions and events run or promoted by Council

In addition to bans identified above, Council will:

- Implement educational programs to support the Policy and to promote community awareness and acceptance; and
- Include specific requirements that this Policy be enforced in any leases, licences or other commercial arrangements that apply to Council owned and managed lands and properties.
- Install internationally recognisable smoke free signage. These signposts will be displayed in locations deemed appropriate by the Chief Executive Officer and in accordance with the *Local Government Act 1993*.

Scope and application

This policy applies to all persons who are within the locations and public places within the Northern Beaches Council local government area as identified within this Policy.

References and related documents

The *Local Government Act 1993* gives Council the authority to further expand upon, manage and enforce smoke-free areas stated under the *Smoke-Free Environment Act 2000* by declaring specified areas to be smoke free.

Additional Legislation

Work Health and Safety Act 2011

Tobacco Legislation Amendment Act 2012

Factsheets from NSW Health

<https://www.health.nsw.gov.au/tobacco/Factsheets/4-metre-law.pdf>

<https://www.health.nsw.gov.au/tobacco/Factsheets/commercial-outdoor-dining.pdf>

<https://www.health.nsw.gov.au/tobacco/Factsheets/swimming-pools-factsheet.pdf>

<https://www.health.nsw.gov.au/tobacco/Factsheets/childrens-outdoor-playground.pdf>

<https://www.health.nsw.gov.au/tobacco/Factsheets/public-transport-stops-and-stations.PDF>

<https://www.health.nsw.gov.au/tobacco/Factsheets/sportsground-smoking-ban.PDF>

Council Policies

Compliance and Enforcement Policy

Smoke Free Workplace Operational Policy

Definitions (in accordance with *Smoke-free Environment Act 2000*)

Smoke means use, consume, hold or otherwise have control over a tobacco product, non-tobacco smoking product or e-cigarette that is generating (whether or not by burning) smoke or an aerosol or vapour.

Public place means a place or vehicle that the public, or a section of the public, is entitled to use or that is open to, or is being used by, the public or a section of the public (whether on payment of money, by virtue of membership of a club or other body, or otherwise).

Responsible Officer

Director Planning and Place

Review Date

April 2024

Revision History

Revision	Date	Status	TRIM Ref
1	24 Sep. 19	For internal consultation	2019/559240
2	30 Sep. 19	For public consultation	2019/559240
3	26 Feb 20	For Council meeting 24 March 2020	2020/113819

ITEM 12.3	OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF ASBESTOS MANAGEMENT POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2020/082113
ATTACHMENTS	1 2020/114080 Asbestos Management Policy (Included In Attachments Booklet) 2 2019/559320 Asbestos Management Guideline (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report on submissions received in response to the public exhibition and to seek adoption of the Asbestos Management Policy (the Policy).

EXECUTIVE SUMMARY

Council at its meeting of 22 October 2019 resolved to exhibit the draft Asbestos Management Policy. The Policy and an Asbestos Management Guideline (the Guideline) have been developed to ensure the health, safety and wellbeing of the wider Northern Beaches community and Council employees with respect to asbestos containing material.

The draft Policy was placed on public exhibition from 25 October 2019 to 8 December 2019. The Guideline was also made available for viewing during the exhibition period. Four submissions were received and have been reviewed by Council's Environmental Compliance business unit. The content of the draft Policy was not required to be changed in response to the submissions received.

Minor amendments have been made to the draft Policy proposed at the 22 October 2019 Council meeting to update current versions of referenced documents, and is now recommended for adoption.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Adopt the Asbestos Management Policy and associated Guidelines.
 2. Rescind the Warringah - Asbestos Management Policy.
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REPORT

BACKGROUND

Since the formation of the Northern Beaches Council, a comprehensive policy review project has been underway to ensure a concise and consistent approach on all policy matters across the Northern Beaches.

The former Warringah Council had adopted a policy in relation to asbestos management namely:

- Warringah - Asbestos Management Policy.

Manly and Pittwater Councils did not have Asbestos Management Policies.

The Policy will replace the existing former Warringah Policy and provide a clear guidance on eliminating or appropriately managing the risk of exposure when working with asbestos (including storage, transport and disposal), in accordance with SafeWork NSW requirements.

In addition, an Asbestos Management Guideline has been developed in line with the NSW Office of Local Government Model Asbestos Policy to provide further information for Council staff, the local community and wider public.

Council is committed to being a responsible employer and manager of land, buildings and assets; providing information and advice to the community; as well as effective management of complaints, investigations and emergency responses.

CONSULTATION

The draft Asbestos Management Policy was placed on public exhibition from 25 October 2019 to 8 December 2019. The Guideline was also available for viewing with the draft policy.

The public exhibition process involved information being provided on Council's 'Your Say' web page including an online submission form, advertisements in the Manly Daily, Community Engagement News direct email and documents made available in all customer service locations.

Four submissions were received and have been summarised below. One submission related to a technology issue in accessing documentation, which was addressed at the time.

Some minor amendments have been made to the draft Policy since public exhibition to update current versions of referenced documents.

THEME	SUMMARY	RESPONSE
Safe Handling Methods	<p>Two suggestions were given to eliminate exposure to airborne asbestos contaminates:</p> <ul style="list-style-type: none"> • Keep it wet • Don't use power tools 	<p>The Policy is not intended to provide detail on specific practices. However, reference is made in the Policy to the SafeWork NSW <i>Code of practice on how to safely remove asbestos</i>. The code of practice is the appropriate reference source for this level of detail and contains comprehensive information including diagrams and checklists.</p> <p>Council's webpage</p>

		<p>provides links to asbestos reference materials including SafeWork NSW.</p> <p>No change proposed to Policy</p>
<p>Development Application (DA) assessment process</p>	<p>Asbestos materials should be identified in the DA process and be considered as part of the DA assessment</p> <p>Buildings containing asbestos be identified at Pre Lodgment meetings and DA forms to include a field to declare asbestos within building/land.</p>	<p>The Policy does not cover operational details.</p> <p>The DA assessment process is covered in Section 9 of the Guideline.</p> <p>Council imposes standard conditions of development consent which require the identification, handling and disposal of asbestos containing materials in accordance with WorkSafe NSW requirements.</p> <p>Asbestos was gradually phased out of building materials in the 1980s, and has been prohibited since 31 December 2003. Although it is noted that asbestos materials still exist in many homes and buildings.</p> <p>The most accurate way to identify asbestos materials is through an assessment and testing undertaken by an occupational hygienist.</p> <p>This may include removal of internal/external wall claddings and the like to access and obtain samples.</p> <p>This process may be impractical and costly to require an applicant to undertake prior to development consent being granted.</p> <p>No change proposed to Policy</p>

Property sales	To assist in raising consumer awareness, Council should require mandatory pre-purchase inspections to identify any asbestos containing materials prior to the purchase of a dwelling	<p>Council does not have any statutory powers available to impose this requirement.</p> <p>Council's webpage provides links to asbestos reference materials including asbestos awareness information which would be useful to intending purchasers, home owners and renovators.</p> <p>No change proposed to Policy</p>
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TIMING

The Policy will take effect once it is adopted by Council.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Environmental Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles.

FINANCIAL CONSIDERATIONS

The costs of implementing the Policy can be met within current budget.

SOCIAL CONSIDERATIONS

Council is committed to being a responsible employer and manager of land, building and assets; providing information and advice to the community.

ENVIRONMENTAL CONSIDERATIONS

The Policy will underpin an improvement with environmental standards and compliance in new and existing developments.

GOVERNANCE AND RISK CONSIDERATIONS

Consistent requirements will be applied to the Northern Beaches which focuses on eliminating or appropriately managing the risk of exposure when working with asbestos containing materials. The Policy and associated operational guideline contributes towards meeting Council's Work, Health and Safety obligations.

ITEM 12.4	21 WHISTLER STREET, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2020/154368
ATTACHMENTS	1 Independent Heritage Review - 21 Whistler Street, Manly, prepared by Urbis, March 2020 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To report the outcome of the independent heritage peer review undertaken by Stephen Davies of Urbis in relation to the heritage significance of 21 Whistler Street, Manly.

REPORT

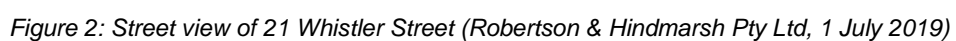
Development Application DA2018/1669 was lodged with Council on 11 October 2018. The application sought consent for the demolition of the existing building on 21 Whistler Street, Manly (see Figure 1 & 2) and the construction of a shop top housing development. The development application was referred to Council's Heritage Advisor for comment due its proximity to a number heritage items in the vicinity of 21 Whistler Street. During the assessment of the development application the property was identified as being of potential heritage significance due to its association with Thomas Rowe, a celebrated architect and the first Mayor of Manly Council.

Council commissioned an independent heritage consultant to assess the significance of the property. The assessment found that the property met four criteria for a heritage listing and recommended that Council proceed to place an Interim Heritage Order (IHO) on the property.

Council resolved at its meeting of 24 September 2019 to place an IHO on the property which was published in the Government Gazette on 27 September 2019.

Subsequently on 16 October 2019, the Northern Beaches Local Planning Panel determined the subject development application by way of refusal. The IHO was one of eleven reasons stated for refusal of the DA. The Applicant subsequently lodged a Class 1 Appeal to the Land and Environment Court on 30 December 2019.

In accordance with the terms of the IHO, Council has six months to resolve to list the property as an item of heritage under Schedule 5 of Manly Local Environmental Plan 2013. To list the property as a local heritage item requires the preparation, adoption and gazettal of a Planning Proposal (PP) to amend Schedule 5 Environmental Heritage and the Heritage Map of Manly Local Environmental Plan 2013.



The Northern Beaches Local Planning Panel (LPP) considered the subject PP at its meeting on 9 December 2019. The applicant's representative, submitted additional information to the LPP and the LPP deferred consideration of the matter to allow Council's Heritage Consultant to review the information provided by the applicant at the LPP meeting. On 16 December 2019 the advice of the LPP was:

The Northern Beaches Local Planning Panel:

- A. *Recommends that Council proceed to progress the Planning Proposal and list the buildings on the property know as 21 Whistler Street (Lot B DP 368451) as an item of local heritage in Manly Local Environmental Plan 2013*
- B. *Recommends that Council forward the Planning Proposal to the Minster for a Gateway determination pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979.*

The PP was reported to the 17 December 2019 Council meeting for consideration and endorsement to submit the PP to the NSW Department of Planning, Industry and Environment (the Department) for a Gateway determination.

At the Meeting of 17 December 2019, it was resolved:

That Council resolve to submit the Planning Proposal to the NSW Department of Planning and Environment for a gateway Determination.

A Rescission motion was subsequently lodged on 17 December 2019.

An Extraordinary Meeting of Council was held on 23 December 2019 to consider the Notice of Rescission No.4/2019, however the meeting was adjourned, due to a quorum not being present.

Council at the Meeting of 25 February 2020 considered the Notice of Rescission and a Replacement Motion and resolved the following:

That Council rescind resolution 439/19 – Item 12.4 Planning Proposal – Heritage Listing of 21 Whistler Street, Manly adopted at the Council meeting of 17 December 2019, being:

That Council resolve to submit the Planning Proposal to the NSW Department of Planning and Environment for a Gateway Determination

Replacement motion

That the matter is deferred until the 24 March 2020 meeting of Council when the outcome of an independent heritage report will be known.

Independent Heritage Review

In an attempt to resolve the discrepancy between the submitted heritage material relating to the heritage significance of 21 Whistler Street Manly, the CEO and the owner of 21 Whistler Street met in early January 2020 and agreed to engage an independent heritage expert to conduct an independent Peer Review of all documentation that has been prepared from both parties.

Stephen Davies from Urbis was engaged to conduct a Peer Review, with the scope of works incorporating the following:

1. *Undertaking an independent review of all relevant material.*
2. *Providing a recommendation whether the item meets the threshold as an item of local heritage.*

3. *Whether Council should continue with the proposal to list the item in the Manly Local Environmental Plan or not.*

The peer review report prepared by Stephen Davies of Urbis has been prepared dated March 2020. The conclusion and recommendation of the peer review are outlined below:

- *There remains a question of whether Thomas Rowe owned, designed and built the residence. It is Urbis' opinion that no documentation to date proves or disproves this fact. All documentation including that provided by O'Brien, Connors & Kennett rely on conjecture. It is agreed that Rowe and his wife had a strong association with the original dwelling. Even so, Urbis is of the opinion that resolution of this question is not necessary to conclude the significance and retention value of the place. The fact remains that the subject fabric constitutes highly altered remains of an outbuilding which displays no features which clearly indicate its period of construction or architect.*
- *It is assessed that the place does not have heritage significance warranting retention.*
- *It is recommended that Northern Beaches Council does not continue with the proposal to list the item on the Manly LEP.*
- *Any significance associated with this site (if it is found that Thomas Rowe had extensive association with the site) is intangible. The remnant fabric is not considered to be of such significance to preclude or influence the development potential of the site.*
- *The site should be archivally recorded. There is an opportunity to incorporate a marker or other interpretation into the new development which notes that the place was the site of one of the residences of the first Mayor and significant architect Thomas Rowe's.*

In accordance with the above recommendation of Stephen Davies from Urbis, it is not proposed to proceed with the listing of 21 Whistler Street Manly as a local heritage item.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan outcome of:

- Places for People: Goal 12 - Our community is friendly and supportive. (d) Value and celebrate our diverse heritage and cultural differences.

FINANCIAL CONSIDERATIONS

The heritage referral assessments and independent peer review have been prepared within the existing Strategic and Place Planning budget.

ENVIRONMENTAL CONSIDERATIONS

There will not be any significant impact on the natural environment as a result of not proceeding with the Planning Proposal.

SOCIAL CONSIDERATIONS

Identification, assessment and if warranted protection of the built heritage of the Northern Beaches has significant positive social impacts for the broader community. It provides opportunities for significant items from our history to be protected and preserved for future generations to enjoy and provides a valuable physical link to our past. 21 Whistler Street, Manly has undergone a rigorous assessment process to ensure the heritage values of the property have been considered and addressed. In this instance, the independent Peer Review has concluded that the property does not have heritage significance warranting retention.

GOVERNANCE AND RISK CONSIDERATIONS

Not proceeding with the proposed heritage listing of the property, based on the recommendation of the independent peer review, is unlikely to generate significant additional risk.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Note the peer review report conducted by Stephen Davies of Urbis.
 2. Not proceed with the Planning Proposal to list 21 Whistler Street Manly as a local heritage item under Schedule 5 of Manly Local Environmental Plan 2013.
 3. In consideration of any Development Application that seeks approval to the demolition of the building at 21 Whistler Street, Manly request the owner to prepare a photographic archival recording of the property in accordance with the NSW Office of Environment and Heritage's *'Photographic Recording of Heritage Items Using Film or Digital Capture'* (2006).
-

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	REQUEST FOR SUPPORT FROM THE SAVE MANLY DAM CATCHMENT COMMITTEE INC. FOR A FLORA AND FAUNA PROJECT FOR THE MANLY WARRINGAH WAR MEMORIAL STATE PARK.
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2020/128228
ATTACHMENTS	<ol style="list-style-type: none"> 1 ↓ Save Manly Dam Catchment Committee, Letter of Agreement, Department of Industry Innovation and Science, 18 November 2019. 2 ↗ Save Manly Dam Catchment Committee, Letter Requesting Support for a Flora and Fauna Project, 9 March 2020. (Included In Attachments Booklet)

SUMMARY

PURPOSE

To consider a request from the Save Manly Dam Catchment Committee Inc. for Council to support a Local Flora and Fauna Surveying and Monitoring Project for the Manly Warringah War Memorial State Park (Manly Dam).

EXECUTIVE SUMMARY

The Save Manly Dam Catchment Committee Inc. (the Committee) has requested that Council provide funding and in-kind support for a Local Flora and Fauna Surveying and Monitoring Project for the Manly Warringah War Memorial State Park (Manly Dam) as follows:

- \$15,000 to match the \$15,000 grant the Committee has received from the Federal Department of Industry, Innovation and Science for the project through the Department's Community Environment Program (Attachment 1)
- that relevant Council staff provide expert advice and assist with project management.

Council's Environment and Climate Change Unit has indicated that this project is needed for Manly Dam, particularly given the piecemeal and dated information currently available. This type of project is also supported in the Manly Warringah War Memorial Park Plan of Management (2014).

This request was considered at the Manly Warringah War Memorial State Park Advisory Committee at their meeting held 24 February 2020. The Advisory Committee supported the request.

The Committee's project will provide valuable information to assist Council's management of Manly Dam and identify further environmental research required.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council provide \$15,000 (ex GST) to the Save Manly Dam Catchment Committee Inc. for a Local Flora and Fauna Surveying and Monitoring Project for the Manly Warringah War Memorial State Park (Manly Dam) as outlined in this report.
 2. The outcomes of the Local Flora and Fauna Surveying and Monitoring Project for the Manly Warringah War Memorial State Park be reported to Council.
-

REPORT

BACKGROUND

The Save Manly Dam Catchment Committee Inc. (the Committee), a local not for profit environmental conservation and advocacy group, has requested that Council provide funding and in-kind support for a Local Flora and Fauna Surveying and Monitoring Project (the project) for the Manly Warringah War Memorial State Park (Manly Dam) as follows:

- \$15,000 to match the \$15,000 grant the Committee has received from the Federal Department of Industry, Innovation and Science (the Department) for the project through the Department's Community Environment Program (Attachment 1).
- That relevant Council staff provide expert advice and assist with project management.

The Committee's request is outlined in Attachment 2. As part of the request, Council will provide guidance to the Committee in regard to the design and undertaking of environment surveys.

In the Committee's grant application to the Department:

- The project was described as:

Manly Warringah War Memorial State Park ("Manly Dam") is a unique area home to numerous species of threatened flora and fauna - with the iconic Eastern Pygmy Possum, the Seaforth Mint Bush and the Climbing Galaxias Fish all previously recorded within its boundaries. Unfortunately there's never been a comprehensive biodiversity survey conducted of the area. This project would see a group of volunteers and professionals monitor local flora and fauna in the area to produce a systematic survey that would be of valuable assistance in conservation and education efforts as well as local planning. Such a project would also be valuable in developing recovery plans for those species known to be at risk.

- The project budget was \$20,000: \$15,000 Department grant, \$1,000 cash and in-kind support and \$4,000 from other non-government contributions. Project partners include the Australian Conservation Foundation. Relevant expert consultants would be engaged for the project and volunteers recruited to assist in collection of data.

The Committee has indicated in discussions with Council staff that additional funding from Council would expand the scope of the project.

Council's Environment and Climate Change Unit has indicated that this type of project is needed for Manly Dam, particularly given the piecemeal and dated information currently available. This type of project is also supported in the Manly Warringah War Memorial Park Plan of Management (2014).

However, given the size of Manly Dam and the scale of research required a much broader Council led biodiversity project is required. Such a project is estimated to cost in the order of \$120,000 and may need to be conducted over a number of years (to account for seasonal and climatic variations). The Committee's project would provide valuable information to assist Council's management of Manly Dam and identify further environmental research required for a broader project. The Parks and Recreation and Environment and Climate Change Units would review the outcomes of the Committee's project and if agreed prepare a bid for funding a future Council biodiversity project.

Given the benefits of and need for this research it is recommended that the Committee's project is supported with funding and that staff participate in project management. Any Council support would be conditional on the following:

- The Committee to enter into a funding agreement with Council and to adhere to the terms and conditions set out in this agreement including that Council is appropriately acknowledged.
- Approved funding would be made available upon signing the funding agreement.
- The project is to be completed, funds expended and a project report and financial statements submitted to Council by 31 December 2020.

CONSULTATION

Staff from the Parks and Recreation and Environment and Climate Change Units have met with representatives of the Committee to clarify their request and the project.

The Committee's request was also considered by the Manly Warringah War Memorial State Park Advisory Committee at their meeting held 24 February 2020. The Advisory Committee supported the request from the Save Manly Dam Catchment Committee Inc. for Council to provide \$15,000 for their Local Flora and Fauna Surveying and Monitoring Project for the State Park.

It is noted that a member of the Save Manly Dam Catchment Committee is also a member of the Advisory Committee. This person has declared a conflict of interest and did not participate in the Advisory Committee's decision on this matter.

TIMING

The planned project end date is 31 December 2020 as stated in the Committee's letter of agreement with the Department.

LINK TO STRATEGY

The Committee's project aligns with Council's Community Strategic Plan Community Outcomes - Protection of the Environment, Environmental Sustainability and Partnership and Participation and these goals:

- Protection of the Environment - Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Environment Sustainability - Goal 4: Our Council is recognised as a community leader in environment sustainability.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

There is \$15,000 in the 2019/20 Parks and Recreation operational budget that could be made available for the Committee's request.

There would be no additional costs for Council's Manly Dam staff to participate in the Committee's project during normal business hours.

SOCIAL CONSIDERATIONS

This project presents an opportunity to enhance community partnerships and volunteering for Manly Dam.

ENVIRONMENTAL CONSIDERATIONS

The Committee's project would provide valuable information to assist Council's management of Manly Dam and identify further environmental research required.

GOVERNANCE AND RISK CONSIDERATIONS

Council would work with the Committee to development and implement a risk management plan for the project including for the management of volunteers conducting on-site surveys and activities for the project.

14.0 NOTICES OF MOTION

ITEM 14.1	NOTICE OF MOTION NO 08/2020 - WAKEHURST PARKWAY AND MONA VALE ROAD
TRIM FILE REF	2020/118031
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

(Originally submitted to the 25 February 2020 Council meeting)

MOTION

That Council:

1. Notes:
 - A. The recent floods again highlighted the serious dangers occasioned by the closure of Wakehurst Parkway and risks on Mona Vale Road in they being the main arterial roads from the former Pittwater Local Government area to the new Northern Beaches Hospital.
 - B. During the campaign to Save Mona Vale Hospital, in response to concerns that residents would not be able to travel to Northern Beaches Hospital in an expeditious way, they were assured major works would be undertaken to overcome safety risks on Wakehurst Parkway as well as Mona Vale Road and that rescue helicopters could also be used.
 - C. Helicopters have been unable to be used during the unprecedented poor air quality as a result of the bush fires and also during storms because of inclement weather.
 - D. That Council and Transport NSW have contributed to a Feasibility Study for Wakehurst Parkway works.
 - E. Works have commenced as part of the Mona Vale Road East Upgrades to increase Mona Vale Road from two lanes to four and that the Chief Executive Officer has recently written to the RMS highlighting the safety risks at lower Mona Vale Road.
 - F. The efforts of Federal Member for Mackellar, Mr Jason Falinski MP with a Petition to widen and flood proof Wakehurst Parkway and his advice that he has spoken with the Federal Minister for Infrastructure, The Hon Alan Tudge MP who indicated funds may be available from the Urban Congestion fund to assist with the progression of works needed to Wakehurst Parkway.
2. Resolves to:
 - A. Call upon the New South Wales and Federal Governments to allocate funding to urgently overcome safety risks and obstructions and commence works on Wakehurst Parkway and expedite works to Mona Vale Road in order to ensure residents can travel to the Northern Beaches Hospital in an expeditious way.
 - B. Acknowledge the efforts of Mr Jason Falinski MP to address the safety risks of Wakehurst Parkway and ensure funding from the Federal Government.

- C. Request the Chief Executive Officer to write to the Premier of NSW, The Hon Gladys Berejiklian MP, the Minister for Roads and Transport, The Hon Andrew Constance MP and the Member for Pittwater, The Hon Dr Rob Stokes MP and the Member for Wakehurst, The Hon Brad Hazzard MP advising of this Resolution.
-

ITEM 14.2	NOTICE OF MOTION NO 09/2020 - SUPPORT FOR IMPROVING SAFETY AND FLOOD PROOFING WAKEHURST PARKWAY
TRIM FILE REF	2020/118036
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

(Originally submitted to the 25 February 2020 Council meeting)

MOTION

That Council:

1. Recognises the poor safety record of head on accidents and frequent flooding of such a vital transport route for the Northern Beaches and supports Jason Falinski the federal Member for Mackellar in his request to improve the safety of the northern end of Wakehurst Parkway and flood proof it.
2. Writes to the federal Member for Mackellar showing Council's support in his request to improve the safety of the northern end of Wakehurst Parkway and flood proof it.
3. Writes to the state member Andrew Constance asking for a business case be done for such a project.
4. Seeks grant funding from state and federal funding to support council's role in the project.

BACKGROUND FROM COUNCILLOR STUART SPROTT

With two recent, and frequent head on accidents, improving safety along the northern end of Wakehurst parkway should not be delayed any further. The narrow and winding road with high speed bends are dangerous and should be fixed.

We have also all seen the affects of heavy rain on Wakehurst Parkway and how quickly it can flood, cutting off a vital connection to the suburbs of the Northern Beaches.

This link between the suburbs of the north and critical infrastructure like the northern beaches hospital needs to be upgraded to safe guard and support our residents to the north.

ITEM 14.3	NOTICE OF MOTION NO 10/2020 - TREE PLANTING FOR NEWBORNS
TRIM FILE REF	2020/118039
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

(Originally submitted to the 25 February 2020 Council meeting)

MOTION

That Council invite families with new born babies born here on the Northern Beaches, offering to join other new Australians in planting a tree in celebration of their birth in the ceremonial tree planting program for new Australians that already exists.

BACKGROUND FROM COUNCILLOR STUART SPROTT

Council currently offers a planting program and new tree for new Australians at the citizenship ceremony. I would like to expand this to new babies born here on the Northern Beaches so as they grow their tree grows with them, so they have a connection for life with the place they were born.

This works alongside our whole tree planting program and works with our 2040 plan.

This has been implemented in Europe and I believe we should roll out a similar program here in Australia.

I believe we would be the first council in Australia to offer such a program.

<https://www.euronews.com/2019/02/06/brussels-plans-to-plant-a-tree-for-every-child-born-within-the-city>

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:

This motion if adopted can be implemented with existing funds.

ITEM 14.4	NOTICE OF MOTION NO 12/2020 - STAFF ACKNOWLEDGEMENTS DURING FLOOD AND STORM EVENT
TRIM FILE REF	2020/127317
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

MOTION

That Council:

1. Acknowledges and thanks the outstanding work from all staff in the recent flood and storm events.
2. Circulates an email of appreciation to all staff from councillors thanking them in their commitment and efforts in helping making our community safe.

BACKGROUND FROM COUNCILLOR STUART SPROTT

Throughout the recent storm events our staff have shown an outstanding commitment to their roles and their jobs. Performing well above the requirements they worked tirelessly from one incident to the next, only to be hit by then another.

The preparation and care our staff have provided to our residents and the community shows true commitment to Council's role in building a better community and keeping our residents safe. I believe it is important to thank them and congratulate them on a job well done.

ITEM 14.5 NOTICE OF MOTION NO 13/2020 - ADOPTING NON-OPPOSED NOTICES OF MOTION BY EXCEPTION**TRIM FILE REF 2020/155356****ATTACHMENTS 1  Proposed Amendments - Draft Code of Meeting Practice (Included In Attachments Booklet)**

Submitted by: Councillor Vincent De Luca OAM

MOTION

That:

1. In order to effect the collective adoption of notices of motion submitted by Councillors with no debate, where they are unopposed by all Councillors as presented in the business papers and to recognise each individual mover and seconder of a notice of motion, Council places the following amendments and additions to the draft Northern Beaches Council Code of Meeting Practice on public exhibition for a minimum of 28 days:

[Amended] clause 14.1: The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together. ~~by way of a single resolution.~~

[New clause 14.[2]: **Notices of motion submitted by councillors in accordance with clause 4.11 may, at any time, be resolved together and will require a mover (as required by clause 11.2) and a seconder for each notice of motion.***

[Amended] clause 14.2 [14.3- changed numbering] Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 14.1, the chairperson must list the items of business to be adopted and ask councillors to identify any of the individual items of business listed by the chairperson that they intend to vote against the recommendation or **notice of motion** made in the business paper or that they wish to speak on.*

[Amended] clause 14.3 [14.4- changed numbering] The council or committee must not resolve to adopt any item of business under clause 14.1 that a councillor has identified as being one they intend to vote against the recommendation **or notice of motion** made in the business paper or to speak on.*

2. The outcome of the public exhibition be reported to Council.

BACKGROUND FROM COUNCILLOR VINCENT DE LUCA OAM

The last three meetings of Council (November 2019, December 2019 and February 2020) have closed with the business of Council remaining unfinished and carried over to the next meeting. As the notices of motion are often some of the last items dealt with during the meeting according to the Code of Meeting Practice order of business (clause 9.1), it has regrettably been the business councillors have put forward which has been deferred at each of these last three meetings. When councillors put forward business representing the interests of the community or to progress important considerations for the Council, we do so with the expectation that we will be able to assist our community and the organisation in a timely manner at the next Council meeting.

The NSW Legislative Council has long undertaken the practice, facilitated through its Standing Orders of Business, of dealing with formal motions upfront, whereby notices of motion to which there are no objections are put without debate or amendment and disposed of accordingly. This motion proposes a similar approach, where notices of motion by exception can be dealt with under *'items resolved by exception'* in the Council meeting order of business and therefore will be dealt with upfront at the Council meeting.

This motion puts forward some minor amendments to the Code of Meeting Practice (Attachment 1) which will facilitate the adoption of any notices of motion without debate which are unopposed and to which all councillors have agreed to vote in the affirmative. Importantly, it also facilitates the recognition of a mover and seconder for each notice of motion (as collectively adopted) to ensure the voting still accords with clause 11.2 of the Code of Meeting Practice (ie. a Councillor is to move the notice of motion that they submit at the meeting).

In accordance with section 361(3) of the Local Government Act 1993 (NSW), if councillors adopt the draft amendments, the Code will be exhibited for a minimum of 28 days to seek public feedback, which must also allow for a public submission of period of 42 days in accordance with section 361(4) of the Act, following which the final Code of Meeting Practice, taking the public comments into account, will then be brought back to Council for adoption.

ITEM 14.6	NOTICE OF MOTION NO 14/2020 - PASSING OF OUTSTANDING COMMUNITY VOLUNTEER PEGGY MILLER
TRIM FILE REF	2020/155361
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM; Kylie Ferguson

MOTION

That:

1. Council notes:
 - A. With sadness the passing of Mrs Peggy Miller on 19 January 2020 at 103 years of age.
 - B. Mrs Miller was born in the cottage hospital at Manly in 1916.
 - C. After marrying Lloyd, a South Coast Dairy Farmer, they settled for 20 years onto the family property in Gerrigong. They then moved to a wheat sheep and cattle property at Graman in North West NSW. After four years of drought, their finances were depleted, so they moved to Newcastle growing the first green asparagus crop.
 - D. Mrs Miller joined as a Younger Set member the Country Women's Associated at 19 years of age.
 - E. She assisted with the foundation of the Macksville War Widow's Guild Club, joined the patchwork group and made quilts for cancer wards at many hospitals.
 - F. In recent years, she served with distinction in the Manly Branch of the Country Women's Association as well as working with Meals on Wheels, the View Club, and the Anglican Church.
 - G. In honour of Mrs Miller's outstanding service to the Country Women's Association and the wider community she was conferred an award at the Jean Arnot Memorial luncheon and won the Senior NSW Volunteer of the Year Award (Northern Beaches).
 2. This Council:
 - A. Acknowledges and commends the outstanding community service of Mrs Peggy Miller.
 - B. Extends its condolences to her children and their respective partners Carolyn and Cory, Peter and Jill, Stuart and Maree.
 - C. Acknowledges the continued outstanding service of the Manly Branch of the Country Women's Association and associated Northern Beaches division of the Better Care Aged Care Support Service.
 - D. Requests the Chief Executive Officer to forward this resolution to Mrs Miller's family and the Manly and NSW Branches of the Country Women's Association.
-

ITEM 14.7	NOTICE OF MOTION NO 15/2020 - SOLAR FARM
TRIM FILE REF	2020/156278
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott and Kylie Ferguson

MOTION

That Council:

1. Staff prepare a business case on the viability of building a solar farm at the old Belrose tip site and present back to Council within four months.
2. Notes the excellent accessibility through its location to the Belrose electricity substation and the ability to connect to the grid with very low infrastructure cost.

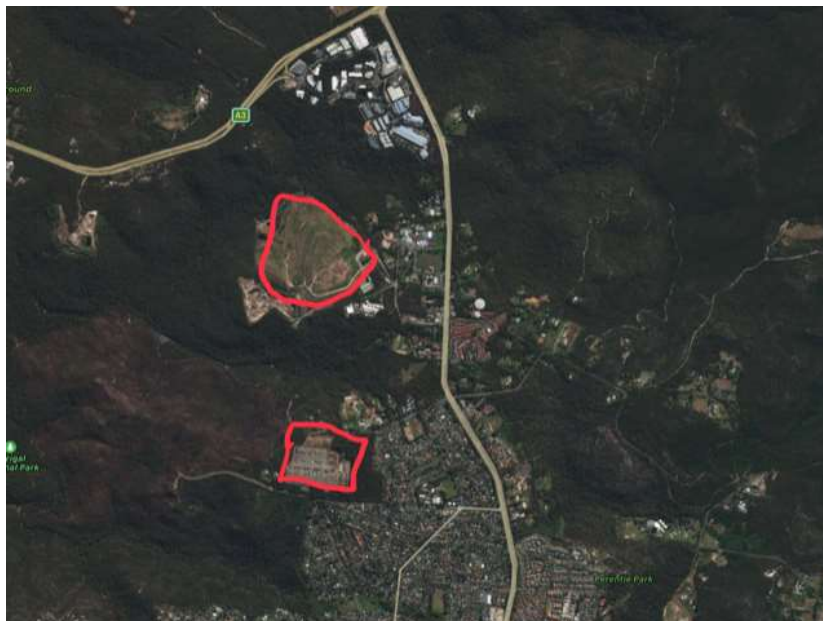
BACKGROUND FROM COUNCILLOR STUART SPROTT AND KYLIE FERGUSON

Inline with Councils zero carbon by 2050 policy we need to investigate ways to produce our own electricity.

Roof top solar can only produce so much. Having solar electricity production as close to the source as possible reduces transmission losses.

We are lucky to have available right next door to our main substation, an old tip site that could possibly produce one fifth of Councils electricity.

I propose a investigation into the economic and community benefits to building and operating our own solar farm here on the Northern Beaches.



ITEM 14.8	NOTICE OF MOTION NO 16/2020 - THE LATE HARRY ELLIFFE
TRIM FILE REF	2020/155373
ATTACHMENTS	NIL

Submitted by: Councillor Sue Heins

MOTION

That Council:

1. Acknowledge the sad passing of the late Harry Elliffe and extend our condolences to his family and colleagues in the Curl Curl Lagoon Friends.
2. In consultation with Harry's family and Curl Curl Lagoon Friends, investigate options to honour the contribution that Mr Elliffe made to our local community and our environment (including but not limited to a plaque and/or naming part of the pathway along Carrington Parade that he was so passionate about).
3. Brief Councillors on these options within three months.

BACKGROUND FROM COUNCILLOR SUE HEINS

Recently Harry Elliffe, a respected elder in the conservation movements of Curl Curl and the Northern Beaches passed away.

It was a sad farewell to a well-known environmental crusader of the Northern Beaches community. Harry spent over thirty years tirelessly maintaining the Curl Curl Boardwalk along Carrington Parade, and working with the Curl Curl Lagoon Friends to restore the lagoon in John Fisher Park back to health.

Harry was born in New Zealand and moved his family to Sydney in the sixties. He worked as a civil engineer, first operating his own roadworks business and later as an engineer with the Warringah Council.

His interest in the environment flourished when he and his late wife Bev moved to Curl Curl and Harry realised his long passion for coastal and estuarine restoration, combining his engineering knowledge with his prolific gardening skills.

As the years went by he became well known to walkers along Carrington Parade, and when the boardwalk was completed he was a familiar sight quietly tending to the native vegetation alongside.

In 2001 Warringah Council awarded Harry and Bev an Outstanding Community Service Award. Telstra White Pages featured them on the cover of their 2003 directory as part of a Landcare promotion. In 2013 the Curl Curl Lagoon Friends named him an Environmental Warrior in recognition of his service to the enhancement of Greendale Creek, John Fisher Park and Curl Curl lagoon and beach, and in 2018 he was the Northern Beaches Senior Citizen of the year.

ITEM 14.9

NOTICE OF MOTION NO 17/2020 - ASSISTANCE TO NORTHERN BEACHES COMMUNITY, CHARITY AND SPORTING ORGANISATIONS

TRIM FILE REF

2020/155377

ATTACHMENTS

NIL

Submitted by: Councillor Vincent De Luca OAM

MOTION

That Council:

1. Notes:

- A. A number of Northern Beaches community, charities and sporting organisations have had to cancel or postpone numerous Events and Competitions that serve the needs and interests of our community due to the coronavirus.
- B. That many of these organisations pay to use Council buildings, parks and reserves to conduct their community endeavours.
- C. With the cancellations and deferral of their events and competitions many are facing financial and other hardship.

2. Resolves to:

- A. Request the Chief Executive Officer to ensure Council liaises with Northern Beaches community, charity and sporting organisations to ascertain how Council can assist them during this unprecedented period of uncertainty and risk to public health and safety
- B. Furnish a report to the April Council meeting responding to the needs of Northern Beaches community, charity and sporting organisations with recommendations as to hiring fee concessions or waivers, financial and other assistance Council can provide to the hardworking community organisations and their stakeholders.

15.0 QUESTIONS WITH NOTICE

ITEM 15.1 QUESTION WITH NOTICE NO 02/2020 - SANITISATION AND CLEANING OF PUBLIC AREAS

TRIM FILE REF 2020/158163

ATTACHMENTS NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. Has Council investigated what are the best sanitisation products to combat the coronavirus and if so what are they?
2. Will the cleaning schedule be increased for all public amenities, Council buildings and public places with high population use?
3. Will Council is educate business owners on the best sanitisation products to use and proactively encourage businesses of the Northern Beaches to clean their premises and outside businesses?
4. What regulatory powers does Council have should business not comply with proper public health and cleaning requirements and will Council be actively monitoring this to ensure public safety?

16.0 RESPONSES TO QUESTIONS WITH NOTICE

ITEM 16.1 RESPONSE TO QUESTION WITH NOTICE NO 01/2020 - RISK ASSESSMENT OF TREES AND BUSHES ON THE NORTHERN BEACHES

TRIM FILE REF 2020/096986

ATTACHMENTS NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. When was the last time Council undertook a Risk Assessment as to trees and bushland in the Council area (or former Council areas), particularly in relation to the risk of fire or trees and their branches falling during storms?
2. How regularly does Council:
 - A. What are the main areas in the last 12 months where Council has cleared noxious weeds, dead trees and branches?
 - B. What are the main areas in the last 12 months where Council has cleared drains and stormwater drains?
3. In the last 12 months, how many:
 - A. Development applications have been lodged to remove trees/bushes on private land?
 - B. Of those development applications in (a) how many were approved and how many refused?
 - C. Requests have been received from the public for Council to remove trees and/or bushes on public land?
 - D. Requests from the public in (C) were acceded to and carried out by Council?
 - E. In the last 12 months, how many requests have been received by Council to prune or remove trees following Ausgrid or any other Network Service Distribution provider trimming trees or bushes?
4. Following Ausgrid or any other Network Service Distribution provider pruning a tree on a nature strip/public land, that company liable for any damage should the tree or branches fall or is Council?
5. Is Council or Ausgrid/Network Service Distribution provider responsible for pruning the rest of a tree if it becomes unstable following original pruning by Ausgrid/Network Service?

RESPONSE

1. Bush fire risk is managed accordance with the Warringah-Pittwater Bush Fire Risk Management Plan and in consultation with the NSW Rural Fire Service. Council assesses and manages vegetation on an ongoing basis throughout its bushland reserves to comply with these obligations, with particular attention given to the Asset Protection Zones located behind residential areas and around special protection assets such as retirement villages, schools etc. These assessments include the identification of hazardous trees as well as bush fire risk and informs follow-up works to reduce risk by removing fine fuels, woody weeds and understorey vegetation as required. Any hazardous trees that are identified by contractors are reported to Council's professional arborists who then undertake an assessment of the structural integrity of the trees. Dangerous trees are removed.

- 2A. Removal of dead trees and branches on Council land takes place across the whole LGA. Under our bush regeneration program Council undertakes works year round (weather permitting) in more than 350 Council-owned or managed bushland reserves stretching from Manly to Palm Beach and inland to Forestville. These works includes removing noxious and woody weeds. Council also has 55 Bushcare sites where over 250 volunteers also assist in removing weeds and promoting natural regeneration of native species. These groups are meeting weekly, fortnightly and monthly depending on the group.
- 2B. For the period 5 March 2019 to 5 March 2020, Council inspected/cleaned 9,702 drainage assets, predominantly in Pittwater and Manly wards.
- 3A. There were 974 Development applications (permits) requesting to remove 1,203 trees (some applications involved more than one tree).
- 3B. There were 861 approved and 342 refused.
- 3C. Currently the reporting system cannot separate customer requests relating to tree removal, pruning or tree root damage.
- 3D. 357 tree requests resulted in a justified removal of a tree from public land.
- 3E. In the last 12 months, Council has received 10 requests to prune or remove trees following Ausgrid or other Network Service Distribution provider trimming trees or bushes.
- 4. Network Service distribution providers are liable should anything occur during their tree trimming or infrastructure operations.
- 5. If Council can prove that the works performed by a third party have caused the instability of the tree, it would seek to hold the provider responsible.

ITEM 16.2	RESPONSE TO QUESTION TAKEN WITH NOTICE NO 04/2020 - ROCK RELIEF CONCERT
TRIM FILE REF	2020/126864
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 25 February 2020 from: Councillor Rory Amon

QUESTION

That Council:

1. Advise how many tickets were sold from the commencement of the marketing campaign on 2 February to the cancellation date of the concert?
2. Confirm and provide a breakdown of all other costs which have been incurred as a result of the cancellation of the concert above the advertising and insurance?

ANSWER

1. From the commencement of the marketing campaign on 2 February 2020 to the cancellation date of the concert 1,913 tickets were sold.
2. Costs which have been incurred as a result of the cancellation of the concert above the advertising and insurance costs including, contract services, production, audio visual, performers, signage totals \$63,500.00.

ITEM 16.3	RESPONSE TO QUESTION TAKEN WITH NOTICE NO 05/2020 - DELEGATIONS
TRIM FILE REF	2020/126933
ATTACHMENTS	NIL

Taken on notice at the Council meeting on 25 February 2020 from: Councillor Vincent De Luca
OAM

QUESTION

Can Council review court precedent regarding when a delegated decision has been challenged particularly in relation to the definitions of critical and urgent and advise what constitutes critical and urgent?

ANSWER

A review of case law has been undertaken. There does not appear to have been a legal challenge to a delegated decision of a council in respect of whether a matter is critical or urgent. There also does not appear to have been any judicial consideration of what constitutes "critical or urgent Council matters", in the context of a delegation from a council.

While not determinative, it is noted that the Macquarie Dictionary includes the following definitions:

- Critical
 'relating to, or of the nature of, a crisis; of decisive importance with respect to the outcome; crucial'
- Urgent
 'pressing; compelling or requiring immediate action or attention; imperative'

(Macquarie Dictionary, 6th Edition 2013)

17.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

- A. In accordance with the requirements of Section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:
- a. Item 17.1 RFT 2020/037 - Provision of Lifeguard Services from Turimetta Beach to North Palm Beach on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning the Provision of Lifeguard Services from Turrimetta Beach to Nth Paln Beach. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would prejudice the position with whom Council is dealing with.
 - b. Item 17.2 Consideration of Potential Land Purchase on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses a potential land dealing between Council and a private landholder. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would provide a commercial advantage to the owner of the land and potentially disadvantage Council's position in negotiations.
- 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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18.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

In accordance with Part 15 of the Code of Meeting Practice, resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson as soon as practicable. The resolution must be recorded in the publicly available minutes of the meeting.



northern
beaches
council

