

AGENDA

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

Tuesday 29 September 2020

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



Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership

**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 29 September 2020
at the Civic Centre, Dee Why
Commencing at 6:00pm**

1.0	ACKNOWLEDGEMENT OF COUNTRY	
2.0	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE	
3.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	
3.1	Minutes of Ordinary Council Meeting held 25 August 2020	
4.0	DISCLOSURES OF INTEREST	
5.0	PUBLIC FORUM AND PUBLIC ADDRESS	
6.0	ITEMS RESOLVED BY EXCEPTION	
7.0	MAYORAL MINUTES	6
7.1	Mayoral Minute No 07/2020 - Vale Lynne Czinner	6
7.2	Mayoral Minute No 08/2020 - Addressing our unwanted Waste on the Northern Beaches	7
7.3	Mayoral Minute No 09/2020 - Staff Recognition - Success at the Local Government Professionals Management Challenge	8
7.4	Mayoral Minute No 10/2020 - Public Artwork	9
7.5	Mayoral Minute No 11/2020 - Vale Robert Dunn	10
7.6	Mayoral Minute No 12/2020 - Call for Volunteers - COVID Marshalls	11
8.0	CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS	12
8.1	Election of Deputy Mayor	12

9.0	CORPORATE AND LEGAL DIVISION REPORTS	20
9.1	2019/20 Draft Financial Statements	20
9.2	Monthly Investment Report - August 2020	29
9.3	Local Government NSW Annual Conference 2020	39
9.4	Extension of Councillor Appointments - Committees and Strategic Reference Groups.....	43
9.5	Councillor Expenses 1 January 2020 to 30 June 2020	46
9.6	Confirmed Minutes of the Strategic Reference Group Meetings - May 2020	50
9.7	Confirmed Minutes of the Audit, Risk and Improvement Committee Meeting Held on 9 June 2020	52
10.0	COMMUNITY AND BELONGING DIVISION REPORTS.....	69
10.1	2020/21 Community Grants Program - Funding Recommendations.....	69
11.0	ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS	82
11.1	Minor Amendments to Flood Prone Land Planning Requirements	82
11.2	Eco Schools Grants Program - Allocation of Funding	87
11.3	Draft Placing of Hoardings and Scaffolding at Construction or Demolition Sites Policy	95
12.0	PLANNING AND PLACE DIVISION REPORTS.....	101
12.1	Planning Proposal (PEX2018/0007) to Rezone Land within the Manly Warringah War Memorial State Park.....	101
12.2	Public Space Vision and Design Guidelines.....	116
13.0	TRANSPORT AND ASSETS DIVISION REPORTS.....	120
13.1	Mona Vale Surf Life Saving Club, Amenities Building and Apex Park Amenities...	120
13.2	Proposed Lease - Centre of Excellence - Brookvale Oval	123
14.0	WORKFORCE AND TECHNOLOGY DIVISION REPORTS	
	Nil	
15.0	NOTICES OF MOTION	132
15.1	Notice of Motion No 38/2020 - East Esplanade.....	132
15.2	Notice of Motion No 39/2020 - Passing of Community Leader Mrs Brenda Duchon	133
15.3	Notice of Motion No 40/2020 - Securing the Future of Our Northern Beaches Young People	136
15.4	Notice of Motion No 41/2020 - Job Creation for Youth and Traineeships	137
15.5	Notice of Motion No 42/2020 - Council's COVID-19 Summer Action Plan for Outdoor Public Spaces.....	139
15.6	Notice of Motion No 43/2020 - Review of Development Application Process for Events	140

16.0	QUESTIONS WITH NOTICE	141
16.1	Question With Notice No 14/2020 - Northern Beaches Review	141
16.2	Question With Notice No 15/2020 - Pedestrian Crossing at the Corner of Fisher Road and Regent Street, Dee Why	142
17.0	RESPONSES TO QUESTIONS WITH NOTICE	
	Nil	
18.0	MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION	143
18.1	Update on Whistler Street Legal Matter <i>(report to be circulated prior to the meeting)</i>	
18.2	Further Consideration of Potential Land Purchase	
18.3	RFT 2020/006 - Bell and Carols Wharf Upgrades	
18.4	RFT 2020/046 - Services for Bus Shelter Cleaning	
18.5	Approval to Tender - Kimbriki Clean Water Diversion System	
18.6	Exemption from Tendering for the Ongoing Engagement of Information & Communication Technology Suppliers	
19.0	CONFIDENTIAL ITEMS RESOLVED BY EXCEPTION	
20.0	REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION	

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 AUGUST 2020

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 25 August 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 07/2020 - VALE LYNNE CZINNER
TRIM FILE REF	2020/549016
ATTACHMENTS	NIL

BACKGROUND

It was with great sadness that we learnt of the passing of former Mayor and Councillor of Pittwater, Lynne Czinner recently.

I know councillors will join me in paying tribute to a remarkable community leader and advocate for our local environment particularly our Pittwater Ward councillors who will remember her fondly.

Lynne was elected on to the first Pittwater Council in October 1992 representing South Ward, serving consecutive terms until 2008. Lynne served as Deputy Mayor to former Mayor Patricia Giles for four consecutive terms, from 1998 to 2002 and was herself voted Mayor in 2004.

Lynne also served as a Director of the North Sydney Waste Board, Secretary of the Sydney Coastal Council and was a representative on the Kimbriki Committee.

Our community will be forever in her debt for her tireless dedication and commitment to protecting our environment particularly around the Warriewood Wetlands and escarpment. She was a strong advocate for sustainable development in Pittwater along with ensuring there were recreational facilities to enable residents to enjoy the local surroundings.

Lynne was a firm believer in working with the community and while she was Mayor, was very keen to ensure that residents were heard on matters that affected them and were taken into consideration in any decisions made by Council.

Craig Boaden, the Chairman of Pittwater Community Alliance worked with Lynne on the committee of the Pittwater Community Alliance. Lynne represented not only her local community association Warriewood Residents Association but was as an invaluable source of knowledge on local government and on Pittwater Council in particular. Craig told me that "*she was a marvellous person to work with, and gladly shared her extensive specialist knowledge and expertise. Lynne will be sadly missed by her colleagues at the Pittwater Community Alliance.*"

I personally remember Lynne for her strong advocacy for independent politics in local government and I will always remember her for the respect she gave to all regardless of their views and of course her good humour.

On behalf of my fellow Councillors, I send our sincere condolences to Lynne's family and friends, she will be forever remembered and cherished for what she has achieved for our community.

MOTION

That Council:

1. Acknowledge the enormous contribution made by the late Lynne Czinner.
2. Send our condolences to the family of the late Lynne Czinner.



Michael Regan

MAYOR

ITEM 7.2	MAYORAL MINUTE NO 08/2020 - ADDRESSING OUR UNWANTED WASTE ON THE NORTHERN BEACHES
TRIM FILE REF	2020/559026
ATTACHMENTS	NIL

BACKGROUND

Our community are working hard to contribute to reducing our waste and particularly during these difficult times with more people at home. To assist the community we have been providing webinars, tips and resources on how they can reduce their waste at home.

I know Councillors we are all in agreement that we are committed to minimising our environmental footprint and looking for new and innovative ways to reuse and repurpose materials.

I read recently with great interest that the Central Coast Council is trialling a kerbside soft plastics recycling scheme that doesn't require new or additional services or facilities.

Some weeks ago I also met with a company who offer a simple 'click and collect' service to deal with e-waste, clothing and soft plastics. It was an impressive presentation and would I believe be something we could easily consider to assist our residents to deal with their problem waste and could be offered in addition to our current waste service.

We are looking forward to hearing from staff regarding my previous Mayoral Minute on the Circular Economy proposal that will look at possibly partnering with the University of NSW to develop a 'microfactory' at Kimbriki to repurpose waste materials.

I would like staff to also consider the options mentioned above and provide advice by way of a Council briefing of the costs and benefits of undertaking trials such as those highlighted above.

It's a great opportunity to understand some of these emerging opportunities and demonstrating to our community that this remains a high priority for us as a Council.

I understand that this briefing can be undertaken within current operational budgets.

MOTION

That staff provide a briefing to Councillors within 3 months on opportunities for increasing the recovery of problem waste such as soft plastics and e-waste.



Michael Regan
MAYOR

ITEM 7.3**MAYORAL MINUTE NO 09/2020 - STAFF RECOGNITION -
SUCCESS AT THE LOCAL GOVERNMENT PROFESSIONALS
MANAGEMENT CHALLENGE****TRIM FILE REF****2020/559040****ATTACHMENTS****NIL****BACKGROUND**

The recognition of our staff continues with the announcement this month that one of our two competing teams have taken out the NSW Regional Final of the Local Government Professionals 2020 Australasian Management Challenge for the second year in a row.

The Local Government Professionals have offered the Australasian Management Challenge for the last 25 years providing an opportunity for every council in Australia and New Zealand to compete and for team members to develop professionally and personally.

Our staff who compete in these challenges come from a range of different business areas and from what I understand this is a very big commitment on top of their usual workloads. The Challenge provides them with the opportunity to develop new insights into management and leadership excellence.

I would like to take this opportunity to congratulate all the staff and mentors who participated in the Management Challenge this year, it is a great achievement and of course we also wish the winning team the very best as they go on to compete in the National Australasian Challenge later in the year.

MOTION

That Council:

1. Formally acknowledge the outstanding achievement of staff in winning the NSW Regional Final of the 2020 Local Government Professionals Australasian Management Challenge.
2. Congratulate all staff and mentors who competed this year.



Michael Regan
MAYOR

ITEM 7.4	MAYORAL MINUTE NO 10/2020 - PUBLIC ARTWORK
TRIM FILE REF	2020/563513
ATTACHMENTS	NIL

BACKGROUND

At the May Council meeting, a motion was passed with respect to commissioning a public artwork on the Coast Walk.

Since that time, I have publicly stated that I would seek to rescind this motion. Accordingly I move the following.

MOTION

That Council no longer pursue a permanent artwork to remember, as a narrative, how the Northern Beaches community responded during the COVID-19 pandemic.



Michael Regan
MAYOR

ITEM 7.5	MAYORAL MINUTE NO 11/2020 - VALE ROBERT DUNN
TRIM FILE REF	2020/564932
ATTACHMENTS	NIL

BACKGROUND

This month we had further sad news of the passing of Robert Dunn who many will remember as the first elected Mayor of Pittwater Council following its secession from Warringah Council in 1992.

I would like to pay tribute to Robert Dunn who served as Pittwater Council's first elected Mayor for four years during 1992 to 1997. He served as a Councillor from 1992 - 1999 and prior to the secession, served on Warringah Council as a Councillor from 1987 - 1991. He believed passionately in serving his community and Robert also ran as an independent in the Pittwater State by-election after the departure of John Brogden.

Mr Dunn was a highly respected and successful solicitor who founded Dunn Legal back in 1973. The company is still well regarded and providing legal services on the Northern Beaches under the stewardship of Robert's son, Simon. I think there will be many in the legal profession who will miss his commitment and experience in protecting and guiding those in our community.

Many of us will recall Robert's Pittwater Uprising!: A Secessionist's View which documented the formation of Pittwater Council and is an enlightening account of our local government history.

I also recall the passion and commitment shown by Robert in taking on the State Government's then proposed amalgamations of the now three former Councils of Pittwater, Warringah and Manly in 2015. While we stand here today, as one Council, I think we need to remember the incredible commitment and passion demonstrated by Robert in arguing what he believed was necessary to protect the Pittwater community he had served so tirelessly for so many years.

We will always remember Robert Dunn for his work for our community and it is fitting there is a tribute already established at Robert Dunn Reserve, a park alongside Mona Vale Beach. Like so many places on the Northern Beaches, it is well worth a visit and stands to remind us of the efforts of people like Robert Dunn who have worked so hard to protect our beautiful environment.

Our thoughts are with his family and friends at this very difficult and sad time and on behalf of my fellow Councillors and the Northern Beaches community, I extend our deepest sympathies.

MOTION

That Council:

1. Acknowledge the enormous contribution made by the late Robert Dunn.
2. Send our condolences to the family of the late Robert Dunn.



Michael Regan
MAYOR

ITEM 7.6	MAYORAL MINUTE NO 12/2020 - CALL FOR VOLUNTEERS - COVID MARSHALLS
TRIM FILE REF	2020/567252
ATTACHMENTS	NIL

BACKGROUND

Both Council and the State Government have collaborated on a COVID Summer Action Plan to do everything we can to keep beaches and parks open and the community safe. At the time of the initial lockdowns, staff were redeployed to other roles within the organisation to keep up with the new demands. One critical role was keeping our open space and beaches open. Many staff were redeployed as COVID marshalls to help lifeguards and rangers in reminding people to social distance and keep moving. It is fair to say we were very successful in our efforts and managed to keep our beaches and parks open.

We have learnt a lot in that initial period and will put those learnings into place over summer. Council along with other Local Government areas have approached the State Government to help fund additional resources to act as COVID marshalls and play that similar role as per the previous lockdown. The main reason being is that Council does not have the same level of staff redeployed as per the original lockdown as we are largely back to normal operations. At this stage, it is unlikely we will receive funding.

Volunteers play a huge role locally and nationally in our society. We have been reminded in the past week or two all about that with the 20th anniversary of the Sydney Olympics. Done in the right spirit, it can be a very effective tool in making things happen. Volunteers could help directly support the lifeguards and surf lifesaving clubs, for example – as COVID marshalls on the beach. Giving out friendly reminders to stay 1.5m apart, groups of 20 people or less and assist in crowd intelligence gathering for controlling numbers. Ultimately this will allow the lifeguards and volunteer SLSC patrollers to focus on keeping us safe in the water.

We have a great volunteer history at Council such as Litter Guards on Manly Beach, Penguin Wardens, Meals on Wheels and Bushcare to name a few. We had during the height of the Pandemic a local group Viral Kindness that stepped up and were looking at various ways to assist. I think we should ask our community if they would like to play a key role in assisting us to keep the beaches and parks open.

MOTION

That Council:

1. Bring back a report to the October Council meeting on the possibility of using volunteers as COVID marshalls for beaches and open space.
2. Advertise immediately for Expressions of Interest from local residents who would be interested should we determine to go down this path.
3. Approach each surf club for Expressions of Interest from their members who might like to individually contribute outside of their patrols or other club duties.



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	ELECTION OF DEPUTY MAYOR
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/506003
ATTACHMENTS	1 Office of Local Government Circular 20-25 2 Deputy Mayor - Nomination Form

SUMMARY

PURPOSE

To consider the election of a councillor to the office of Deputy Mayor and the method by which the election will be conducted.

EXECUTIVE SUMMARY

Section 231 of the Local Government Act 1993 provides that Council may elect one of its members as Deputy Mayor. The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

At the Council meeting of 24 September 2019, Council had resolved (308/19) the appointment of the Deputy Mayor for the term of office up to and including 11 September 2020, which at that time was the remainder of the Council term. With the postponement of the local government election to 4 September 2021 under section 318B of the Local Government Act 1993 (NSW) (the Act) in response to the COVID-19 pandemic, this appointment, which is made at the discretion of the Council under the Act, is to be reconsidered by Council.

Should Council resolve to elect a Deputy Mayor, nominations shall be called for candidates for the office. In the event that two or more candidates accept nomination for the office of Deputy Mayor, Council shall determine whether the election of Deputy Mayor is to proceed by:

- open voting
- ordinary ballot
- preferential ballot.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council:

1. Determine whether it is to elect a Deputy Mayor in accordance with section 231 of the Local Government Act, 1993 and the length of term of this office.
 2. Determine the method of election for the Deputy Mayor.
-

REPORT

BACKGROUND

Section 231 of the Local Government Act 1993 states:

- (1) *The councillors may elect a person from among their number to be the deputy mayor.*
- (2) *The person may be elected for the mayoral term or a shorter term.*
- (3) *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

If Council decides to elect a Deputy Mayor, Council may determine the length of the term of the office, noting it cannot be beyond midnight 03 September 2021, after which the local government election will occur.

In the event that two or more candidates accept a nomination for the office of Deputy Mayor, Council shall determine the method for conducting the election.

The Office of Local Government's Circular 20-25 of 29 June 2020 (Attachment 1) provides that "Mayors elected in September 2019 will continue to hold office until council elections are held on 4 September 2021." This advice did not extend to Deputy Mayoral appointments.

Conducting the Elections of the Deputy Mayor

A nomination for the office of Deputy Mayor is to be made in writing and endorsed by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

If only one councillor is nominated, that councillor is elected. If more than one councillor is nominated, the Council is to resolve whether the election is to proceed by:

- (a) open voting
- (b) ordinary ballot
- (c) preferential ballot.

The election is to be held at the Council meeting at which the Council resolved on the method of voting. The Returning Officer is to conduct the ballot.

If the method is open vote this is to be conducted by a show of hands. If the method is by preferential or ordinary ballot, this will be conducted by a secret vote.

Summary of Election Procedure

- Nomination papers are distributed to Councillors prior to and at the Council meeting.
- Councillors will be called upon by the Returning Officer to submit their nomination papers (Attachment 2).

- Nominations received will be read to the Council meeting by the Returning Officer who will ask if any of the candidates nominated wish to decline the nomination.
- If there are more candidates than one, an election will be carried out in accordance with the provisions of Schedule 7 of the Local Government (General) Regulation 2005.
- Councillors will resolve whether the election is to proceed by open voting, by ordinary ballot or by preferential ballot.
- If a ballot is required, the Returning Officer will determine the order of voting by lot.
 - Ballot papers will be distributed to councillors for marking
 - Upon completion of marking of the ballot papers by councillors, the ballot papers will be collected on behalf of the Returning Officer and the votes will be counted
 - When the ballot or ballots, as required pursuant to the provisions of Schedule 7, have been completed and a result obtained, the Returning officer will announce the results at the meeting.

Detailed Procedures for Election Methods

Open Voting

An open vote will be conducted by a show of hands.

If there are only two candidates, the candidate with the higher number of votes is elected. If there are only two candidates and they are tied, the one elected is to be chosen by lot.

If there are three or more candidates, separate and continuing ballots are taken to exclude the candidate with the lowest number of votes, until only two candidates remain.

Ordinary Ballot

If the election proceeds by ordinary ballot, the Returning Officer is to determine the manner in which votes are to be marked on the ballot papers.

The formality of a ballot paper must be conducted in accordance with clause 345 (1) (b) and (c) of the Local Government (General) Regulation 2005.

An informal ballot paper must be rejected at the count.

If there are only two candidates, the candidate with the higher number of votes is elected. If there are only two candidates and they are tied, the one elected is to be chosen by lot.

If there are three or more candidates, separate and continuing ballots are taken to exclude the candidate with the lowest number of votes, until only two candidates remain.

Preferential Ballot

The steps to conduct a preferential ballot are as follows:

Councillors are to mark their votes by placing the number '1' '2' and so on, against the listed candidates' names so as to indicate the order of their preference for all candidates.

An informal ballot-paper must be rejected at the count. The formality of a ballot paper is to be determined in accordance with clause 345 (1) (b) and (c) of the Local Government (General) Regulation 2005.

If a candidate has an absolute majority of first preference votes, that candidate is elected.

If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot papers counted to him or her are transferred to the candidates with second preferences on those ballot papers.

A candidate with an absolute majority of votes is elected. If no candidate has the absolute majority of first preference votes, the candidate with the lowest number of votes is excluded. The preferences from the excluded candidate are distributed. The process continues until one candidate has received an absolute majority of votes.

Under the Regulation "absolute majority", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot papers.

Tied candidates

The steps for a tied vote are as follows:

If on any count of votes there are two candidates in, or remaining in the election and the numbers of votes cast for the two candidates are equal, the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.

If on any count of votes there are three or more candidates in, or remaining in the election and the numbers of votes cast for two or more candidates are equal, and those candidates are the ones with the lowest number of votes on the count of the votes, the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Explanation of choosing by lots

If a process is to be determined by lot then this refers to the selection of a candidate by the Returning Officer where the names of candidates are to be written on similar slips of paper, folded and mixed and selected randomly from a barrel.

TIMING

The term of office for the Mayor is for the period up to midnight 3 September 2021 or shorter as determined by the Council under section 231 of the Act.

LINK TO 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

The provision for an office of Deputy Mayor is included within Council's existing operational budget.

SOCIAL CONSIDERATIONS

The civic responsibilities and community leadership role of the Mayor are outlined under section 226 of the Act.

Section 231(3) of the Act states that:

The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.

ENVIRONMENTAL CONSIDERATIONS

The election of the Deputy Mayor does not have an environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

The election of the Deputy Mayor is in line with section 231 of the Local Government Act 1993.

Circular Details	20-25 / 29 June 2020 / A706318
Previous Circular	20-10 <i>Postponement of the September 2020 Local Government Elections</i>
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance Team/ 02 4428 4100/ olg@olg.nsw.gov.au
Action required	Information

The date of the next ordinary local government elections is 4 September 2021

What's new or changing

- The Minister for Local Government has published orders in the Gazette under section 318B of the *Local Government Act 1993* (the Act) postponing the next ordinary local government elections in response to the COVID-19 pandemic.
- The next local government elections will be held on 4 September 2021.
- The decision to postpone the elections until September 2021 has been made in consultation with and on the advice of the NSW Electoral Commissioner.

What this will mean for your council

- The orders made under section 318B suspend the election requirements of the Act including the requirement to hold by-elections to fill vacancies for the period specified in the orders.
- Current councillors and popularly elected mayors will continue to hold their civic offices until council elections are held on 4 September 2021.
- Councils will not be required to hold by-elections to fill vacancies or to apply to the Minister to dispense with the requirement to hold a by-election during the period specified in the orders.
- The making of the orders will not affect the requirement to hold mayoral elections. Mayoral elections must be held for mayors elected in September 2018 when their two year-terms expire in September 2020.
- Mayors elected in September 2019 will continue to hold office until council elections are held on 4 September 2021.
- The composition of joint organisation boards may need to change in September 2020 if mayors of member councils elected by councillors are not re-elected.
- The postponement of the next ordinary local government elections will not affect the timing of future council elections, and the subsequent ordinary local government elections will still proceed in September 2024.

Key points

- The Act was amended in March 2020 to confer on the Minister for Local Government a time-limited power to postpone council elections in response to the COVID-19 pandemic.
- The amendment allows the Minister by an order published in the Gazette, to postpone elections for 12 months from the date of the order. The order may be extended for an additional period to 31 December in the year after the order is made.

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Where to go for further information

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



Tim Hurst
Deputy Secretary
Local Government, Planning and Policy

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Nomination Form

Office of Deputy Mayor

In accordance with clause 394 and Schedule 7 of the Local Government (General) Regulation 2005,

Councillor is hereby nominated for
(name of nominee)

the office of **DEPUTY MAYOR** of Northern Beaches Council for a term as determined by Council under section 231(2) of the Local Government Act, 1993.

Nominators

1. Councillor
(name) (signature)

2. Councillor
(name) (signature)

Nominee

I, Councillor, consent to this nomination.
(name)

.....
(Signature) (date)

Clause 394 and Schedule 7 of the Local Government (General) Regulation, 2005 outline the statutory provisions for the nomination of candidates for election of **Deputy Mayor** by Councillors as follows:

Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	2019/20 DRAFT FINANCIAL STATEMENTS
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS
TRIM FILE REF	2020/473958
ATTACHMENTS	1 Draft 2019/20 Financial Statements (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present to Council the Draft General and Special Purpose Financial Statements of Northern Beaches Council for the year ended 30 June 2020, which require certification and referral to Council's external auditors, the Audit Office of New South Wales.

EXECUTIVE SUMMARY

Council has achieved a Net Operating Result for the 2019/20 financial year of \$18.6m surplus (2018/19: \$28m surplus) and a Net Operating Result before Capital Grants and Contributions of \$16.5m deficit (2018/19: \$9.9m surplus). The \$18.6m surplus from operations contributed towards the funding required to deliver the capital works program (\$97.2m) and loan repayments (\$5.1m). The balance of funding is derived from capital grants and contributions, funding allocated to asset depreciation and the Council's cash reserves and working capital.

The primary differences between the two financial years related to a reduction in income and increased costs due to the significant impact of the COVID-19 pandemic, additional costs relating to the November 2019 and February 2020 storms, an increase in depreciation in 2019/20 and a reduction in the Domestic Waste Charge in 2019/20. Council had an increase in non-cash capital asset dedications in 2019/20 mainly relating to the Warriewood B-Line carpark from Transport for NSW.

The draft General and Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2020 are attached as a separate booklet. Analysis of the Financial Statements has been provided and indicates that while Council has been temporarily impacted by the significant summer storms and the COVID-19 pandemic, working capital is sufficient to meet the Council's operating requirements. While the Council has not met the Operating Performance ratio benchmark of 0% at this time with a result of -4.97% due to the operating deficit caused by the storms and pandemic, all other financial and asset performance benchmarks have been met.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That:

1. Council resolves in its opinion that the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2020:
 - A. have been properly drawn up in accordance with the provisions of the Local Government Act 1993 and the Regulations there under, the Australian Accounting Standards and professional pronouncements, and the Local Government Code of Accounting Practice and Financial Reporting

- B. to the best of the Council's knowledge and belief the Financial Statements present fairly the Council's operating result and financial position for the year and accords with the Council's accounting and other records
 - C. the Council is unaware of any matter that would render the Financial Statements false or misleading in anyway.
- 2. The Mayor, a Councillor, Chief Executive Officer and Chief Financial Officer be authorised to sign the 'Statement by Councillors and Management' for both the General Purpose Financial Statements and Special Purpose Financial Statements.
 - 3. The Annual Financial Statements for the year ended 30 June 2020 be referred to the Council's Auditor for audit.
 - 4. Council hereby delegates to the Chief Executive Officer authority, upon receipt of the Auditor's report of the Council, to:
 - A. Forward a copy to the Office of Local Government.
 - B. Arrange for the public notice of the Council Meeting for presentation to the public, in the required format to be placed on Council's web page.
 - C. Arrange for the Council's audited Financial Statements and a copy of the Auditor's Reports to be made available for public inspection on Council's web page and in printed format at Council's Customer Service Centres and Libraries.
 - D. List the audited Financial Statements and Auditor's Reports on the Agenda for the next available Council Meeting for presentation to the public, which allows for the 7 days public notice requirement.
-

REPORT

BACKGROUND

The Local Government Act 1993 ("the Act") relating to the preparation of Council's Annual Financial Statements requires that:

1. Section 413 (2) – A Council's Financial Statements must include:
 - a) a General Purpose Financial Statement
 - b) any other matter prescribed by the Regulations
 - c) a statement in the approved form by the Council as to the opinion on the General Purpose Financial Statements.

The Local Government Code of Accounting Practice and Financial Reporting requires that Council complete a Special Purpose Financial Statement for all business activities declared by Council (Attachment 1)

2. Section 416 – A Council's Financial Statements for a year must be prepared and audited within 4 months after the end of the year concerned.
3. Section 418 – Upon receiving the Auditor's Report, the Act requires Council to give at least 7 days public notice of the meeting at which it proposes to present its Audited Financial Statements, together with the Auditor's Report, to the public. The public notice must include a statement that the business of the meeting will include presentation of the Audited Financial Statements, the Auditor's Report and a summary of the Financial Statements.
4. Section 420 – Any person may make submissions in respect of the Council's Audited Financial Statements or the Auditor's Report. Such submissions must be in writing and lodged with Council within 7 days after the public meeting at which these Statements are presented. Copies of all submissions received must be referred to the Council's Auditor. The Council must take such action as it considers appropriate with respect to any submissions received, including giving notice to the Office of Local Government of any matter that appears to require amendment of the Council's Financial Statements. In order to facilitate the public notice, meeting and submission process, it is considered appropriate that Council delegate to the Chief Executive Officer authority, upon receipt of the Auditor's Report by Council, to:
 - a) Arrange for the public notice of this meeting, in the required format, to be placed on Council's website, advising of the meeting at which the Auditor's Reports will be presented.
 - b) Arrange for the Council's Audited Financial Statements and a copy of the Auditor's Reports to be made available for public inspection on Council's web page and at Council's Customer Service Centres and Libraries.
 - c) List the Audited Financial Statements and Auditor's Reports on the agenda for the next available Council Meeting for presentation to the public, which allows for the 7-day public notice requirement.
5. Section 428 - The Audited Financial Statements must be included in Council's Annual Report.
6. Clause 215 of the Local Government (General) Regulation 2005 requires that the Statement under Section 413(2)(c) on the Annual Financial Statements must be made by resolution of the Council and signed by the Mayor, at least one other Councillor, Chief Executive Officer and Responsible Accounting Officer.

Annual Financial Statements have now been prepared and a draft is attached for referral to audit.

Council is responsible for the preparation of the Financial Statements and adequate disclosures. This includes the maintenance of adequate accounting records and internal controls, selection and application of accounting policies, and the safeguarding of the assets of Council.

The accounting records have been maintained in accordance with Section 412 of the Act and in a manner that permitted the timely preparation of the General and Special Purpose Financial Statements for the year ended 30 June 2020. Update No.28 to the Local Government Code of Accounting Practice and Financial Reporting was issued on 30 March 2020 and is relevant to the reporting period ending on 30 June 2020.

Financial Position of Council as at 30 June 2020 (subject to Audit)

The principal features of the Annual Financial Statements for 2019/20 are as follows:

• Total Income from Continuing Operations	\$365.9m
• Total Expenses from Continuing Operations	\$347.3m
• Net Operating Result for the period	\$18.6m
• Net Operating Result for the period before Capital Grants & Contributions	(\$16.5m)
• New Capital Works	\$36.8m
• Capital Renewal Works	\$46.8m
• Non-cash Asset Dedications	\$13.6m
• Total Capital Expenditure	\$97.2m
• Total Assets	\$5,262.7m
• Total Liabilities*	\$177.1m
• Net Assets	\$5,085.5m

* The introduction of new accounting standards has resulted in the recognition of new liabilities primarily for tied grants received but not yet expended and supplier contracts that contain right of use assets.

Performance Indicators

	2020	
Operating Performance	-4.97%	✗
Own Source Operating Revenue	84.85%	✓
Unrestricted Current Ratio	2.09x	✓
Debt Service Cover Ratio	3.70x	✓
Rates & Annual Charges Outstanding Percentage	4.12%	✓
Cash Expense Cover Ratio	5.39 months	✓
Buildings & Infrastructure Renewals Ratio	121.34%	✓
Infrastructure Backlog	1.38%	✓
Asset Maintenance Ratio	107.92%	✓
Cost to bring assets to agreed service level	1.15%	

✓ indicates performance indicator has achieved the OLG benchmark.

The Office of Local Government (OLG) sets benchmarks for all indicators, with the exception of the 'Cost to bring assets to agreed service level'. On the 13th August 2020, the OLG advised councils, with regards to achieving financial targets during the pandemic:

"As COVID-19 continues to impact communities throughout NSW, the Office of Local Government (OLG) understands that many councils are facing difficulties in balancing their budgets and achieving their financial targets.

These are unprecedented times for councils and OLG will work to ensure that the audit process acknowledges the challenges councils face and that financial performance will inevitably be affected.

OLG understands that councils are facing additional expenses, significant reductions in revenue, and challenges in ensuring the ongoing delivery of important community services.

Financial management strategies will need to be flexible and adaptable and OLG will take a pragmatic approach to council performance this year. No council should be considering reducing services or staffing just to demonstrate compliance with financial benchmarks.

In the coming months, as councils continue to respond to the COVID-19 pandemic they should continue to make sound financial decisions which includes continuing to meet ongoing financial obligations."

Bushfire mitigation measures, significant summer storms and the emergence of the COVID-19 pandemic have placed considerable pressure on the Council's budget in 2019/20. The Council's financial results have been temporarily impacted by these events, with a net operating deficit before capital grants and contributions of \$16.5m, the Council has not met the Operating Performance ratio benchmark of 0% at this time (result -4.97%). However, if the cost of the pandemic and storms is excluded from our results, the Council would have met the benchmark with an operating performance indicator of 0.53%. Further, if the return in domestic waste reserve surplus funds through lower charges (\$3.9m) and the cost of the accelerated streetlighting replacement program (\$2.5m) is removed, the operating performance indicator would be 2.39%.

The Council adjusted its capital expenditure into 2020/21 to provide capacity to respond to the pandemic and retain our long term strong and sustainable position. All other financial and asset performance benchmarks have been met and working capital is sufficient to meet the Council's operating requirements.

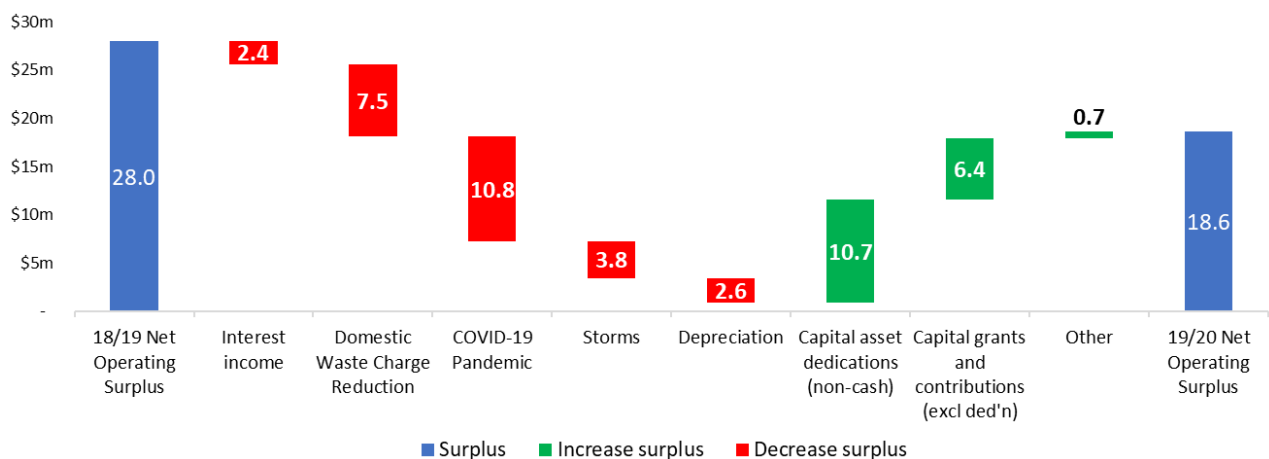
Operating Result from Continuing Operations

The Operating Result from Continuing Operations for the full financial year is \$18.6 million (2018/19 \$28.0 million). The primary differences between the two financial years being:

- \$10.8m reduction in income (excluding interest) and increased costs due to the significant impact of the COVID-19 pandemic which resulted in closed services and less demand for other services and additional costs to support the community.
- \$7.5m (15%) net reduction in income from domestic waste charges due to efficiencies achieved through the merged service resulting in lower costs and lower charges for customers
- \$3.8m increase in materials and contracts for clean-up and restoration costs following the November 2019 and February 2020 storms.
- \$2.6m increase in depreciation mainly associated with the creation of new assets and renewal of a significant number of assets over the past 12 months including waste bins (\$1.4m), waste compactors and streetsweepers, transport and building assets.

- \$2.4m reduction in interest and investment revenue due to decreased interest rates, the impact of COVID-19 and lower cash on hand.
- \$10.7m increase in non-cash dedications including the Warriewood B-Line carpark from Transport for NSW.
- \$6.4m increase in other capital grants and contributions, including the recognition of a net \$4.7m in tied grants now spent but received in prior year years.

Table 1 Change in surplus (incl. capital grants and contributions) 2018/19 to 2019/20 (\$'m)



CONSULTATION

Council's external auditors have conducted audit procedures during the year as an interim to the verification of assets and liabilities at year-end, to assess the reliability of the general ledger to produce Financial Statements and in the preparation of the draft General and Special Purpose Financial Statements.

Council's Audit, Risk and Improvement Committee was provided with a draft of the General and Special Purpose Financial Statements for the year ended 30 June 2020 at a meeting on Thursday 3rd September 2020 for their assessment and advice. The Committee supported the draft 2019/20 Financial Statements as presented as suitable for consideration by Council for referral to audit subject to minor amendments recommended by the Committee. Recommendations from the Audit, Risk and Improvement Committee were incorporated into the draft General and Special Purpose Financial Statements contained in the attachment booklet.

TIMING

Council's Financial Statements for a year must be prepared and audited in accordance with the Act, i.e. within four months after the end of the year concerned.

LINK TO 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

The attached statements fairly present Council's operating result and financial position for the financial year 1 July 2019 to 30 June 2020 and accord with relevant accounting records.

Council has achieved a Net Operating Result for the 2019/20 financial year of \$18.6m surplus (2018/19: \$28m surplus) and a Net Operating Result before Capital Grants and Contributions of \$16.5m deficit (2018/19: \$9.9m surplus).

The financial result for the year, which is the subject of this report, has been significantly impacted by the COVID-19 pandemic and natural disaster-declared storms. While the Council did not meet the Operating Performance ratio benchmark of 0% at this time, the Council has met all other financial and asset performance ratios and working capital is sufficient to meet the Council's operating requirements. The net cost to Council of the COVID-19 pandemic to 30 June 2020 is \$11 million.

The preparation, compilation and audit of Council's General and Special Purpose Financial Statements have been provided for in Council's annual budget.

SOCIAL CONSIDERATIONS

There are no significant social considerations relating to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental considerations relating to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Financial Statements for the year ended 30 June 2020 were considered by the Audit, Risk and Improvement Committee for presentation to Council. The General Purpose Financial Statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the Local Government Act (1993) (NSW) and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting.

Annual Financial Statements**Northern Beaches Council****General purpose financial statements**

for the year ended 30 June 2020

Statement by Councillors and Management

made pursuant to Section 413(2c) of the Local Government Act 1993 (NSW) (as amended)

The attached general purpose financial statements have been prepared in accordance with:

- the Local Government Act 1993 (NSW) (as amended) and the regulations made thereunder
- The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these statements:

- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

We are not aware of any matter that would render this report false or misleading in any way.

Signed in accordance with a resolution of Northern Beaches Council made on 29 September 2020.

Michael Regan
Mayor

Councillor

David Walsh
Responsible Accounting Officer

Ray Brownlee
Chief Executive Officer

Annual Financial Statements

Northern Beaches Council

Special purpose financial statements

for the year ended 30 June 2020

Statement by Councillors and Management

made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

The attached Special Purpose Financial Statements have been prepared in accordance with:

- the NSW Government Policy Statement *"Application of National Competition Policy to Local Government"*
- Division of Local Government Guidelines *"Pricing & Costing for Council Businesses - A Guide to Competitive Neutrality"*
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these statements:

- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records.

We are not aware of any matter that would render these reports false or misleading in any way.

Signed in accordance with a resolution of Northern Beaches Council made on 29 September 2020.

Michael Regan

Mayor

Councillor

David Walsh

Responsible Accounting Officer

Ray Brownlee

Chief Executive Officer

ITEM 9.2	MONTHLY INVESTMENT REPORT - AUGUST 2020
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2020/524082
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 \$158,270,262 comprising:

- Trading Accounts \$5,479,449
- Investments \$152,790,813

Performance over the period from 1 July 2020 to date was strong having exceeded the benchmark: 1.19%pa vs. 0.70%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.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council receives and notes the Investment Report as at 31 August 2020, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

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.

LINK TO 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 2020 to date was \$309,163 compared to budgeted income of \$288,374, a positive variance of \$20,789.

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"*.

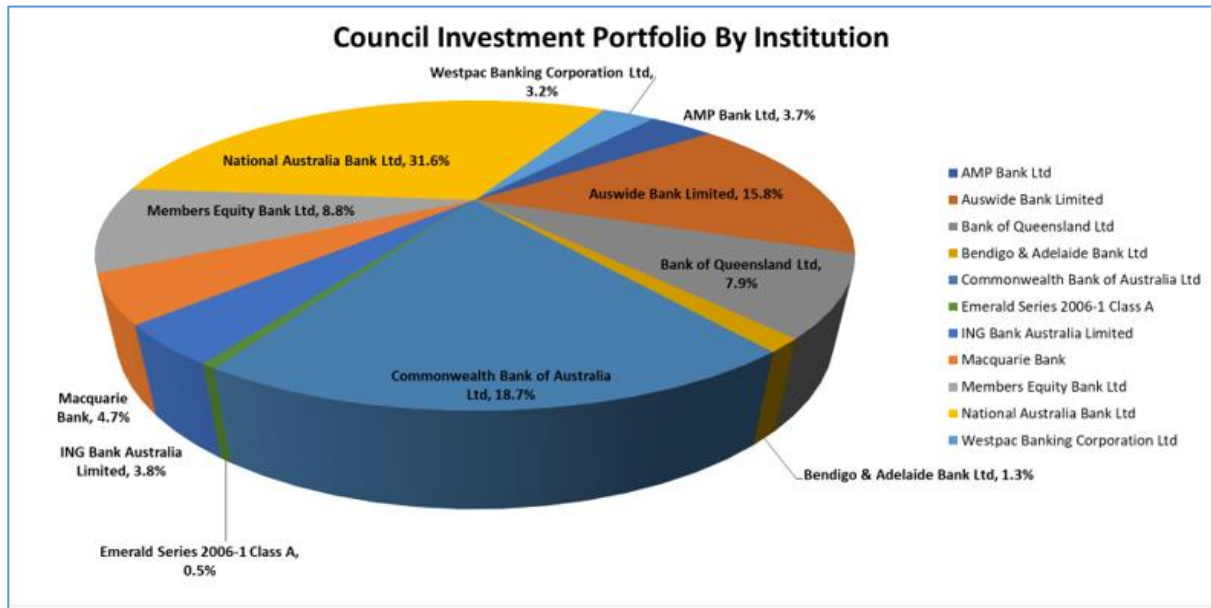
The Investment Policy was reviewed by the Audit, Risk and Improvement Committee at their meeting in December 2019, and no change to the Policy was required following that review.

Investment Balances

INVESTMENT BALANCES				
As at 31-Aug-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	3,913,923		0.30%
National Australia Bank Ltd	A1+	27,766		0.00%
		3,941,689		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	6,431,875	At Call	0.60%
		6,431,875		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	AAA	764,451	21-Aug-51	0.5485%
		764,451		
Term Deposits				
Westpac Banking Corporation Ltd	A1+	3,000,000	01-Sep-20	1.70%
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%
Macquarie Bank	A1	3,000,000	17-Sep-20	1.70%
Members Equity Bank Ltd	A2	3,000,000	22-Sep-20	1.15%
Members Equity Bank Ltd	A2	3,000,000	24-Sep-20	1.15%
Members Equity Bank Ltd	A2	2,000,000	06-Oct-20	1.15%
Members Equity Bank Ltd	A2	2,000,000	08-Oct-20	1.15%
National Australia Bank Ltd	A1+	2,000,000	13-Oct-20	0.60%
Members Equity Bank Ltd	A2	2,000,000	13-Oct-20	1.15%
National Australia Bank Ltd	A1+	2,000,000	15-Oct-20	0.85%
National Australia Bank Ltd	A1+	2,000,000	20-Oct-20	0.75%
ING Bank Australia Limited	A1	2,000,000	22-Oct-20	1.60%
National Australia Bank Ltd	A1+	2,000,000	27-Oct-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	27-Oct-20	0.85%
National Australia Bank Ltd	A1+	2,000,000	29-Oct-20	0.85%
National Australia Bank Ltd	A1+	2,000,000	03-Nov-20	0.85%
National Australia Bank Ltd	A1+	2,000,000	05-Nov-20	0.85%
National Australia Bank Ltd	A1+	2,000,000	10-Nov-20	0.75%
Auswide Bank Limited	A2	2,000,000	10-Nov-20	1.60%
Auswide Bank Limited	A2	2,000,000	12-Nov-20	1.72%
National Australia Bank Ltd	A1+	3,000,000	17-Nov-20	0.73%
National Australia Bank Ltd	A1+	2,000,000	17-Nov-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	19-Nov-20	0.75%
AMP Bank Ltd	A2	900,000	19-Nov-20	1.65%
Bank of Queensland Ltd	A2	2,000,000	24-Nov-20	1.00%
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%
National Australia Bank Ltd	A1+	2,000,000	08-Dec-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	08-Dec-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	10-Dec-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	15-Dec-20	0.75%
National Australia Bank Ltd	A1+	2,000,000	17-Dec-20	0.75%

INVESTMENT BALANCES				
As at 31-Aug-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
National Australia Bank Ltd	A1+	3,000,000	17-Dec-20	0.73%
National Australia Bank Ltd	A1+	2,000,000	18-Dec-20	0.70%
National Australia Bank Ltd	A1+	4,000,000	21-Dec-20	0.70%
Auswide Bank Limited	A2	3,000,000	05-Jan-21	1.65%
National Australia Bank Ltd	A1+	2,000,000	12-Jan-21	0.73%
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%
National Australia Bank Ltd	A1+	2,000,000	21-Jan-21	0.70%
AMP Bank Ltd	A2	1,500,000	21-Jan-21	1.55%
Bank of Queensland Ltd	A2	2,000,000	28-Jan-21	1.05%
Bank of Queensland Ltd	A2	1,000,000	02-Feb-21	0.80%
Auswide Bank Limited	A2	1,000,000	04-Feb-21	1.65%
Auswide Bank Limited	A2	2,000,000	11-Feb-21	1.72%
AMP Bank Ltd	A2	2,000,000	16-Feb-21	0.80%
National Australia Bank Ltd	A1+	2,000,000	18-Feb-21	0.70%
Auswide Bank Limited	A2	2,000,000	23-Feb-21	0.85%
Auswide Bank Limited	A2	2,500,000	23-Feb-21	1.65%
Auswide Bank Limited	A2	2,500,000	25-Feb-21	0.85%
Auswide Bank Limited	A2	2,000,000	25-Feb-21	1.65%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.80%
Bank of Queensland Ltd	A2	2,500,000	30-Mar-21	0.75%
Bank of Queensland Ltd	A2	1,000,000	13-Apr-21	0.80%
Bank of Queensland Ltd	A2	2,000,000	27-Apr-21	0.75%
Bank of Queensland Ltd	A2	1,000,000	11-May-21	0.85%
		125,400,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,537,760		0.00%
		1,537,760		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,032,890	At Call	0.10%
Commonwealth Bank of Australia Ltd	A1+	763,835	At Call	0.20%
		1,796,725		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	11-Sep-20	0.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	24-Sep-20	0.71%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	24-Oct-20	0.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Nov-20	0.74%
Commonwealth Bank of Australia Ltd	A1+	9,897,762	24-Nov-20	0.75%
		15,897,762		
Stronger Communities Fund Round 2				
Term Deposits				
Macquarie Bank	A1	2,500,000	10-Sep-20	1.70%
		2,500,000		
Total Cash and Investments		158,270,262		

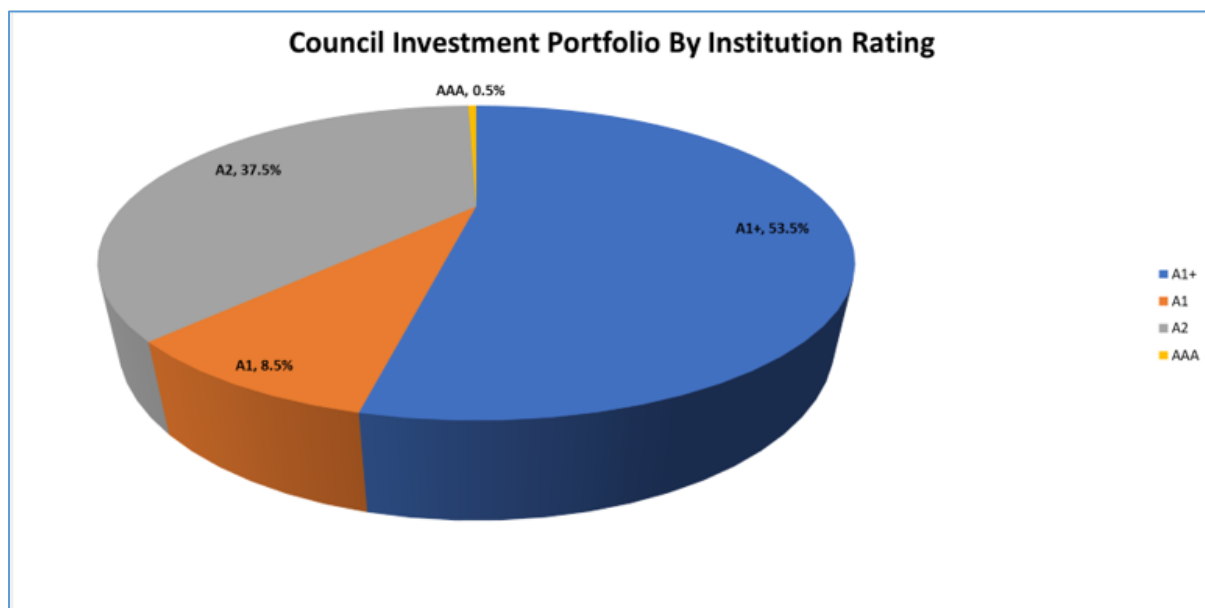
PORTFOLIO ANALYSIS



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)



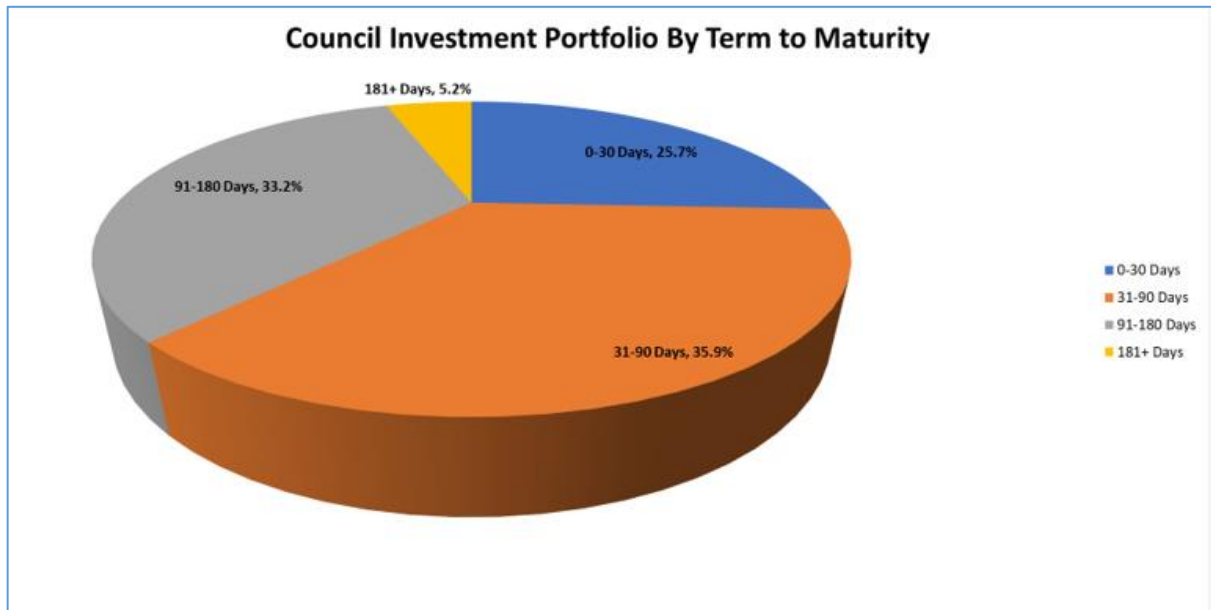
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

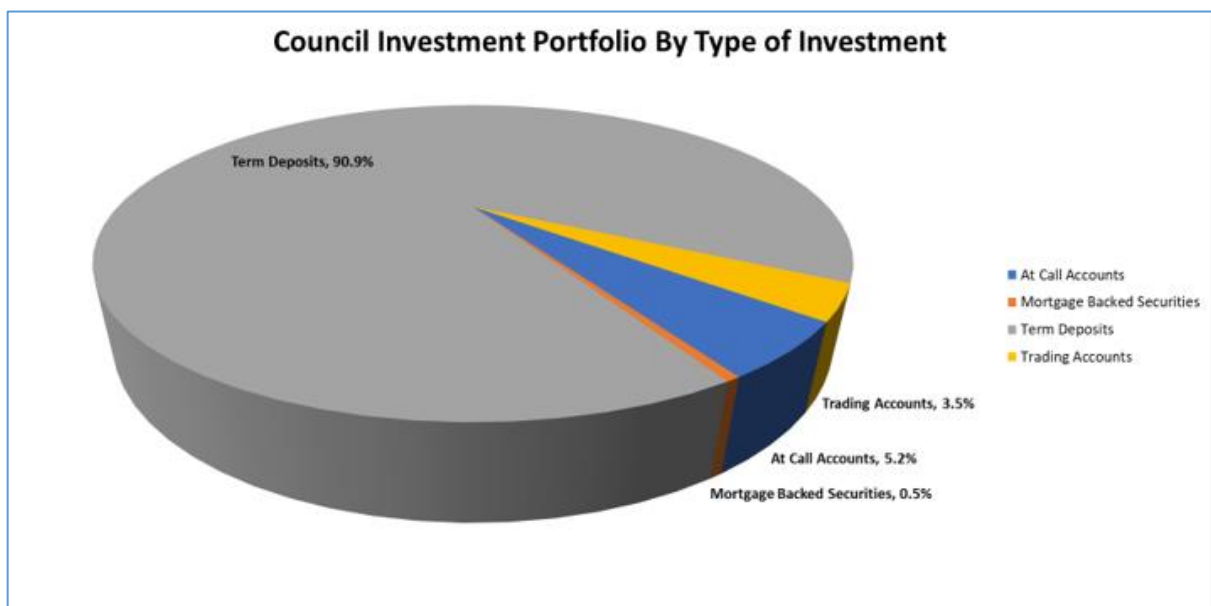
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

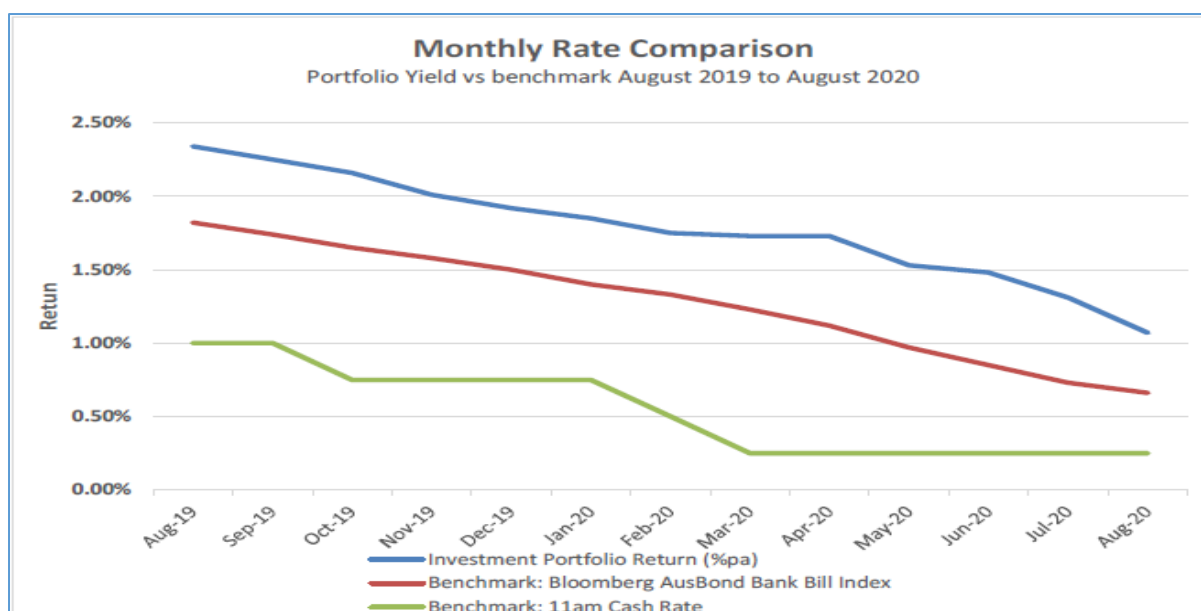


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	1.07%	0.66%	0.25%
3 Months	1.29%	0.75%	0.25%
6 Months	1.48%	0.93%	0.25%
FYTD	1.19%	0.70%	0.25%
12 Months	1.73%	1.23%	0.50%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

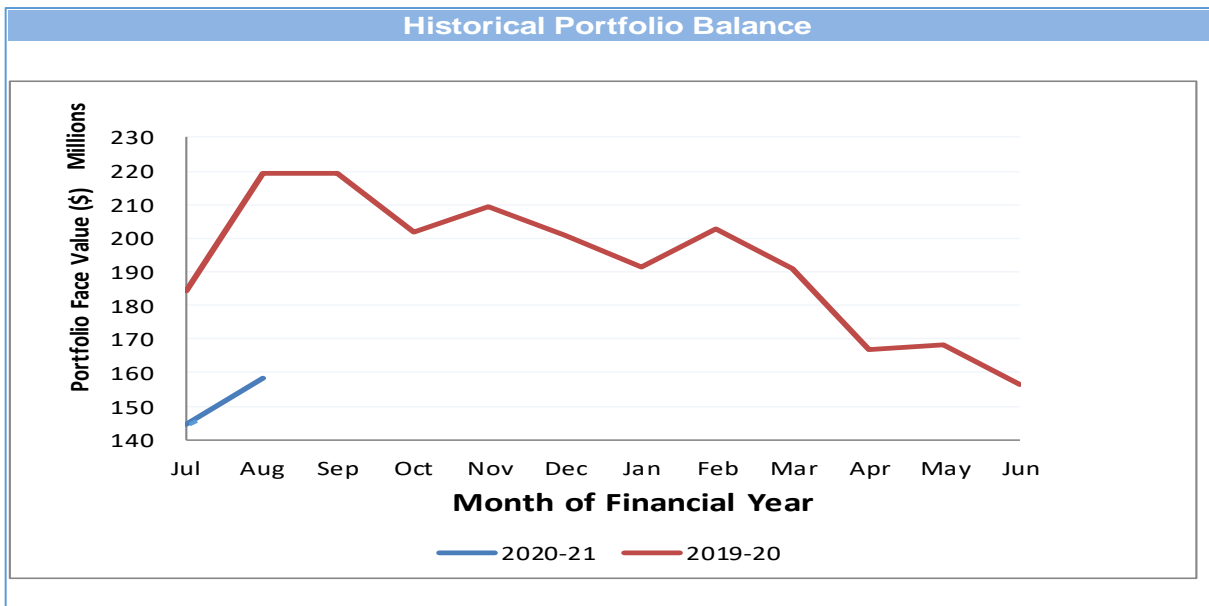


MONTHLY INVESTMENT INCOME* VS. BUDGET

	Aug 2020 \$	Year to Date \$
Investment Income	144,582	304,114
Adjustment for Fair Value	5,052	5,049
Total Investment Income	149,634	309,163
Budgeted Income	131,853	288,374

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2020-21	2019-20
Jul	144,611,603	184,317,848
Aug	158,270,262	219,369,559
Sep		219,459,189
Oct		201,971,383
Nov		209,221,468
Dec		200,959,271
Jan		191,226,461
Feb		202,672,569
Mar		190,792,653
Apr		166,981,616
May		168,080,277
Jun		156,257,927
Average Portfolio Balance	151,440,933	192,609,185



Statement of Compliance

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

Investment Policy Compliance

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

ECONOMIC NOTES

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

Quarter 2 GDP reports for major economies showed that most fell around 10% quarter-on-quarter. The United States fared a touch better with GDP falling at an annualised rate of 31.7%, or down 7.9% quarter-on-quarter while Europe was worse, down 12.1% quarter-on-quarter. Australian Quarter 2 GDP is due to be released this week and the market expects a fall of around -6.0% which would place the country as one of the better performers in what has been the worst quarter for the global economy since the 1930s.

In the US, economic readings continued to strengthen mostly during August despite continuing civil unrest and high Covid-19 infection rates causing tighter restrictions in some states. Housing activity at the leading edge of economic activity has been very strong. While housing readings have been the standout indicators of recovery in the US, July retail sales were firm, up 1.2% month-on-month and industrial production in July was up 3.0% month-on-month. July non-farm payrolls rose by 1,763,000 and the unemployment rate fell to 10.2% in July. Even with these strong economic readings in June and July the US economy has a long way to go to get back to where it was before the Covid-19 crisis. Back then the unemployment rate was down at 3.5% and with inevitable bumps along the road to recovery it will take several years for the unemployment rate to fall towards a similarly low rate again. The Federal Reserve (Fed) remains cautious about the US economic outlook and the latest statement from Fed Chairman Jerome Powell has changed the Fed's operating target for inflation to an average rate that allows inflation to overshoot on the upside of target for some time without requiring the Fed to tighten policy.

In China, the bounce off the bottom of the Covid-19 economic downturn has started. GDP rose 3.2% year-on-year in Quarter 2 after falling 6.8% in Quarter 1. June and July monthly readings point to the recovery continuing but at relatively modest pace and missing a key element evident elsewhere, a lift in retail spending. The best of China's recovery has been in exports, up in July by 7.6% year-on-year, and industrial production, up 4.8% year-on-year in July. Government stimulus spending in China has been modest by international comparison, one reason why fixed asset investment spending is comparatively weak, down by 1.6% month-on-month in July. Retail sales too remained weak in July and were down 1.1% year-on-year still a far cry from pre-covid-19 readings running closer to +10% year-on-year. Weak retail sales and its corollary high household savings indicate Chinese households' lack of belief that the authorities have their interest at heart and can lift economic activity in a way that benefits them.

In Europe, Quarter 2 GDP fell by 12.1% quarter-on-quarter and is down 15.0% year-on-year. May, June and July economic readings point to some recovery in Quarter 3 even with a pronounced second wave of Covid-19 infections developing in France and Spain in particular. June retail sales rose strongly by 5.7% month-on-month while industrial production lifted 9.1% month-on-month after a 12.3% increase. Europe's unemployment rate has barely risen through the Covid-19 crisis standing at 7.8% in June. Government income support to those affected by Covid-19 shutdowns has been generous by international comparison and most certain to continue. The EU has also set out a clear and substantial fiscal stimulus program to assist European economic recovery. While Covid-19 flare ups can dent recovery prospects, those dents are likely to be small in Europe given the commitment to recovery spending by European Governments and backed by the ECB continuing to provide whatever support it can.

In Australia, Quarter 2 GDP will be released on Wednesday and is expected to show a fall of around 6.0% quarter-on-quarter, -5.3% year-on-year compared with Quarter 1 -0.3% quarter-on-quarter, +1.4% year-on-year. The back-to-back quarterly falls will confirm that Australia has been in technical recession for the first time since 1991. At the beginning of August increasing restrictions in Victoria to contain a second wave Covid-19 outbreak plus setbacks reducing restrictions elsewhere threatened to stifle economic recovery and deliver another negative GDP quarter in Quarter 3. As the month has progressed that now seems less likely with some July economic readings coming in noticeably stronger than expected.

ITEM 9.3	LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2020
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/528586
ATTACHMENTS	1 ↓ LGNSW Annual Conference 2020 Program

BRIEF REPORT

PURPOSE

To determine the councillor voting delegates to attend the online Local Government NSW (LGNSW) Annual Conference 2020.

REPORT

The LGNSW Annual Conference is progressing in a condensed online format on Monday 23 November 2020.

This conference is the main policy making event for the local government sector and an opportunity for councillors to share ideas and debate current issues. This year's theme will focus on community resilience.

Delegates

Northern Beaches Council may determine up to 10 voting delegates to vote on behalf of Northern Beaches Council on policy motions. Council is required to confirm and register its nominated voting delegates by Tuesday 3 November 2020.

The following councillors have expressed an interest in attending the online conference:

- Cr Michael Regan
- Cr Kylie Ferguson
- Cr Ian White
- Cr Sue Heins
- Cr Stuart Sprott

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

Funds are allocated from the 2020/21 budget for councillor attendance at conferences in accordance with the Councillor Expenses and Facilities Policy. The event will be held online this year reducing the costs of this conference.

ENVIRONMENTAL CONSIDERATIONS

Councillors interact with other metropolitan, regional and rural councils to share knowledge of trends and ideas across the sector and to explore and progress opportunities for improving the environmental impact, and sustainability and resilience of the local government sector.

SOCIAL CONSIDERATIONS

Councillors interact with other metropolitan, regional and rural councils to share knowledge of trends and ideas across the sector and to explore and progress opportunities for improving the social impacts of the local government sector.

GOVERNANCE AND RISK CONSIDERATIONS

Councillors have an opportunity to submit motions to the LGNSW Annual Conference to further the strategic capacity and policy position of local government. Councillors interact with other metropolitan, regional and rural councils to share knowledge of trends and ideas across the sector and explore opportunities to further governance and risk management within the local government sector.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council nominates the following councillors to attend the online Local Government NSW Annual Conference on Monday 23 November 2020 as voting delegates:

- A. Cr Michael Regan
- B. Cr Kylie Ferguson
- C. Cr Ian White
- D. Cr Sue Heins
- E. Cr Stuart Sprott



Annual Conference 2020

Monday 23rd November 2020

DRAFT PROGRAM (as of 9 sept 2020) for website

MONDAY 23 NOVEMBER 2020 – Business Session	
8.45am	Demonstration of voting procedure and getting online.
9.00am – 9.05am	Conference introduction by Scott Phillips , Chief Executive, LGNSW
9.05am – 9.45am (15 min speech, 15 mins motions, 10 mins treasurer)	<p>President's Welcome: Address by Cr Linda Scott, President, LGNSW Acknowledgement of Country and Opening of conference</p> <p>Opening of the Federal Conference: adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members, business session and consideration of motions.</p> <p>Opening of the State Conference including adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members, business sessions, and consideration of motions.</p> <p>Chaired by Cr Linda Scott Treasurer's report, Cr Jerome Laxale, Treasurer, LGNSW Adoption of the Treasurer's report</p>
9.45am – 10.35am	<p>Meet the Politicians Forum with Masters of Ceremony: Cr Linda Scott, President and Scott Phillips, CE, LGNSW</p> <p>Presentation from Premier of NSW, The Hon Gladys Berejiklian (15 mins) pre-record</p> <p>Followed by the Politicians' panel & Q&A: What is the best way for State Government to partner with councils to assist in a locally led recovery?</p> <ul style="list-style-type: none"> • The Hon Shelley Hancock MP, Minister for Local Government (invited) • Ms Jodi McKay, Leader of the Opposition (invited) • Mr David Shoebridge, MLC

10.35am – 11.15am	<p>Presentation: Facilitated by Linda Scott</p> <p>Keynote address: Building resilience through partnership.</p> <p>Presented by Commissioner of Resilience NSW, Shane Fitzsimmons (sponsor) (10 mins)</p> <p>Panel: Recovery and Resilience & Q&A: local strategies and actions to prepare for, recover from and build resilience to disasters and crisis.</p> <ul style="list-style-type: none"> • Leanne Barnes OAM, GM, Bega Shire Council • Mick Willing, NSW Assistant Police Commissioner, Bushfire Recovery • Shane Fitzsimmons, Commissioner of Resilience NSW
11.15am – 11.30am	<ul style="list-style-type: none"> • Sponsor address • Presentation of the AR Bluett Awards by the Trustees
11.30am – 11.45am	LGNSW President and Elite Sponsor presents Outstanding Service Awards to elected members
12.00pm – 12.30pm	<p>General Manager's Virtual Lunch (sponsor) (exclusive to GMs)</p> <p>Delegates break for lunch</p>
12.30pm-4.30pm	Conference business if required

ITEM 9.4	EXTENSION OF COUNCILLOR APPOINTMENTS - COMMITTEES AND STRATEGIC REFERENCE GROUPS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/531052
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To seek the extension of existing councillor appointments to committees and Strategic Reference Groups to the end of the current electoral term.

REPORT

The appointment of councillors to the membership of Strategic Reference Groups and certain committees must be resolved by Council in line with Council's committee framework and each committees' adopted Terms of Reference.

Councillor appointments were adopted by resolution 402/19 at the 26 November 2019 Council Meeting for the following committees:

- Community and Belonging Strategic Reference Group
- Economic and Smart Communities Strategic Reference Group
- Environment Strategic Reference Group
- Partnership and Participation Strategic Reference Group
- Places for People Strategic Reference Group
- Transport and Travel Strategic Reference Group
- Audit Risk and Improvement Committee
- Ingleside Community Reference Group
- Community Safety Committee
- Northern Beaches Flood Plain Management Committee

The intent of the resolution was for councillor representation to be effective up until the day prior to the local government election. In keeping with this intent, it is proposed to extend the existing appointments to the day prior to the postponed local government election which has been scheduled for Saturday 4 September 2021.

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.

The SRGs and Council committees are aligned to the community outcomes of the Shape 2028 Northern Beaches Council Community Strategic Plan in order to address the goals and strategies identified through this plan.

FINANCIAL CONSIDERATIONS

The recommendation within this report poses no financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

As affirmed through its Community Engagement Framework, Northern Beaches Council recognises that community engagement and participation processes are a vital part of local democracy. Effective engagement is key to the Northern Beaches Council commitment to our community, and underpins good business practice and sound governance.

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

GOVERNANCE AND RISK CONSIDERATIONS

The representation and membership across Council's SRGs and Council committees is in line with the Community Engagement Policy adopted by Council in February 2017. The Community Engagement Framework consists of a range of targeted approaches for consistent and effective communication, involving and collaborating via SRGs, agencies, key stakeholders, groups and the broader community.

Councillor representation for the relevant SRGs and committees is recommended to be extended to 3 September 2021, the day prior to the NSW Local Government election.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council determine to extend the existing councillor representation to 3 September 2021, or the day prior to the rescheduled NSW Local Government elections, whichever is the latest, as follows:

Strategic Reference Groups	Representation	Council Representative
Community and Belonging	Mayor (or delegate) plus 3 Councillors	Councillor Ferguson (Chair) Councillor Philpott Councillor Bingham Councillor Grattan
Economic and Smart Communities	Mayor (or delegate) plus 3 Councillors	Councillor Regan (Chair) Councillor Heins Councillor Walton Councillor Sprott
Environment	Mayor (or delegate) plus 3 Councillors	Councillor Warren (Chair) Councillor Sprott Councillor Daley OAM Councillor McTaggart
Transport and Travel	Mayor (or delegate) plus 3 Councillors	Councillor Grattan (Chair) Councillor Regan Councillor Amon

Strategic Reference Groups	Representation	Council Representative
		Councillor Ferguson
Partnership and Participation	Mayor (or delegate) plus 3 Councillors	Councillor Heins (Chair) Councillor Regan Councillor Philpott Councillor Ferguson
Places for People	Mayor (or delegate) plus 3 Councillors	Councillor White (Chair) Councillor Regan Councillor Sprott Councillor Bingham
Statutory Committees		
Audit Risk and Improvement Committee	3 Councillors	Councillor Walton Councillor Heins Councillor Grattan
Council Joint Stakeholder Committees		
Ingleside Community Reference Group	2 Councillors	Councillor Ferguson (Chair) Councillor De Luca
Northern Beaches Flood Plain Management Committee	Mayor or delegate and 2 Councillors	Councillor McTaggart (Chair) Councillor Warren Councillor Heins
Community Safety Committee	5 Councillors (up to 1 per ward)	Councillor Regan (Chair) Councillor Bingham Councillor Heins Councillor Sprott Councillor Ferguson

ITEM 9.5	COUNCILLOR EXPENSES 1 JANUARY 2020 TO 30 JUNE 2020
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/533892
ATTACHMENTS	1 ↓ Councillor Expenses 1 January 2020 to 30 June 2020

SUMMARY

PURPOSE

To report on the expenditure of councillors for the period 1 January 2020 to 30 June 2020 in accordance with section 17.2 of the Councillor Expenses and Facilities Policy.

EXECUTIVE SUMMARY

The Northern Beaches Council Councillor Expenses and Facilities Policy (the Policy) was adopted on 28 August 2018, and outlines the payment of expenses incurred by, and the provision of facilities to the mayor and councillors. The provision of facilities and expenses assists the mayor and councillors to fulfil their roles and responsibilities under the Local Government Act 1993 (NSW) and provides reasonable recompense for expenses incurred in undertaking civic duties.

Under clause 17.2 of the Policy a report detailing the provision of facilities and reimbursed expenses to councillors is to be tabled to Council and made available on Council's website. The councillor expenditure report below details the total expenditure as reimbursed to each councillor for the period 1 January 2020 to 30 June 2020.

The Council resolved at the 25 August 2020 Council meeting (Resolution 205/20) to publish the councillor expenses within councillor profiles on the website.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the councillor expenditure in accordance with the Councillor Expenses and Facilities Policy over the period 1 January 2020 to 30 June 2020.

REPORT

BACKGROUND

A policy for councillor expenses and facilities is required under sections 252 and 253 of the Local Government Act 1993 (the Act), and clause 403 of the Local Government (General) Regulation 2005.

Under clause 17.2 – Reporting of the Policy, a report on the provision of expenses to councillors is to be provided to Council every six months and made available to the public through Council's website.

Reimbursement for expenses as detailed under the Councillor Expenses and Facilities Policy is provided as follows as an excerpt from the Policy:

Expense or facility	Maximum amount (per councillor)	Frequency
Other Expenses (include - meals, travel expenses in association with conferences, training, seminars, cost of attending official non-council functions including the cost of the Mayor's guest as an official invitee where applicable, publication subscriptions and annual memberships for professional bodies)	\$5,000	\$5,000 per annum
Professional Development and Training Seminars / Conferences (within NSW) Seminars / Conferences (excluding NSW) Registration and Accommodation (travel and meals come under Other Expenses)	\$5,000	\$5,000 per annum
Professional Development and Training Fund for Director's Courses (must be undertaken within 12 months of election)	Up to \$10,000	First 12 months following Council election
Vehicle – private use (includes mileage claims for private vehicle use for official business)	Refer to Section 7.3 Allowances for the use of a private vehicle will be reimbursed at the rate contained in the Local Government (State) Award .	
Home Office Expenses	\$1,000	Per annum
Child Care and/or Family Member Care	\$2,000	Per annum
Information Communications Technology (ICT expenses)	\$75 per month – standard domestic phone service \$70 per month – domestic internet service	Total of \$1,740 per annum
ICT equipment, including download of applications (apps)	Mobile phone and tablet (eg Ipad Air Pro) provided by Council	\$3,000 upon election

CONSULTATION

Councillors are provided with a monthly update tracking their individual councillor expenses, or on demand as requested. Councillors were provided an opportunity to review their individual expenditure from 1 January 2020 to 30 June 2020.

TIMING

The Councillor Expenses and Facilities Policy requires the reporting of councillor expenses each six months.

LINK TO 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

The financial commitment for councillor expenses and facilities is outlined within the Councillor Expenses and Facilities Policy adopted by Council on 28 August 2018. Provision for expenses and facilities was included within the existing operational budgets for the 2019/20 financial year.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts relating to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The Councillor Expenses and Facilities Policy is required under sections 252 and 253 of the Act, and clause 403 of the Local Government (General) Regulation 2005. The reporting of expenses reimbursed to councillors is to be tabled at a Council meeting and made available on Council's website under clause 17.2 of the Councillor Expenses and Facilities Policy.

Councillor Expenditure 1 January 2020 to 30 June 2020
(excluding internal charges for councillor ICT and meetings)

Councillor	Amount \$
Cr Amon	335
Cr Bingham	2,467
Cr Daley	2,367
Cr De Luca	2,428
Cr Ferguson	2,193
Cr Grattan	80
Cr Harrison	190
Cr Heins	1,072
Cr McTaggart	0
Cr Philpott	731
Cr Sprott	1,621
Cr Walton	382
Cr Warren	107
Cr White	1,630
Mayor Regan	12,309
Total councillor expenditure	27,911

ITEM 9.6	CONFIRMED MINUTES OF THE STRATEGIC REFERENCE GROUP MEETINGS - MAY 2020
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/388289
ATTACHMENTS	<ol style="list-style-type: none"> 1 Minutes - Community & Belonging SRG - 13 May 2020 (Included In Attachments Booklet) 2 Minutes - Economic & Smart Communities SRG - 20 May 2020 (Included In Attachments Booklet) 3 Minutes - Environment SRG - 21 May 2020 (Included In Attachments Booklet) 4 Minutes - Partnership & Participation SRG - 6 May 2020 (Included In Attachments Booklet) 5 Minutes - Places for People SRG - 7 May 2020 (Included In Attachments Booklet) 6 Minutes - Transport & Travel SRG - 14 May 2020 (Included In Attachments Booklet)

REPORT

PURPOSE

To report the minutes of the six Strategic Reference Group meetings held during May 2020.

REPORT

The minutes of the six Strategic Reference Group (SRG) meetings held during May are provided at Attachments 1-6 for Council to note.

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

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

In accordance with the SRG Terms of Reference requirements the following meeting minutes are now put to Council to note:

Strategic Reference Group	Meeting Date
Community & Belonging	13 May 2020
Economic & Smart Communities	20 May 2020
Environment	21 May 2020
Partnership & Participation	6 May 2020

Strategic Reference Group	Meeting Date
Places for People	7 May 2020
Transport & Travel	14 May 2020

LINK TO STRATEGY

The SRGs are aligned to the community outcomes of the Community Strategic Plan in order to address the goals and strategies identified through this plan.

FINANCIAL CONSIDERATIONS

SRG meetings are supported under existing operational budgets.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

The Environment SRG contributes advice regarding Council's management of the environment and natural hazards in accordance with the Community Strategic Plan outcome areas.

GOVERNANCE AND RISK CONSIDERATIONS

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

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the confirmed minutes of the:

1. Community and Belonging Strategic Reference Group Meeting held on 13 May 2020.
 2. Economic and Smart Communities Strategic Reference Group Meeting held on 20 May 2020.
 3. Environment Strategic Reference Group Meeting held on 21 May 2020.
 4. Partnership and Participation Strategic Reference Group Meeting held on 6 May 2020.
 5. Places for People Strategic Reference Group Meeting held on 7 May 2020.
 6. Transport and Travel Strategic Reference Group Meeting held on 14 May 2020.
-

ITEM 9.7	CONFIRMED MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 9 JUNE 2020
REPORTING MANAGER	EXECUTIVE MANAGER INTERNAL AUDIT AND COMPLAINTS RESOLUTION
TRIM FILE REF	2020/567247
ATTACHMENTS	1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 9 June 2020

BRIEF REPORT

PURPOSE

To report the confirmed minutes of the Audit, Risk and Improvement Committee meeting held on 9 June 2020.

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 9 June 2020 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 the existing budget.

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 9 June 2020.



MINUTES

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

held on

TUESDAY 9 JUNE 2020



MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

09 JUNE 2020

**Minutes of the Audit, Risk and Improvement Committee Meeting
held on Tuesday 9 June 2020 commencing at 2:02pm****ATTENDANCE:** (via remote audio visual link):**Voting Members of the Committee**

Mr Stephen Horne (Chair)
Mr Mark McCoy
Ms Sarah Richardson
Ms Julie Walton
Cr Sarah Grattan
Cr Sue Heins
Cr David Walton

Council Officers (non-voting)

Mr Ray Brownlee PSM	Chief Executive Officer
Mr Jeff Smith	Director Corporate & Legal
Mr Naren Gangavarapu	Chief Information Officer
Mr David Walsh	Chief Financial Officer
Ms Caroline Foley	Executive Manager Financial Planning & Systems
Mr Mark Jones	Executive Manager Strategy Performance & Improvement
Ms Sonya Gallery	Executive Manager Governance & Risk
Ms Deirdre Cooper	Executive Manager Internal Audit & Complaints Resolution
Mr Carel Bothma	Executive Manager Human Resources
Mr Chris Wilson	Manager Information Management
Mr Rob Koopman	Manager Insurance & Risk
Ms Aline Brito Fernandes	Internal Auditor
Ms Julieri De Florio	Business Support Coordinator
Ms Pamela Tasker	Administration Officer Internal Audit

Council Auditors (non-voting)

Ms Sarah Cain	Internal Audit Partner, KPMG
Ms Aisling Kilgannon	Associate Director, Enterprise Advisory, KPMG
Mr Gareth Fitzpatrick	Manager, Enterprise Advisory, KPMG
Mr Steven Robertson	Associate Director, KPMG
Ms Karen Taylor	Director of Financial Audit Services, Audit Office of NSW

Table Of Contents

1.0	APOLOGIES	4
2.0	DISCLOSURES OF INTEREST	4
3.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	4
4.0	AGENDA ITEMS RESOLVED BY EXCEPTION	4
5.0	ACTION ITEMS FROM MINUTES	4
5.1	Action Items from Minutes	5
6.0	STANDING ITEMS	5
6.1	Verbal Update by the Chief Executive Officer	5
6.2	Finance Update	7
7.0	IMPROVEMENT	8
7.1	Northern Beaches Council Improvement Report	8
8.0	FRAUD AND RISK MANAGEMENT	9
8.1	Governance, Risk and Compliance Update	9
9.0	SPECIAL AGENDA ITEMS	10
9.1	Cashflow Update	10
9.2	Wellbeing Survey Results	10
10.0	EXTERNAL AUDIT	12
11.0	INTERNAL AUDIT	12
11.1	Internal Audit Activity Update	12
11.2	Implementation of Internal Audit Recommendations	13
11.3	Complaints Resolution Update	14
13.0	NEXT MEETING	15
CLOSED SESSION		
12.0	GENERAL BUSINESS	15
12.1	Audit, Risk and Improvement Committee Assessment of Performance	15



MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

09 JUNE 2020

NOTES

1. Acknowledgement of Country: The Chair acknowledged the traditional custodians of the lands on which meeting participants gathered and paid respect to Elders past and present.
2. The Chief Executive Officer called for nominations for the position of Chair of the Audit, Risk and Improvement Committee.
3. Mr Stephen Horne was elected for a second term unopposed.

1.0 APOLOGIES

Nil.

2.0 DISCLOSURES OF INTEREST

Nil.

3.0 CONFIRMATION OF MINUTES**3.1 MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 10 MARCH 2020**

COMMITTEE RESOLUTION

That the Minutes of the Audit, Risk and Improvement Committee meeting held 10 March 2020, copies of which were previously circulated to all Members, are hereby confirmed as a true and correct record of the proceedings of that meeting excepting for the following amendments:

Page 15:

Mr Dickinson and Mr Mentis left the meeting at 4.54pm.

Mr Horne re-joined the meeting at 4.54pm.

Page 16:

Mr Walsh and Ms Foley re-joined the meeting at 4.55pm.

(Cr Heins / Cr Grattan)

4.0 AGENDA ITEMS RESOLVED BY EXCEPTION

Nil.



MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

09 JUNE 2020

5.0 ACTION ITEMS FROM MINUTES**5.1 ACTION ITEMS FROM MINUTES****PROCEEDINGS IN BRIEF**

Ms Deirdre Cooper, Executive Manager Internal Audit and Complaints Resolution, addressed the meeting on this item.

PURPOSE

To provide the Audit, Risk and Improvement Committee with a progress update on the actions arising from the Minutes of previous meetings of the Committee.

PRECIS

Action items arising from Audit, Risk and Improvement Committee meetings are minuted and responsibility assigned. Progress is tracked and reported to the Committee at subsequent meetings.

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the progress on actions arising from the Minutes of previous meetings.

(Cr Grattan / Cr Heins)

6.0 STANDING ITEMS**6.1 VERBAL UPDATE BY THE CHIEF EXECUTIVE OFFICER****PROCEEDINGS IN BRIEF**

Mr Ray Brownlee PSM, Chief Executive Officer, addressed the meeting on this item.

PURPOSE

To advise the Committee with a brief update on current issues, particularly those relating to areas of potential risk for Council.

PRECIS

The Chief Executive Officer provided the Committee with an update on current issues under consideration by Council, particularly any issues which presented a potential risk of which the Audit, Risk and Improvement Committee members should be aware.

DISCUSSION**Covid-19 Recovery:**

On advice from the NSW State Government some restrictions are being eased earlier than first anticipated. It is anticipated that this will flow through to an increase in revenue and some works projects being brought back on line.



MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

09 JUNE 2020

Council will use the opportunity provided by the interruption to international tourism to promote the northern beaches for local tourism to boost the local economy.

In anticipation of the easing of restrictions, Council has undertaken rigorous cleansing of facilities and the various town centres. Council is also planning community events to further stimulate the local economy.

A Local Contractors Program has been introduced: a list of local tradesmen and suppliers has been compiled and we are now making contact with a view to directing Council business their way.

Council has been conducting virtual Council meetings during the lockdown. As the chambers at Dee Why are not suitable to meet social distancing requirements in its standard configuration, Glen Street Theatre is being considered as an interim venue to hold public meetings.

Service Review:

The level and type of service provided by Council requires recalibration in collaboration with Councillors. Council will commence a service review with a report to be provided to Council in December. ARIC will be consulted as part of this process.

Credit Cards Audit:

A request was received from a member of the community for the NSW Audit Office to conduct an audit of the use of Council credit cards. Ms Taylor advised that the AO will finalise a review of credit card use next month.

Combustible Cladding on Buildings:

44 privately owned properties and 2 Council properties were inspected. A number of orders have been issued. A written report will be provided to the ARIC.

Staff Wellbeing during isolation:

The mental health and general wellbeing of staff has been addressed throughout the pandemic. Essential workers have been supported through concierges ensuring social distancing within facilities, widespread provision of sanitisers, etc. There have been daily staff updates and daily team meetings to support those working from home. All staff and long-term casuals were guaranteed employment from the outset of the pandemic.

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the verbal update by the Chief Executive Officer.

(Cr Walton / Cr Grattan)

NOTES

Mr Walsh and Ms Foley joined the meeting at 2.36pm.



MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

9 JUNE 2020

6.2 FINANCE UPDATE**PROCEEDINGS IN BRIEF**

Mr David Walsh, Chief Financial Officer, and Ms Caroline Foley, Executive Manager Financial Planning and Systems, addressed the meeting on this item.

PURPOSE

To provide an update on the financial performance of the Council as at 31 March 2020.

PRECIS

The Council's financial results will be temporarily impacted by the Covid-19 pandemic, which is forecast to cost the Council \$21m, of which \$8.7m relates to 2019/20. For the nine months to 31 March 2020 the operating result is \$4m behind budget.

With a deficit position forecast, the Council is unlikely to meet the Operating Performance ratio benchmark of 0% at this time. The Council has adjusted its capital expenditure to provide capacity to respond to the pandemic and retain our long term strong and sustainable position.

DISCUSSION

- The financial results for 2020 have been impacted by storms, bush fire mitigation measures and Covid-19.
- Council is focussed on containing Covid-19 effects to FY2020/21. There will be increased budget reporting to Council during this period.
- Council was granted an increase in the bank overdraft, which has not been required.
- Revenue has increased from low point since March reporting period.
- No effects with hardship requests and rates payments are tracking well. The true test will come in September following the issue of rates notices.
- There have been some unexpected downturns in revenue, such as advertising on bus shelters.
- There is a temporary higher staff leave balance due to cancelled leave during the pandemic, however, there should be an increased uptake in the second half of the year. All managers have automated dashboard alerts when leave exceeds eight weeks.

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the finance update as at 31 March 2020.

(Cr Grattan / Cr Heins)

NOTES

1. Mr Walsh and Ms Foley left the meeting at 2.51pm.
2. Mr Jones joined the meeting at 2.51pm.

7.0 IMPROVEMENT

7.1 NORTHERN BEACHES COUNCIL IMPROVEMENT REPORT

PROCEEDINGS IN BRIEF

Mr Mark Jones, Executive Manager Strategy Performance and Improvement, addressed the meeting on this item.

PURPOSE

To provide the Committee with an update on the Northern Beaches Council's continuous improvement program referred to as the IGNITE Program (Inspiring **G**reat **N**ew Ideas Towards **E**xcellence).

PRECIS

Over the past three months, the organisation has been focused on community safety and the associated implementation of the Public Health Orders related to the response to the Covid-19 pandemic. Whilst some services have had to close, other services have implemented improvements, adapting their service delivery model to meet the needs of our community. The improvement register specifically identifies these improvements and was presented for the information of the Committee. During this period, the rollout of the Business Excellence Strategy and associated implementation plans for the IGNITE Program has continued in a modified form and a brief update was provided for the information of the Committee.

ACTION ITEMS

- *That improvements are also sourced from a proactive perspective and included in the improvement register, where appropriate.*
- *That an additional colour coded column be added to the improvements register indicating improvements that are significant and of high impact.*
- *That less detail is provided on the less significant matters and additional detail on the more significant ones.*

DISCUSSION

- That the ABEF be recognised as a sound model to base improvements on, in the absence of the industry having no prescribed methodology of how to initiate and record improvements under the "I" in ARIC.
- That it be noted that there is a potential risk to the culture of Council due to Covid-19 and the future of Council's staff undertaking work from home on an ongoing basis.

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the progress of Council's continuous improvements program IGNITE (Inspiring **G**reat **N**ew Ideas Towards **E**xcellence) and the associated implemented improvements.

NOTE

Mr Jones left the meeting at 3.09pm.

8.0 FRAUD AND RISK MANAGEMENT

8.1 GOVERNANCE, RISK AND COMPLIANCE UPDATE

PROCEEDINGS IN BRIEF

Ms Sonya Gallery, Executive Manager Governance & Risk, and Mr Rob Koopman, Manager Risk & Insurance, addressed the meeting on this item.

PURPOSE

To provide the Audit, Risk and Improvement Committee (ARIC) with an update on governance, risk management and compliance activities.

PRECIS

The report provided an update to the ARIC on governance, risk management and compliance activities over the period December 2019 to February 2020.

ACTION ITEMS

- ***That in relation to the Enterprise Risk and Opportunity Management Policy:***
 - ***Risk Appetite Scope reference to ARIC being responsible for periodic oversight should be made consistent with the wording in the ARIC Charter.***
 - ***The ARIC Charter should be referenced in the Policy.***
 - ***All definitions should be listed alphabetically.***

DISCUSSION

Legislative Compliance:

- Legislative Compliance Register (Reliansys) implemented and the program provides updates including all relevant legislation.
- Reliansys did not offer a WHS module in the legislative package but it has now agreed to cost upgrades to software.
- The Director of Financial Audit Services, Audit Office of NSW, advised that few councils have Legislative Compliance software. This system exceeds the requirements of the Audit Office of NSW in terms of meeting legislative compliance.

Policy Harmonisation:

- The initial stage of the project is now complete with Council policies now integrated across the three former Councils. A suite of reviewed policies are now available for endorsement and will be released to public exhibition and Council in a staggered program.
- All forward reporting will deal with the current policy environment and ARIC involvement will be ongoing.

Fraud and Corruption Control

- Fraud and Corruption Risk Assessment Workshop held in May with results to be incorporated into the fraud and corruption functional risk register.
- A staff fraud and corruption awareness survey closed Friday.
- Training is being developed and a Fraud Awareness Week is scheduled for July – suggested both should cover both fraud and corruption and not be limited to fraud.
- All staff provided with guidance on being alert and aware in Covid-19 environment. An excellent response from IT in particular re cyber issues, remote environments, etc.
- Fraud & Corruption Committee: The Chief Executive Officer advised that he had full confidence in this committee set up and operations.

- The Executive Manager, Internal Audit & Complaints Resolution, advised that she has been investigating staff expertise in developing data analytic reports, particularly in relation to procurement.

Feedback on Strategic Risk Register

- Risks associated with the long term financial sustainability of Council should be considered, for example the pandemic has highlighted that impacts are possible and this needs to be identified. Although long term sustainability is monitored through Council's ability to fulfil all commitments in asset renewal and asset maintenance investment it is preferable to differentiate as asset standards can be subjective.
- Residual risks will be aligned to the tolerances and appetites outlined in the risk appetite statement once the drafting of the register and the assessment of risk severity has been completed.
- The risk severity should be further considered in relation to the major and severe categories, where some risk scoring may be underestimated.
- Consideration should be made to including strategic risks relating to corruption and to privacy.

COMMITTEE RESOLUTION

1. The Audit, Risk and Improvement Committee:
 - A. Noted the governance, risk management and compliance update.
 - B. Provided feedback on the:
 - i. Enterprise Risk and Opportunity Management Policy
 - ii. Draft Strategic Risk Register.

(Cr Grattan / Cr Heins)

NOTE

Mr Walsh joined the meeting at 3.53pm.

9.0 SPECIAL AGENDA ITEMS**9.1 CASHFLOW UPDATE****PROCEEDINGS IN BRIEF**

Mr David Walsh, Chief Financial Officer, addressed the meeting on this item.

PURPOSE

To provide the Audit, Risk and Improvement Committee (ARIC) with an update on Council's cashflow in light of the impacts from the Covid-19 pandemic.

PRECIS

The Covid-19 pandemic has impacted on Council revenue. This report provided an update on cashflow and Council's financial position given the reduction in income and various revenues, and the additional expenditure related to the Covid-19 lockdown.

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the Cash Flow Update.

(Cr Heins / Cr Grattan)

NOTES

1. Mr Walsh left the meeting at 3.59pm.
2. The meeting was adjourned at 3.59pm.
3. The meeting resumed at 4.05pm.
4. Mr Bothma joined the meeting at 4.05pm.

9.2 WELLBEING SURVEY RESULTS**PROCEEDINGS IN BRIEF**

Mr Carel Bothma, Executive Manager Human Resources, addressed the meeting on this item.

PURPOSE

To advise the Audit, Risk and Improvement Committee on the results of the recent Wellbeing Survey conducted during the Covid-19 pandemic and subsequent lockdown.

PRECIS

Covid-19 has impacted the way we all live and work, and for Northern Beaches Council this has included on average over 600 employees working remotely daily since March 2020. Due to these changes, we wanted to understand how our staff have been managing and feeling through this changing situation.

This was important to ensure that we were positioned to continue to provide the best support and communication to all our staff. To achieve this a Wellbeing Survey, with three focus areas, Keeping Connected, Social Wellbeing, and Mental Health and Wellbeing was developed internally and rolled out. The online survey ran for two weeks and closed on Friday 1 May.

ACTION ITEMS

- ***Provide wellbeing pack to ARIC members for information.***

DISCUSSION

- Leadership: overwhelming endorsement by staff.
- 69% reported low levels of stress: the remaining 31% could not be individually identified so support was provided to all staff and their families.
- Wellbeing pack, webinars and counselling online provided to staff.
- Working remotely may be more permanent for some staff into the future.
- 11% not coping with workloads. They could not be identified as it was an anonymous survey but this figure included carers so it may not all be work related.
- Council saw the take up of initiatives so know they are appreciated.
- The Committee congratulated Council on all initiatives including the communication updates. The Committee commented that the survey was a good initiative but the speedy identification and response to problems was excellent.

NOTE

Mr Bothma left the meeting at 4.18pm.

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the results of the Wellbeing Survey

(Cr Walton / Cr Grattan)

10.0 EXTERNAL AUDIT

The Director of Financial Audit Services, Audit Office of NSW, provided a brief verbal update on the impact of the Covid-19 pandemic in NSW. She noted it is likely there will be increased risks associated with the lockdown, however, no significant cyber security control weaknesses had been identified. There had been some attempted cyber scams but staff were following protocols in place and the risk was being handled well. Work on new accounting standards and valuations to be discussed at next meeting.

Council has now upgraded the CommBiz online payment system. The Audit Office is testing and staff will still check requests for changes to bank details etc in person. This system has been in place for some time.

11.0 INTERNAL AUDIT**11.1 INTERNAL AUDIT ACTIVITY UPDATE****PROCEEDINGS IN BRIEF**

Ms Deirdre Cooper, Executive Manager Internal Audit & Complaints Resolution, and Ms Sarah Cain, Internal Audit Partner KPMG, addressed the meeting on this item.

PURPOSE

To provide the Audit, Risk and Improvement Committee with an update on internal audit activities since the March 2020 meeting.

PRECIS

There has been an interruption to the progress of the Internal Audit Annual Plan 2019-20 due to the Covid-19 pandemic. As a result, two reviews (Revenue and Finance & Controls) that were scheduled to be presented to this meeting have not been completed. The third scheduled review, Privacy Management, was presented. An Annual Internal Audit Plan for 2020-2021 was also presented to the Committee.

AUDITS AND REVIEWS COMPLETED

The following audit and review has been completed, with a report presented to the ARIC at the meeting of 9 June 2020:

- Privacy Management

AUDITS IN PROGRESS

- Asset Management – being scoped
- Property Management – being scoped



MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

9 JUNE 2020

ACTION ITEMS

- ***Contract Management Internal Audit: scope to include a standard clauses review relating to contracts with third parties.***

DISCUSSION

The report made recommendations on privacy consideration improvements in CCTV, third party management, data sharing, customer service, data management and data quality.

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted:

1. The update provided on internal audit activities since the last meeting in March 2020.
2. The completed internal audit report, including findings, recommendations and actions to be taken by management.
3. The 2020-21 Annual Internal Audit Plan.

(Cr Heins / Cr Grattan)

NOTE

Ms Sarah Cain, Internal Audit Partner KPMG, Ms Aisling Kilgannon, Associate Director Enterprise Advisory KPMG, Mr Gareth Fitzpatrick, Manager Enterprise Advisory KPMG and Mr Steven Robertson, Associate Director KPMG left the meeting at 4.30pm.

11.2 IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS**PROCEEDINGS IN BRIEF**

Ms Deirdre Cooper, Executive Manager Internal Audit & Complaints Resolution, addressed the meeting on this item.

PURPOSE

To provide the Audit, Risk and Improvement Committee (ARIC) with a status update on the implementation of audit recommendations arising from completed internal audits.

PRECIS

Audit recommendations arising from completed internal audits are input into the Internal Audit Recommendations Status Tracker, with assigned management responsibility and due date for implementation. Management's progress with the implementation of internal audit recommendations is reported at each ARIC meeting to evaluate the adequacy, effectiveness and timeliness of actions taken by management on reported findings and recommendations. There were no audit recommendations reported as overdue with no action taken as at April 2020.

ACTION ITEMS

- ***Protocols on implementation deadlines to be incorporated into ARIC Charter: CEO has approval to defer 3 months; further extensions to be referred to ARIC.***
- ***A note to be placed on the IA Recommendations Status Tracker to indicate if an extension has been granted.***

DISCUSSION

- As a general rule, there should be no extension of audit recommendation implementation dates. In extenuating circumstances, the CEO may grant up to 3 months extension. Further request for extension must go to ARIC.
- Follow-up Procurement review: EM, IA&CR noted her team would be looking at several aspects of procurement during the year.
- An exception report of any changes to the Chris21 Masterfile is generated.

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the status of implementation of internal audit recommendations by management.

(Cr Grattan / Cr Walton)

11.3 COMPLAINTS RESOLUTION TEAM UPDATE**PROCEEDINGS IN BRIEF**

Ms Deirdre Cooper, Executive Manager Internal Audit & Complaints Resolution, addressed the meeting on this item.

PURPOSE

To present to the Audit, Risk and Improvement Committee information relating to complaints received, including alleged breaches of the Code of Conduct, complaints made under the Public Interest Disclosures Act 1994 (PID), and referrals to or from the Independent Commission Against Corruption (ICAC) and the NSW Ombudsman.

PRECIS

The report presented information on complaints received, including alleged breaches of the Code of Conduct and enquiries from the ICAC and the NSW Ombudsman for the quarter 1 January – 31 March 2020. The report for the previous quarter was included in the ARIC attachments for the information of the Committee. There were no complaints made under the Public Interest Disclosures Act 1994 for the quarter.

ACTION ITEMS

- *Details on 18 complaints on processes to be sent to Strategy & Performance to analyse if improvements to systems required.*
- *Future reports to ARIC to be consolidated into six monthly reporting.*

DISCUSSION

- The Chair expressed his appreciation of the report; noting it was an ideal model for ARIC reports.
- EM, IA&CR, provided an explanation of the definitions of “service” and “process” complaints.
- Processes are being considered to enable the capture of information following a complaint.

COMMITTEE RESOLUTION

The Audit Risk and Improvement Committee noted the report from the Executive Manager Internal Audit & Complaints Resolution.

(Cr Heins / Cr Grattan)

FURTHER COMMITTEE RESOLUTION

1. That Item 12.1 - Risk and Improvement Committee Assessment of Performance - be considered in Closed Session following the meeting.
2. That the Committee now move to discuss Item 13.0 – Next Meeting.

(Cr Walton / Mr McCoy)

13.0 NEXT MEETING

The next meeting of the Audit, Risk and Improvement Committee is scheduled to take place on Thursday 3 September 2020, commencing at 9.30am. This is an extraordinary meeting and will deal with the Financial Statements only.

The next ordinary meeting of the Audit, Risk and Improvement Committee is scheduled to take place on Tuesday 8 September 2020 commencing at 2.00pm.

NOTES

1. The Meeting moved into Closed Session at 5.09pm to consider Item 12.1 – Audit, Risk and Improvement Committee Assessment of Performance.
2. Committee members remained in the meeting.
3. All other participants left the meeting at 5.10pm.

REPORT OF CLOSED SESSION

12.0 GENERAL BUSINESS**12.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE ASSESSMENT OF PERFORMANCE****PURPOSE**

This item was discussed by the Committee in closed session at the ARIC meeting on 10 March 2020, and the following resolution was recorded:

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the results of the review undertaken of the Committee's performance and agreed to schedule a further discussion of the assessment results at the June 2020 ARIC meeting.

(Cr Heins / Cr Grattan)

PRECIS

The ARIC plays a pivotal role in the governance framework to provide Council with independent assurance and advice in the areas of internal audit, risk management, compliance and control, governance, organisational performance and improvement, along with external accountability responsibilities.

As per the conditions of the ARIC Charter, a review of the Committees performance shall be undertaken at least once every two years on a self-assessment basis by Members, with appropriate input from key stakeholders.

NOTE

The Chair reported the following resolution passed in closed session:

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee noted the results of the review undertaken on the Committee's performance.

(Cr Grattan / Cr Heins)

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	2020/21 COMMUNITY GRANTS PROGRAM - FUNDING RECOMMENDATIONS
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2020/484111
ATTACHMENTS	<ol style="list-style-type: none"> 1 Arts and Creativity Grants 2020/21 - Funding Recommendations (Included In Attachments Booklet) 2 Community Development Grants 2020/21 - Funding Recommendations (Included In Attachments Booklet) 3 Multi-year funding - Funding Recommendations (Included In Attachments Booklet) 4 Environmental Grants 2020/21 - Funding Recommendations (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek approval to allocate funding under Council's 2020/21 Community Grants Program.

EXECUTIVE SUMMARY

The 2020/21 Community Grants Program provides grants of up to \$10,000 to eligible individuals and organisations to support projects and initiatives that deliver direct benefit to local people, communities and the environment of the Northern Beaches Local Government Area.

The 2020/21 Community Grants Program has been developed in accordance with the adopted Community Grants and Partnerships Policy. This program aligns with the following goals and strategies identified in Council's Community Strategic Plan 2018 - 2028:

- Goal 1 Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Goal 2 Our environment and community are resilient to natural hazards and climate change.
- Goal 3 Our community is well-supported in protecting the environment.
- Goal 6 Our community will continue to work towards sustainable use of resources.
- Goal 10 Our community is stimulated through a diverse range of cultural and creative activities and events.
- Goal 11 Our community feels safe and supported.
- Goal 12 Our community is friendly and supportive.

Council has allocated \$280,000 to the 2020/21 Community Grants Program. This includes \$240,000 shared between the Arts and Creativity and Community Development grants streams and \$40,000 to the new Environmental grants stream.

It must be noted that in the 2019/20 Community Grants Program, multi-year funding of up to three years was supported as a trial to evaluate whether social outcomes can be increased over three-year successive funding. Five applications were approved for multi-year funding, with \$47,184 allocated for each of the three years. The commitments towards these projects is funded from the \$240,000 allocation of funding for the Arts and Creativity and Community Development grant

streams, resulting in a reduced starting base of \$192,816 available for new applications in these streams.

The number of grant applications received for 2020/21 far exceeded the number that Council is able to support within the adopted budget. Due to the high number of applications, only 20% of the applications received have been recommended for funding. Council received the following applications to each grant stream:

Grant Stream	Applications Received	Eligible Applications	Eligible Applications Amount Requested	Amount Available
Arts and Creativity	135	121	\$808,815.17	\$192,816
Community Development	96	91	\$750,546.72	
Environmental	41	39	\$313,629.00	\$40,000
Total	272	251	\$1,872,990.89	\$232,816

The number of applications recommended for funding are shown below:

Grant Stream	Applications Recommended for Funding	Partial Funding	Full Funding	Amount Recommended (ex GST)
Arts and Creativity	26	18	8	\$95,150.00
Community Development	17	13	4	\$97,566.00
Environmental	13	10	3	\$40,093.00
Total	56	41	15	\$232,809.00

A summary of successful applications, including a brief project description and assessment feedback are detailed in this report and attachments.

- Arts and Creativity Grants 2020/21 - Funding Recommendations (Attachment 1)
- Community Development Grants 2020/21 - Funding Recommendations (Attachment 2)
- Multi-year Funding Approved in 2019 (Attachment 3)
- Environmental Grants 2020/21 - Funding Recommendations (Attachment 4)

The delivery date for these new projects has been extended from 30 June to 31 December 2021, due to COVID-19. Once successful applications have been approved, the unsuccessful applicants will be notified and provided with feedback on their application.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council approve the allocation of \$279,993 under the 2020/21 Community Grants Program, as recommended by the Assessment Panels, including:

1. \$95,150 towards the Arts and Creativity grants stream.
2. \$97,566 towards the Community Development grants stream.
3. \$47,184 towards the second year of multi-year funding as recommended in the 2019/20 Community Grants Program.
4. \$40,093 towards the Environmental grants stream.

REPORT

BACKGROUND

The Northern Beaches Council Community Grants Program commenced in 2018/19. The Community Grants Program provides grants of up to \$10,000 to eligible individuals and organisations to support projects and initiatives that deliver direct benefit to local people, communities and the environment of the Northern Beaches Local Government Area.

Following evaluation of the 2019/20 Community Grants Program, two significant changes were made to the 2020/21 grants program:

- The Community, Arts and Culture Grant Program was split into two distinct streams; Arts and Creativity and Community Development, with distinct objectives, assessment criteria and assessment panels.
- Additional funding and assessment criteria was developed for an Environmental Grants stream.

The 2019/20 Community Grants Program focused solely on Community, Arts and Culture and received 83 applications, with 34 applications recommended to receive funding (41% of applicant submissions). For the 2020/21 round there has been a significant increase in the number of applications and funding requested between the two Arts and Creativity and Community Development Grants streams, from 83 to 231 applications (+278%). This made the grants very competitive, resulting in many quality submissions not recommended to receive funding in 2020/21.

It is considered that the COVID-19 pandemic has contributed significantly to the high level of applications this year. In particular, the past six months have shown:

- an increased demand for community-based programs and creative activities that connect the community
- declining mental health in the community and the recognition by the community sector that activities that connect and support communities have a positive impact on mental health
- the increased demand for community support services that require increased funding
- the significant economic impact on the creative sector, with work reduced substantially for many creative industries
- the extended application dates to 30 June 2020 and extended project delivery period from 30 June to 31 December 2021.

Other factors that may have also contributed to this increase are the introduction of a separate Arts and Creativity stream, that was promoted through targeted channels and/or the postponement of many of the annual ClubGrants programs by local service clubs.

Since March 2020 Council has also provided other grant opportunities to assist the community and arts sector to respond to COVID-19, including:

- COVID-19 Community Response Grants of \$184,977 towards projects that assist the community to cope with the immediate impacts of the pandemic, commenced in May 2020. 19 organisations were funded under this program, with the allocated funds fully expended.
- Council's one-off Creative Community Support Grants allocated \$100,007 to 51 individuals and small arts organisations to assist the arts community adapt and rebuild during COVID-19. Funding was distributed at the end of June 2020.

Each funding stream in the 2020/21 Community Grants Program is detailed individually in the following report.

1. Arts and Creativity Grants

The new Arts and Creativity grant stream was established to realise the vision of the Arts and Creativity Strategy, *Connected through Creativity 2029*, adopted in October 2019. The grants will provide support to the arts sector, ensuring a vibrant, connected and engaged community.

The grants program addresses key community priorities identified in the Strategy, and deliver on the three strategic outcomes to achieve:

1. Inspiring Places & Spaces
2. Innovative & Creative Industries
3. Engaged Community.

The objectives of the grant program are:

- Connect with and celebrate Aboriginal and Torres Strait Islander heritage and cultures
- Foster innovation and contribute to the growth of the local arts and creative sector through collaboration and partnerships
- Develop the skills of local creative professionals and arts workers across all arts disciplines
- Increase access and community participation in arts, culture and creativity
- Bring significant benefit to the people and communities of the Northern Beaches
- Animate public spaces with creative initiatives in unexpected and unique urban environments
- Tell local stories that celebrate the Northern Beaches.

Applications from eligible individuals and organisations were required to address the objectives and following assessment criteria:

Essential

1. Clear rationale for the project/initiative, with key outcomes connected to Council's Arts and Creativity Strategy
2. Addresses at least one of the grant program objectives including how this will be measured
3. Excellence and innovation in arts and creative practice and demonstrated history of the delivery of arts and creative projects
4. Enhance connection to art and creativity in the public domain and provide social and cultural benefits to communities of the Northern Beaches
5. Capacity to deliver a well-planned project including applicant experience, skills and time
6. Realistic budget with all income and expenditure identified, and capacity to manage funds.

Highly regarded

1. Experimental, innovative ideas and approaches, and overall creative excellence
2. Evidence of partnerships with other government agencies, business or community organisations.

There are 26 applications recommended for funding, including 8 projects recommended to receive the full amount requested and 18 to receive partial funding, as shown in the following table:

Applicant	Project Title	Recommended Funding (ex GST)
Ben Rak	Fair Play – a curated exhibition involving emerging and established artists to be presented at Creative Space	\$3,000.00
Catherine Mack	Night Light – a 10-part podcast series narrated by well-known creatives across diverse art forms	\$4,500.00
Cecille Weldon	Cabbage Tree Palm - Fabric Design – collaboration between a local textile designer and local business	\$2,000.00
Chantal Harrison (Northern Beaches Youth Theatre)	Reignite the Northern Beaches Youth Theatre - opportunities for creative expression through performance by children and young people	\$3,400.00
Desire Books and Records	Our Arts Desire – a vibrant calendar of arts and cultural events that support local artistic and Indigenous communities	\$4,000.00
Heidi Lee Warta	Ochre Women - an exhibition of 10 First Nations women living on Gai-mariagal Country, Northern Beaches.	\$5,000.00
Jenny Pollak	The Last Frontier - a new video and photographic art installation responding to the local environment of Pittwater	\$2,000.00
Julie Nicholson	Art W**k Podcast – a series of art interviews with local creatives exploring contemporary arts issues	\$4,000.00
Kevin Diallo	Project 54 Gallery - Artist Run Initiative – to present work by emerging contemporary artists, including Indigenous artists	\$3,000.00
Lenoma Jackson	NorthSide Aboriginal Artists (NSAA) - Exhibitions and workshops by a new local Aboriginal artist group	\$7,500.00
Luke Styles	The Annette Kellerman Project – local composer Luke Styles and writer Hilary Bell collaborate on a theatrical song cycle	\$2,000.00
Manly Warringah Pipe Band Inc	Community Band Development - promoting opportunities for community participation in traditional music	\$2,000.00
Mika Utzon Popov	'Antiquity', Chapter II, Tokens of Nature – a collaboration between a local professional sculptural artist and the Australian Bronze Foundry	\$2,000.00
Natasha Milne	Journeys in Place: The Magic of Manly – a series of audio narratives exploring socio-historical, cultural and environmental highlights of Manly	\$3,000.00
Northern Beaches Readers Festival Incorporated	The Northern Beaches Readers Festival – a three-day celebration of popular fiction including author talks and panel discussions	\$3,000.00
Old Mate Media	Northern Beaches Creatives: An Online Creative Community – development of an online platform and directory for creatives across diverse artforms to connect and network	\$9,000.00
Phillippa Murphy-Haste	Movement/Stillness/Awakening - a suite of locally composed music to be streamed online.	\$2,000.00
Riana Head-Toussaint	InspoCam - a new contemporary performance work by a local emerging artist working with a disability	\$2,800.00
Scotland Island Residents Association	Festival of Making 2020: Make and Celebrate – an exhibition of local makers, creative workshops and community projects	\$3,000.00
Sophia Davidson Gluyas	Tell me something – a new theatrical work exploring gender issues to be performed in public space	\$2,000.00

Applicant	Project Title	Recommended Funding (ex GST)
Sunnyfield	Teach Me – a series of arts workshops introducing Indigenous arts and photography to community members living with intellectual disability	\$4,500.00
Suzanne Davey	RAW clay LAB – a collaborative art project between seven contemporary artists and Eramboo culminating in a participatory art installation with the community	\$6,650.00
The Plant Room Pty Ltd	@The Plant Room – a video series of live music performances by prominent and emerging music artists	\$3,800.00
The Talent Co	School Holiday Make A Film Workshop – engaging teens in opportunities for creative expression and performance	\$5,000.00
Tiani Schaefer	Produce new artworks for exhibition through exploring innovative methods of natural pigment dying that will transform artmaking and sculpture processes.	\$1,000.00
Yvette Poshoglian	The Thirty-three Seahorses of Forty Baskets – a written narrative exploring the layers of history of Forty Baskets, creating a lasting story	\$5,000.00
TOTAL		\$95,150.00

Note that further detail on each of these projects is available in the **Attachments** to this report.

2. Community Development Grants

The Community Development grants are an important element of Council's role in support of the community sector, with a particular focus on the most vulnerable in our community. This program aligns directly with the adopted Community Development and Services Policy, which outlines Council's role:

Northern Beaches Council acts principally as a facilitator and enabler of community development and services, with activities carried out in collaboration with service providers including community groups, charitable organisations, government and non-government agencies, and neighbouring Councils.

Council encourages, enables and assists local groups and organisations to provide relevant services and activities for residents of the Northern Beaches and will consider providing services directly when there is an identified priority and where no other organisation has the capacity or ability to provide the required service.

As Council has limited direct service provision, the Community Development Grants are an important program that contributes to the wellbeing of Northern Beaches residents.

In this grant stream, applications from eligible individuals and organisations were required to address the following assessment criteria:

1. Has a clear rationale with identified community need
2. Addresses at least one of the funding priority areas
3. Addresses at least one of the project outcomes including how this will be measured
4. Demonstrates use of community development principles
5. Demonstrates value for money with the capacity to manage the funds requested and detailed income and expenditure.

Funding Priorities:

- Social harmony and cultural diversity
- Mental health and wellbeing
- Healthy and active ageing and dementia
- Access and inclusion of people with disability
- Homelessness
- Community safety and crime prevention
- Reducing drug and alcohol impacts
- Youth (12-24 years)
- Intergenerational activities
- Volunteering in the community.

There are 17 applications recommended for funding, including 4 projects to receive the full amount requested, 13 to receive partial funding, as recommended in the following table:

Applicant	Project Title	Recommended Funding (ex GST)
Active Opportunities Inc.	Active Opportunities Football4All Program	\$5,000.00
Be Centre Foundation Limited	Creative Art - Holiday Workshops & Exhibition	\$6,000.00
Beacon Hill Youth Club Inc.	Beacon Hill Youth Club Gymnastics and Kindergym Facility Improvement	\$4,000.00
Easylink Community Services Limited	Easylink to Wellness	\$8,400.00
Fisher Road School P&C Association	Connectedness, Inclusion and Diversity: Common Ground	\$1,800.00
Gotcha 4 Life Foundation Ltd	Gotcha4Life Building Mental Fitness	\$6,920.00
Lifeline Northern Beaches Inc.	Lounge Chat Support Group: a suicide prevention initiative	\$9,670.00
Northern Beaches Business Education Network Inc.	CAL (Canine Assisted Learning) Program	\$6,500.00
Sailability NSW Inc.	Radios in every boat	\$1,676.00
One Eighty Avalon Inc.	Open Up Northern Beaches	\$4,900.00
ArtConnect Creative	Dementia Happiness Program: facilitating community connections through art	\$6,000.00
Stewart House	Children from Northern Beaches to attend Stewart House Health & Wellbeing residential program	\$7,200.00
Sydney Drug Education & Counselling Centre, SDECC (Association Of Drug Referral Centres Ltd)	Preventure Targeted Intervention Program for Schools	\$10,000.00
The Burdekin Association Inc (Avalon Youth Hub)	Make Peace, End Food Guilt	\$6,300.00
The Burdekin Association Inc.	Burdekin Volunteer Program (BVP)	\$5,000.00
Unshakeable Pty Ltd	12-month online coaching and personal development program for Aboriginal and non-Aboriginal men	\$5,000.00

Applicant	Project Title	Recommended Funding (ex GST)
Water Skills for Life Association Inc.	Community Swim and Survive Programs	\$3,200.00
TOTAL		\$97,566.00

Note that further detail on each of these projects is available in the **Attachments** to this report.

3. Community, Arts and Culture Multi-year funding

In the 2019/20 Community Grants Program, multi-year funding of up to three years was supported as a trial to evaluate whether social outcomes can be increased over three-year successive funding. Five applications were approved for multi-year funding, with \$47,184 allocated for each of the three years. Upon successful acquitting of funds, these applicants are eligible to receive second and third year funding in the 2020/21 and 2021/22 Community Grants Programs.

Each of these recipients have completed an acquittal and recommended for funding in 2020/21. Of these 5 applicants, one grant of \$10,000 is an Arts and Creativity project, and four grants of \$37,184 are Community Development projects. Commitments towards these projects come out of the \$240,000 allocation of funding for these two streams, resulting in a reduced starting base of \$192,816 available for new applications.

The 5 applicants approved to receive multi-year funding in the 2020/21 and 2021/22 Community Grants Programs, are detailed in following table:

Applicant	Project Title	Recommended Funding (ex GST)
La Crème Creative Inc.	The La Crème Creative Residency Program	\$10,000.00 per year for 2020/21 and 2021/22
Lifeline Northern Beaches Inc.	Seasons for Growth: an innovative grief and loss education program	\$8,588.00 per year for 2020/21 and 2021/22
Northern Beaches Women's Shelter	Volunteer Coordinator Program	\$10,000.00 per year for 2020/21 and 2021/22
Northside Enterprise Inc.	Inclusive bush regeneration at Orara Reserve	\$9,816.00 per year for 2020/21 and 2021/22
Sydney North Health Network	Dementia Friendly Community Northern Beaches:	\$8,780.00 per year for 2020/21 and 2021/22
TOTAL		\$47,184.00

4. Environmental Grants

The new Environmental Grants stream has been established to assist Council to support the community to deliver the aspirations and commitments in the recently adopted *Protect.Create.Live* – Northern Beaches Environment and Climate Change Strategy.

The new Environmental Grants stream, with a budget of \$40,000, has a distinctive assessment criteria and assessment panel of suitably skilled members.

The grants program covers three key areas:

1. Restoration and protection projects that support bushland and biodiversity, coastal and estuarine environments and natural creeks and waterways
2. Resource efficiency and sustainability projects
3. Sustainability education across all areas.

Applications from eligible individuals and organisations were required to address the following assessment criteria:

Essential:

1. Demonstrate a clear rationale for the initiative with key deliverables stated
2. Addressing at least one of the funding priority areas
3. Demonstrates a positive environmental impact in the short and long term including how this will be measured
4. Capacity of the individual or organisation and its management to deliver a well-planned project
5. Longevity of the initiative – how long will your initiative continue after the funding has been expended?
6. Other benefits derived including social, progress/leadership, educational and economic
7. Relevant qualifications and/or a demonstrated history of professional practice for all key personnel involved
8. A realistic budget with all income and expenditure identified, and capacity to manage funds.

Highly regarded:

1. Original, innovative ideas and approaches
2. Evidence of partnerships with other organisations
3. Applications that address more than one program outcome and/or priority.

Funding Priorities:

- Protection of the natural environment
- Climate change mitigation and adaptation
- A reduction in resource consumption such as water or energy or a reduction in waste generation
- An increase in sustainable behaviours in the community
- Alignment with the commitments and aspirations in Councils Protect Create Live – Northern Beaches Environment and Climate Change Strategy

There are 13 applications recommended for funding, including 3 projects to receive the full amount requested and 10 to receive partial funding, as recommended in the table below.

Applicant	Project Title	Recommended Funding (ex GST)
Avalon Beach Surf Lifesaving Club Inc.	Carbon Neutral Surf Club 2023	\$4,500.00
Collaroy Surf Life Saving Club Inc.	Solar System installation to Collaroy Surf Life Saving Club	\$4,500.00
Davidson High School Parents and Citizens Association	Border Line	\$2,500.00
Lesley Stevens	Pygmy Possum Project	\$1,907.00
Nicole Thompson	Protecting an Endangered Ecological Community and engaging our local community	\$3,000.00

Applicant	Project Title	Recommended Funding (ex GST)
Northside Enterprise Inc.	Bushlink regeneration Dee Why Sand Dunes and Wildlife Refuge	\$2,840.00
Peninsula Community Gardens Inc.	Peninsula Community Garden (Newport) Sustainable Water Usage and Maintenance Project	\$1,214.00
Permaculture Northern Beaches Inc.	The Living Soil Factory: Community Composting & Community Garden	\$3,000.00
Pittwater Natural Heritage Association	Bush Regeneration Mona Vale Dunes and Volunteer Support	\$3,500.00
The Balgowlah Bowling Club Limited	Solar System installation to Club House roof	\$4,500.00
The Catholic Parish of Frenchs Forest	Kierans Creek Rehabilitation and Revegetation	\$2,390.00
Uniting Forest Preschool Belrose (The Uniting Church in Australia Property Trust (NSW))	Forest Preschool Sustainability Project	\$2,242.00
Zero Emissions Sydney North Inc.	Solar My Strata - Local Case Studies	\$4,000.00
TOTAL		\$40,093.00

Note that further detail on each of these projects is available in the **Attachments** to this report.

CONSULTATION

The 2020/21 Community Grants Program was open for applications from 16 March 2020 until 30 June 2020, extended from an initial closing date of 30 April 2020, in response to COVID-19.

The Community and Belonging Strategic Reference Group (SRG) were engaged in the review of the 2019/20 Community, Arts and Culture Grants Program, and proposed changes for the 2020/21 Program.

Two Grant Workshops, four Information Sessions and three pop-up sessions were held with the community to inform and up-skill them regarding the Community Development and Arts and Creativity Grants available before COVID-19 restrictions impacted on the face to face delivery of workshops. As a result, the information continued to be provided on Council's website, with staff available to provide additional personal assistance and guidance to applicants where requested.

Program information and guidelines were advertised and promoted widely throughout the community, including information and emails to relevant grant, network and group distribution lists, Council's website and several broad and targeted social media platforms.

Arts and Creativity

As it was the first year of the separate Arts and Creativity grants stream, an information session was held at the Manly Art Gallery & Museum to introduce the new funding stream. The event attracted over 50 community members.

Due to the cancellation of the remaining planned face-to-face sessions, increased support was offered via phone consultations with over 100 calls logged for the Arts and Creativity grants alone.

In addition to the promotion of the overarching Community Grants program, a specific approach was taken to develop a targeted promotional campaign to reach the diverse arts audience and ensure information was widely shared. This included advertising on sector specific online platforms and a strong tailored presence on social media. The response received, visible in the number of

applications, reflects the strong need in the community for support, the current state of the Creative Industry and the impacts of COVID-19.

New community members from across diverse art forms have engaged with Council that have not previously seen the relevance before, with a growing awareness that Council has the capacity to support them.

Environmental

One face-to-face session was held, with the majority of communication with applicants via email and phone, due to COVID-19. The Environment and Climate Change Business Unit received more than 30 enquiries for the Environmental Grants stream.

Assessment Panels

Each grants stream convened separate assessment panels consisting of experts in each area.

The Arts and Creativity Assessment Panel comprised of:

- One representative from Council's Arts and Culture team
- One community member from the Community and Belonging Strategic Reference Group
- One external representative from the National Centre for Cultural Competence, Deputy Vice-Chancellor (Indigenous Strategy and Services, The University of Sydney and Head of Northern Sydney Aboriginal Education Consultative Group).

The Community Development Assessment Panel comprised of:

- One representative from Council's Community Development team.
- One representative from Council's Youth Development team.
- One representative from Council's Social Planning and Services Development team.
- Two community members from the Community and Belonging Strategic Reference Group.
- One representative from the Department of Communities and Justice (DCJ).

The Environmental Assessment Panel comprised of:

- Two representatives from Council's Environment, Resilience and Climate Change team.
- Two representatives from Environment Strategic Reference Group.

Assessment Panel members undertook individual online assessments and submitted a score for each application against the Assessment Criteria, resulting in a priority ranking. The Assessment Panels all met to discuss the priority ranking and reach consensus on the projects recommended for funding.

A further meeting was arranged with the Executive Manager Community, Arts and Culture, Manager Arts and Culture and Manager Youth and Community Development to finalise the precise allocations for the Arts and Creativity and Community Development grants streams which was split out of the same pool of funding. Following the recommendation of the Environmental grants stream assessment panel the final allocations were reviewed and endorsed by the Executive Manager Environment and Climate Change.

TIMING

The 2020/21 Community Grants Program was open for applications from 16 March 2020 until 30 June 2020, extended from an initial closing date of 30 April 2020, in response to COVID-19.

Community Grants Program funding will be distributed as soon as practicable following Council approval. Grant funded projects are to be completed by 31 December 2021 (extended from 30 June 2021 due to COVID-19 and the extension of the application period) and to be acquitted by 31 January 2022. Projects receiving multi-year funding will be required to expend their grant funds by 30 June each subsequent year, together with an Acquittal Report, as per their original funding agreements.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Goal 1 Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Goal 2 Our environment and community are resilient to natural hazards and climate change.
- Goal 3 Our community is well-supported in protecting the environment.
- Goal 6 Our community will continue to work towards sustainable use of resources.
- Goal 10 Our community is stimulated through a diverse range of cultural and creative activities and events.
- Goal 11 Our community feels safe and supported.
- Goal 12 Our community is friendly and supportive.

FINANCIAL CONSIDERATIONS

A sum of \$280,000 is allocated in the 2020-21 operational budget for the 2020/21 Community Grants Program. Eligible applications requested a total sum of \$1,872,990 across the three streams.

SOCIAL CONSIDERATIONS

The 2020/21 Community Grants Program has been developed to enable the community to facilitate the delivery of community development, arts and creativity, and environmental initiatives across the Northern Beaches.

The funding of these grants will have a significant positive impact on our local community. While it is difficult to quantify the precise social and economic value of grant funding, it is clear that Council's resourcing of local individuals, community groups, services and organisations enables them to achieve community and environmental outcomes that far exceeds Council's capacity to achieve these outcomes alone.

Arts and Creativity

The projects supported by the Arts and Creativity grants will contribute to achieving the goals set out in the Arts and Creativity Strategy. This is to increase participation and engagement in creativity by our diverse communities, enable the sustainability of the local creative sector, and encourage a vibrant, creative culture authentic to the Northern Beaches.

The assessment panel noted significant interest from applicants exploring Aboriginal stories and history. Council will provide feedback regarding appropriate Aboriginal protocols and Indigenous Cultural Intellectual Property to facilitate best practice and set new benchmarks.

Community Development

The 2020/21 Community Grants Program aligns with the strategic direction of the Community Development and Services Policy, focusing on Council's role as facilitator and enabler of local groups, services and organisations.

Environmental Grants

The projects supported by the Environmental Grants will contribute to achieving the goals of the adopted Environment and Climate Change Strategy. Successful applications represent a broad spectrum of the community, and include individuals, primary and high schools, community groups and sporting clubs.

ENVIRONMENTAL CONSIDERATIONS

The projects supported by the Environmental Grants will contribute to achieving the goals (aspirations and commitments) set out in the recently adopted *Protect.Create.Live* Northern Beaches Environment and Climate Change Strategy and Community Strategic Plan, by increasing participation and engagement within the community. The environmental projects will help to deliver the Protection of the Environment and the Environmental Sustainability community outcomes within Shape 2028 – The Northern Beaches Community Strategic Plan.

GOVERNANCE AND RISK CONSIDERATIONS

The 2020/21 Community Grants Program is in accordance with Section 356, Chapter 12, Part 1, of the Local Government Act 1993.

Applications are assessed against pre-defined and advertised criteria and follow a clear and transparent process to ensure equity. The program was widely advertised and external, independent community members were part of the assessment process.

The 2020/21 Community Grants Program is in accordance with the Community Grants and Partnerships Policy, adopted by Council on 25 June 2019.

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1 MINOR AMENDMENTS TO FLOOD PRONE LAND PLANNING REQUIREMENTS

REPORTING MANAGER EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE

TRIM FILE REF 2020/376190

ATTACHMENTS

- 1 [Updated Draft Flood Prone Land Development Control Plan Clause \(Included In Attachments Booklet\)](#)
- 2 [Existing Flood Prone Land Development Control Plan Clause \(Included In Attachments Booklet\)](#)
- 3 [Summary of Changes to the Flood Prone Land Clause \(Included In Attachments Booklet\)](#)

SUMMARY

PURPOSE

To seek Council approval to exhibit amendments to the Pittwater 21 Development Control Plan (DCP) 2014, Warringah DCP 2011, and Manly DCP 2013 that will simplify and bring further clarity to the way Council manages development and risk on flood prone land in the Northern Beaches.

EXECUTIVE SUMMARY

Following amalgamation, in August 2017, the flood development controls from the three former councils were harmonised to create a consistent set of controls and an integrated Flood Prone Land Clause in each of the three DCPs. Two additional clauses remain in the Pittwater DCP.

A review of this integrated set of requirements has now been undertaken following their use for the preceding three years. This review has identified superfluous text, individual controls that are not used and a number of minor discrepancies. Minor amendments are now proposed to update the Flood Prone Land requirements.

The proposed changes intend to make the Flood Prone Land Clause more concise, simpler to follow and therefore simpler for applicants and residents. The changes do not change the number of flood prone properties, or change the information required to be submitted with Development Applications.

Two associated documents, the "Flood Prone Land Design Standard" and the "Flood Emergency Response Planning for Development in Pittwater Policy" are to be rescinded, as well as clause B3.13 in the Pittwater DCP, as all pertinent information from these has now been incorporated into the amended Flood Prone Land Clause in order to create a "one-stop-shop".

Public exhibition of the draft documentation is proposed to ensure members of the community are appropriately engaged in the changes and have an opportunity to comment. This exhibition is consistent with the requirements of the NSW Government Flood Prone Land Policy.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

1. Council place the updated draft Pittwater 21 DCP 2014, Warringah DCP 2011, and Manly DCP 2013 amendments on public exhibition for a minimum of 28 days.
 2. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

NSW Flood Prone Land Policy (the Policy)

In NSW the management of flood prone land is the responsibility of Local Government with the financial and technical assistance of the NSW Government. The NSW Government has prepared the Floodplain Development Manual, 2005 (The Manual) which contains the NSW Flood Prone Land Policy, the objectives of which are reproduced below:

To reduce the impact of flooding and flood liability of individual owners and occupiers of flood prone property, and to reduce public and private losses resulting from floods.

However, the Policy recognises the economic and social importance of the floodplain and recommends a flexible merit-based approach, balancing environmental, social and economic parameters in assessing future use of floodplains. The Manual outlines the Floodplain Risk Management Process, which councils must adhere to in the identification and management of flood risk. The Process requires councils to prepare Floodplain Risk Management Plans to guide the future strategic direction for the management of flood risk and use of floodplains. Floodplain risk management options are ranked, and generally favour the implementation of planning controls, as these tend to be more cost-effective than large-scale engineering solutions.

Flood-related development controls are outlined in Local Environmental Plans (LEPs) and Development Control Plans (DCPs). The LEP contains high-level flood risk management objectives in the form of a model clause prepared by the Government. Councils can then include detailed planning and design guidelines in DCPs to support the LEP flood risk objectives.

Flood risk management on the Northern Beaches

There are over 22,000 properties on the Northern Beaches identified as being subject to some level of flood risk. Following Council amalgamation, in August 2017, the flood development controls from the three former Councils were harmonised to create a consistent set of controls, so each now has the same Flood Prone Land Clause in the DCP. The Pittwater DCP has two additional flood related clauses, as shown in Table 1 below which outlines the current legislative framework for managing flood prone land on the Northern Beaches.

Table 1 – Current legislative framework for the management of flood prone land

Former Council LGA	LEP	DCP Clauses	Policies
Manly	LEP 2013 – 6.3 Flood Planning	Manly DCP (2013) 5.4.3 Flood Prone Land	Water Management for Development Policy
Warringah	LEP 2011 – 6.3 Flood Planning LEP 2000 – 47 Flood Affected Land	Warringah DCP (2011) E11 Flood Prone Land	Water Management for Development Policy
Pittwater	LEP 2014 – 7.3 Flood Planning LEP 2014 – 7.4 Flood Risk Management	Pittwater 21 DCP (2015) B3.11 Flood Prone Land B3.12 Climate Change (Sea Level Rise and Increased Rainfall Volume) B3.13 Flood Hazard -Flood Emergency Response Planning	Water Management for Development Policy Flood Emergency Response Planning for Development in Pittwater Policy

Proposed Updates to the Flood Prone Land Clause

It is proposed to update the current Flood Prone Land Clause in each DCP with the amended version in Attachment 1:

- Pittwater 21 DCP: Clause B3.11
- Warringah DCP 2011: Clause E11
- Manly DCP 2013: Clause 5.4.3

It is proposed to rescind the following clause and documents, as all of the pertinent points have now been incorporated into the updated Flood Prone Land Clause to make it more of a “one-stop-shop” for applicants:

- Pittwater 21 DCP: Clause B3.13
- Flood Prone Land Design Standard
- Flood Emergency Response Planning for Development in Pittwater Policy

It is proposed to retain the following clause relating to climate change unchanged, and planning controls relating to climate change will be reviewed with a comprehensive engagement process as part of the development of a Northern Beaches LEP and DCP.

- Pittwater 21 DCP: Clause B3.12

A comprehensive review of the current planning controls for Flood Prone Land has been undertaken. This review identified a number of opportunities to simplify the controls through the removal of superfluous text, rarely used requirements and incorporating associated standards and policies into the single DCP clause.

These minor amendments will result in a clause which is more concise (10 pages down to 6 pages), simpler to follow and therefore simpler for applicants. A number of discrepancies have also been addressed. A copy of the existing and amended clause can be found in the attachments.

TIMING AND CONSULTATION

Public exhibition of the updated Draft Flood Prone Land DCP Clause, the summary of changes to the clause and the proposal to rescind the Flood Emergency Response Planning for Development in Pittwater Policy is necessary to ensure members of the community have an opportunity to review the documents and provide comment.

A comprehensive internal review has been undertaken, including consultation with Strategic and Place Planning, and Development Assessment.

Public exhibition is proposed for a minimum of 28 days. The community will be invited to participate in the review of updated documentation through (as a minimum):

- Posting of proposed changes on Council's Your Say web page
- Notification in Community Engagement mail-out
- Displays in the Customer Service foyers and all Council libraries
- Individual meetings with residents (as required).

Following the completion of the exhibition period, staff will review all submissions, and where necessary updates will be made before the proposed amendments are presented back to Council with a recommendation seeking adoption.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Protection of the Environment - Goal 2: Our environment and community are resilient to natural hazards and climate change.
- Environment Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles.
- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

FINANCIAL CONSIDERATIONS

There are no financial implications from the proposed changes.

SOCIAL CONSIDERATIONS

The changes will not increase the number of flood-affected properties or change the overall requirements for development on flood prone land, however it will result in a simpler suite of planning documentation that results in a better community experience.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental implications from the proposed changes.

GOVERNANCE AND RISK CONSIDERATIONS

These changes ensure Council continues to appropriately manage flood risk whilst also ensuring that when the community undertake development in flood-prone lands, the requirements are easily understood and simple to follow.

ITEM 11.2	ECO SCHOOLS GRANTS PROGRAM - ALLOCATION OF FUNDING
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2020/513099
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek approval to allocate funding under Council's 2020 Eco Schools Grants Program in accordance with the recommendations of the Eco Schools Grants Program Assessment Panel.

EXECUTIVE SUMMARY

Council has committed \$10,000.00 to the 2020 Eco Schools Grants Program. This program is divided into five streams and provides grants of up to \$2,000.00 for local schools. The Eco Schools Grants Program has been developed in line with the Community Grants Program and facilitates the delivery of sustainable educational programs across the Northern Beaches to enhance economic, social, environmental and/or cultural benefits for the local school community.

Council received 12 applications requesting grant support. These applications were reviewed for eligibility and ten met the eligibility criteria. These applications were assessed by the Assessment Panel with five recommended for full funding, totaling an output of \$7,880.16. Two applications are recommended for partial funding totaling \$2,119.84.

Reporting the recommendations made by the Eco Schools Grants Program Assessment Panel to Council was delayed then impacted by the COVID-19 pandemic response and school interruptions.

The following applications are recommended by the Assessment Panel for funding under the Program:

Local Eco School	Project Name	\$ Funding requested (ex GST)	\$ Funding recommended (ex GST)	School Financial Contribution
Barrenjoey High School	Kitchen Garden	\$1,982.80	\$1,982.80	Nil
St Cecilia's Catholic Primary School	Worm Farm Composting	\$ 369.00	\$ 369.00	Nil
Elanora Heights Public School	The Bush Track	\$2,000.00	\$2,000.00	\$2,022.00
Avalon Public School	Propagation and Composting Program	\$2,000.00	\$2,000.00	Nil
St John The Apostle Catholic Primary School	Being Water Wise with Wicking	\$1,528.36	\$1,528.36	Nil
Our Lady of Good Counsel	Waste Warriors Working for Solutions	\$2,000.00	\$1,150.00	\$2,000.00
Northern Beaches Secondary College Cromer Campus P & C Association	Recycling Waste Project	\$2,000.00	\$ 969.84	\$1,030.16
Total		\$11,880.16	\$10,000.00	\$5,052.16

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council approves the allocation of funding under the 2020 Eco Schools Grants Program to be distributed to schools as outlined in this report.

REPORT

BACKGROUND

For the 2019/20 year, Council's community grant program ran across four streams including Sport and Recreational Infrastructure, Community and Cultural Development, Events and Eco Schools.

Council has committed \$10,000.00 for the 2020 Eco Schools Grants Program. This program is divided into five streams including bush regeneration, carbon reduction, waste reduction, sustainability education, water reuse and reduction, and provides grants to eligible schools of up to \$2,000.00.

The 2020 Eco Schools Grants Program opened on 2 December 2019 and closed 24 February 2020. The program was advertised and promoted through print and on-line media and direct email to schools on the Northern Beaches.

Applications were sought from eligible schools for projects that addressed the Assessment Criteria as follows:

1. Environmental impact – the measurable difference your initiative will make to your school's carbon footprint. Long term and Short term
2. Capacity to deliver – experience and/or resourcing allocated to implement the initiative
3. Longevity of the initiative – how long will your initiative continue after the funding has been expended
4. Other benefits derived including social, progress/leadership, educational and economic

Council received 12 applications from local schools.

Applications were reviewed for eligibility in the first instance, followed by assessment undertaken by the Assessment Panel comprising:

- Manager Greener Communities
- Senior Environment Systems Officer
- Grants Coordinator
- Waste Education Project Officer

The Assessment Panel's role was to make recommendations to Council on applications for funding consideration. The panel members undertook individual assessments and submitted a score for each application against the above criteria resulting in a priority ranking.

Five local Eco Schools are recommended to be allocated the full amount that was requested in their application. A further two local Eco Schools applications have been recommended to be allocated partial funding. Successful projects are presented with a brief description in Appendix 1.

The comments and scores for all levels of assessment will remain confidential however all applicants will be able to seek feedback on their application.

CONSULTATION

The program was advertised and promoted through print and on-line media and direct email to schools on the Northern Beaches. Staff also provided appropriate assistance and guidance to applicants where requested.

TIMING

Reporting the recommendations made by the Eco Schools Grants Program Assessment Panel to Council has been delayed and then impacted by the COVID-19 pandemic response and school interruptions.

Given the disruption to the school year due to the impacts of COVID-19, schools will be given until 31 March 2021 to complete these projects.

Funding is required to be allocated to groups as soon as practicable to allow funds to be expended within the new prescribed period.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Environment Sustainability - Goal 6: Our Community will continue to work towards sustainable use of resources.

FINANCIAL CONSIDERATIONS

A total of \$10,000.00 was approved for this program in 2019/20, attributed to the 2020 calendar year. The recommended funding allocation for this round of the Eco Schools Grants Program is \$10,000.00 and has been rolled over into the 2020/21 budget.

SOCIAL CONSIDERATIONS

The Eco Schools Grants Program has been developed to build the skills and resources of recipient schools.

ENVIRONMENTAL CONSIDERATIONS

All Eco Schools applications are required to meet Council's waste management requirements before the project is approved to take place. All Eco Schools applications will result in a positive environmental impact for the schools and local community.

GOVERNANCE AND RISK CONSIDERATIONS

Applications were assessed objectively by a staff panel against the assessment criteria and all conflicts of interest declared as part of this process. One panel member had relatives (2 nieces) attending a school that was successful, but the children are not directly involved in the project that was funded.

APPENDIX 1 - BRIEF PROJECT DESCRIPTIONS

Applicant School Name	Barrenjoey High School
Funding stream	Sustainability Education
Project Title	Kitchen Garden
Project Start Date	28/4/2020
Project End Date	04/12/2020
Brief Project Description	Install a kitchen garden for use by students in the compulsory Technology subjects in Years 7 and 8, plus older students in Years 9-12 who study Food Technology and Hospitality. The garden will include a compost heap for waste foods from the school Food Technology and Hospitality classes. Use of the compost heap will reduce the amount of food waste which goes to landfill from our Food Technology kitchens which are used daily by our students, and produce a lot of fruit and vegetable peelings, cores etc. This will reduce the schools carbon footprint.
Full funding recommended: \$1,982.80	

Applicant School Name	St Cecilia's Catholic Primary School
Funding stream	Sustainable Education
Project Title	Worm Farm Composting
Project Start Date	27/4/2020
Project End Date	22/12/2020
Brief Project Description	<p>We wish to purchase a portable worm farm to commence composting the food waste generated from lunches and our canteen. We analysed the waste that we produced at the beginning of the year and end of the year by tipping our bins out onto the playground and with the help of all the children categorising the waste that we produced into recyclable, landfill and organic.</p> <p>We then set targets: - waste free lunches twice a week- bins were removed from the playground, waste was taken home along with uneaten food for afternoon tea –</p> <p>Commenced recycling service The next stage being to divert the organic waste that we produce away from landfill.</p> <p>Activities: - Research best bin to purchase - Purchase and install bin - Teach environment team how to use and care for bin - Present compost bin to school and teach children - Communicate to parents</p>
Full funding recommended: \$369.00	

Applicant School Name	Elanora Heights Public School
Funding stream	Bush Regenerations
Project Title	The Bush Track
Project Start Date	06/4/2020
Project End Date	21/12/2020
Brief Project Description	The "bush track" is a major access path to the school, giving safe, daily nature contact to many students and parents. It is remnant Sandstone Ridgetop Woodland, with outcropping sandstone including a small cave, and an ephemeral stream flowing under a low bridged boardwalk. It offers valuable connectivity and habitat for diverse wildlife and the school is a documented Powerful Owl breeding site. Its biodiversity significance is threatened by substantial weed invasion and clearing required for APZ works. The school has recently engaged Dragonfly Environmental for major weed removal e.g. bamboo, ochra, senna, bidens. This grant would enable site restoration through follow-up weed removal by contractors and parents, appropriate local native planting, use of sandstone. We seek to develop a sustainable plan for the long-term management of this site that balances preserving biodiversity with asset protection. Potentially, our site could provide a model for other schools faced with this challenge.
	Full funding recommended: \$2,000.00

Applicant School Name	Avalon Public School
Funding stream	Carbon Reduction
Project Title	Propagation and Composting Program
Project Start Date	16/3/2020
Project End Date	18/12/2020
Brief Project Description	We will continue to upgrade our school garden with assistance from our P&C volunteers. We plan to use propagation benches to grow new plants from seeds and cuttings. Last year we introduced whole school composting to the school to reduce our waste stream. With such a large school population, our current composting system needs expanding and we would like to introduce the Subpod system as a complementary compost. Our Year 5 students are studying the Living World and they will be involved in implementing the compost system and comparing how soil with compost affects the growth of seeds and plants. We require a wheelbarrow to assist in the movement of plants and soil throughout the grounds.
	Full funding recommended: \$2,000.00

Applicant School Name	St John the Apostle Catholic Primary School
Funding stream	Water reuse and reduction
Project Title	Being Water Wise with Wicking
Project Start Date	04/5/2020
Project End Date	21/12/2020
Brief Project Description	Our Stage 3 students are currently involved in an inquiry based project to explore how to maintain an eco-garden whilst reducing water use. We will invite a wicking garden expert (Peter Rutherford from Kimbriki Resource Recovery Centre) to work with our students; creating expert groups who can teach their peers. Peter will lead us in retrofitting one of our 4 garden beds in our eco-garden to install a wicking system in order to reduce the amount of water used. Our Stage 3 students are investigating different water-saving methods such as the creation of greenhouses, the use of drip-feeding, and the use of mulch in gardens with prototypes. The grant will be used to pay our expert, purchase the resources needed to retrofit one of our existing garden beds. We plan on continuing to retrofit the additional garden beds over the next few years, incorporating what we learn as we go!
Full funding recommended: \$1,528.36	

Applicant School Name	Our Lady of Good Counsel, Forestville
Funding stream	Waste reduction
Project Title	Waste Warriors Working for solutions
Project Start Date	01/4/2020
Project End Date	20/12/2020
Brief Project Description	Students in year 6 have formed a committee to respond to the amount of waste created at OLGC. The students completed a waste audit and identified the key areas where we can reduce, reuse or recycle waste within our school environment. The initiatives selected by the students in response to the data collected are: Purchase 4 Compost Bins- to collect vegetable matter from all classrooms and the playground to create rich compost to use on our future kitchen garden. Build vegetable gardens around the school to grow produce for the school canteen. We would need to purchase lumber, soil, soil nutrients, seedlings and children's garden tools. We also wish to buy high viz vests for students who wish to be waste warriors at playtime to educate students on how to dispose of their rubbish using our new bins with different colour lids to match those of the council.
Part funding recommended: \$1,150.00	

Applicant School Name	Northern Beaches Secondary College Cromer Campus P & C
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	Association
Funding stream	Water reduction
Project Title	Recycling waste project
Project Start Date	23/3/2020
Project End Date	11/12/2020
Brief Project Description	<p>Phase 1 has been implemented with the P&C Association procuring 17 Dual Bin Enclosures for Rubbish and Co-mingled items for recycling. Money from this grant will be spent on Phase 2 which is a communication and waste management education campaign to raise awareness amongst the student body of the recycling opportunity and what items to put in each bin. This will be implemented by the P&C and the Student Representative Council (SRC). Signage will be purchased for the bin enclosures with details of what items can be put into the commingled recycled bin and which should go to landfill. Signage will also be positioned around the school grounds. Creation of posters, banners, letters, online flyers etc to help promote 'Recycling at Cromer Campus'. We will invest in having the Northern Beaches Council conduct a waste audit with our students.</p>
	Part funding recommended: \$969.84

ITEM 11.3	DRAFT PLACING OF HOARDINGS AND SCAFFOLDING AT CONSTRUCTION OR DEMOLITION SITES POLICY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2019/681468
ATTACHMENTS	1 Download Draft Placing of Hoardings and Scaffolding at Construction or Demolition Sites Policy

SUMMARY

PURPOSE

To seek approval to place the draft Placing of Hoardings & Scaffolding at Construction or Demolition Sites Policy (the Policy) on public exhibition.

EXECUTIVE SUMMARY

The purpose of the draft Policy is to ensure suitable temporary hoardings are erected within the road reserve in a manner that protects the public from the hazards of building construction, alteration or demolition. The policy will apply to applicable developments across the Northern Beaches Local Government Area (LGA).

In the development of this draft Policy, Council has reviewed the Policy of the former Manly Council, conditions of consent of the former Warringah and Pittwater Councils as well as policies and procedures from other councils.

The review has determined that a pragmatic approach should be adopted similar to that of other councils (e.g. the City of Sydney). Rather than a prescriptive policy that can be cumbersome to amend, the policy is high-level and principles based, ensuring compliance with legislation but leaving much of the technical detail in the associated Hoarding Guidelines. This allows regular amendments to be made in response to evolving methodologies, best practice and identified efficiencies.

Council's Hoarding Guidelines are currently contained within the application form for a hoarding permit. The Hoarding Guidelines prescribe the requirements of the applicant wishing to erect a hoarding including but is not limited to the following:

- Location requirements (i.e. requirements to minimise impact to pedestrians and vehicles etc);
- Specifications for types of hoardings for different scenarios (e.g. Class A, B or C);
- How to manage interaction with street trees and;
- Colour of hoardings (currently required to be white) and other visual and amenity requirements

The Guidelines are continuously under review and will be updated to provide further opportunity to improve visual amenity.

The draft Policy would replace the existing policy of the former Manly Council and be applicable to the entire Northern Beaches Local Government Area (LGA). This will be of interest to local developers and building firms who routinely use hoardings in their construction projects.

It is proposed to place the draft Policy on public exhibition, after which submissions will be considered and the final Policy will be reported to Council.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

1. Council place the draft Placing of Hoardings & Scaffolding at Construction or Demolition Sites Policy on public exhibition for two months.
 2. The outcomes of the public exhibition of the draft Placing of Hoardings & Scaffolding at Construction or Demolition Sites Policy be reported to Council.
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REPORT

BACKGROUND

Since the formation of Northern Beaches Council in 2016, a comprehensive policy review project has been underway to ensure a concise and consistent approach on all policy matters across the Northern Beaches.

Prior to amalgamation, the former Manly Council had the only policy in relation to the management of temporary hoardings. The former Warringah and Pittwater Councils used conditions of consent to manage temporary hoardings.

The purpose of the draft Policy is to ensure suitable temporary hoardings are erected within the road reserve as required to protect the public from the hazards of building construction, alteration or demolition, where developments occur within the Northern Beaches Local Government Area (LGA).

In the development of this draft Policy, Council has reviewed the Policy of the former Manly Council and conditions of consent of the former Warringah and Pittwater Councils as well as policies and procedures from other councils. The review has determined that the pragmatic approach for Northern Beaches Council should be similar to that of other councils (e.g. the City of Sydney); that being to provide a policy that encompasses the relevant legislative framework of the Local Government Act 1993 and Roads Act 1993 and furthermore, gives better support to Council's Hoarding Guidelines to allow for efficient and flexible implementation of evolving methodologies and best practice.

Summary of Key Features and Impacts

The policy and associated Guidelines are prepared with the community and their safety in mind, it is developers and builders who will be most interested in the Policy given the cost and programming of hoardings in a construction project.

The relevant legislative components of the Local Government Act 1993 and the Roads Act 1993 are incorporated into the policy including mechanisms for:

- Granting an approval
- Extending an approval
- Enforcing an approval
- Revoking an approval

The Policy gives support to Council's Hoarding Guidelines which prescribe the requirements of the applicant including but not limited to the following:

- Location requirements (i.e. requirements to minimise impact to pedestrians and vehicles etc)
- Specifications for types of Hoardings for different scenarios (e.g. Class A, B or C)
- How to manage interaction with street trees
- Colour of hoardings (currently required to be white) and other visual and amenity requirements.

The Guidelines are continuously under review and will be updated to provide further opportunity to improve visual amenity

Fees associated with hoardings are prescribed in the Policy and determined by Council's Fees and Charges on an annual basis.

CONSULTATION

The draft Policy was developed in consultation with internal Council stakeholders involved in installation and management of temporary hoarding on road reserves. Policies and guidelines from other councils were also considered as part of the investigation process.

The public consultation process during the exhibition period will include:

- Information on the 'Your Say' project web page including online submission form.
- Copies of the draft Policy will be available in all customer service and library locations.
- Advertisements in the Manly Daily.
- Notifications to key stakeholder groups
- Public exhibition for a period of 2 months.

TIMING

All submissions made during the public exhibition period will be considered, after which the final Policy will be reported back to Council seeking adoption.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Goal 8 – Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing
- Goal 17 - Our Community can safely and efficiently travel within and beyond Northern Beaches.

FINANCIAL CONSIDERATIONS

The costs of implementing the draft Policy in 2020/21 can be met within current budget.

SOCIAL CONSIDERATIONS

The draft Policy will ensure public safety on road reserve during any development work on private property, and support the improvement of amenity by managing accessibility and appearance of streetscapes.

ENVIRONMENTAL CONSIDERATIONS

The draft Policy will ensure the hoardings on the road reserve are constructed using suitable materials.

GOVERNANCE AND RISK CONSIDERATIONS

Ensuring a robust, complete and up to date policy environment is key to Council's governance framework. Harmonising the policies from the former Councils into a single approach reduces the risk of procedural error by ensuring that one policy is applied across the entire LGA.



Council Policy

Placing of Hoardings and Scaffolding at Construction or Demolition Sites

Policy Statement

This policy is to ensure a suitable temporary hoarding and or scaffolding ("*hoarding*") is erected within the road reserve to protect the public from the hazards of building construction, alteration or demolition as such, across the Northern Beaches Local Government Area.

This policy aims to give force to Council's Hoarding Guidelines that prescribe the design, installation and maintenance criteria which are used by Council in assessing hoarding applications. Council's Hoarding Guidelines serve to ensure minimal impact to pedestrians, vehicles and street trees in addition to ensuring the public is protected from the hazards of construction.

Principles

Council will administer the Placing of Hoardings and Scaffolding at Construction or Demolition Sites policy ("the Policy") in accordance with the following principles:

1) Hoarding Permit Application

A Hoarding Permit Application must be lodged to seek approval to erect a hoarding on the road reserve, as required by s68 of the Local Government Act 1993 and s138 of the Roads Act 1993. An appropriate fee is to be paid with the application in accordance with the Council's Annual Fees and Charges.

Council may require the relevant documents and supporting information demonstrating compliance with Council's Hoarding Guidelines to be submitted with the application as prescribed on the Hoarding Permit Application form.

2) Granting an approval

An approval to erect a temporary hoarding may be granted under s94 of the Local Government Act 1993 and s138 and s139 of the Roads Act 1993. The approval must be read in conjunction with any conditions of an approved development consent if applicable.

In addition to the Hoarding Guidelines requirements, all hoardings must be erected and installed in accordance with relevant Codes of Practice, including but not necessarily limited to the Code of Practice – Overhead Protective Structures from SafeWork NSW, Construction Work – Code of Practice from Safe Work Australia and the specifications of Council.

3) Amending and extending an approval

A person to whom an approval is granted may apply to amend an approval under s87 of the Local Government Act 1993 if the amendments are minor only.

An approval may be extended under s107 of the Local Government Act 1993 if Council has good reason to do so and whereby the hoarding in question has been erected and maintained in accordance with the approval and all other ongoing requirements are to Council's satisfaction including but not limited to structural adequacy and insurance coverage.

4) Enforcement of approval

When a breach of a hoarding approval does occur, an officer delegated by Council to issue directions under the Roads Act 1993 may issue penalty notices, give orders and undertake other compliance actions.



5) Revoking the approval

Council may revoke the approval under s108 & s109 of the Local Government Act 1993 and s140 of the Roads Act 1993 when the condition of the approval is breached. Council will refund the fees for revoked approvals less the fees associated with the period of time for which the hoarding has been erected.

6) Cost recovery

Council reserves the right to recover the cost if there is any damage of Council's infrastructure during the course of the erection/demolition of the hoarding.

Scope and application

This policy applies to every hoarding in Northern Beaches Local Government Area.

References and related documents

Council's Fees and Charges (as issued annually)

Local Government Act 1993- s68, s94, s108 and s109

Roads Act 1993 – s138, s139 and s140

Code of Practice – Overhead Protective Structures, SafeWork NSW

Construction Work – Code of Practice, Safe Work Australia

Definitions

Hoarding: a temporary structure including a scaffolding placed on the footway that provides an overhead protective barrier to protect the public by separating construction or demolition sites from the footway

Footway: the part of road as is set aside or formed as a path or way for pedestrian traffic

Responsible Officer

Executive Manager, Environment & Climate Change

Review Date

December 2023

Revision History

Revision	Date	Status	TRIM Ref
1	17/12/2019	First draft Hoardings – placing of Hoarding at Construction or Demolition Sites policy	2019/681334
2	24/07/2020	Second draft - Hoardings & Scaffolding – Placing of Hoardings and Scaffolding at Construction or Demolition Sites	2019/681334
3	04/09/2020	Third draft - Placing of Hoardings and Scaffolding at Construction or Demolition Sites	2019/681334
4	14/09/2020	Fourth draft - Placing of Hoardings and Scaffolding at Construction or Demolition Sites	2019/681334

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	PLANNING PROPOSAL (PEX2018/0007) TO REZONE LAND WITHIN THE MANLY WARRINGAH WAR MEMORIAL STATE PARK
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2020/489622
ATTACHMENTS	<ol style="list-style-type: none"> 1 Planning Proposal (Included In Attachments Booklet) 2 Preliminary Site Investigation Report (Cardno) (Included In Attachments Booklet) 3 Letter - James Griffin MP regarding land owned by Sydney Water (Included In Attachments Booklet) 4 Letter - Transport for NSW - Wakehurst Parkway temporary construction site (Included In Attachments Booklet) 5 Property Investigation & Title Rectification Status Report - Public Works Advisory (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's approval to resubmit a Planning Proposal to the Department of Planning, Industry and Environment (DPIE) to rezone land within the Manly Warringah War Memorial State Park from R2 (Low Density Residential) to RE1 (Public Recreation).

The amended planning proposal removes one small triangular parcel of land 82m² in area (Lot 1, DP 1200869) from the Planning Proposal as land ownership of this parcel is not clear, and landowners consent cannot be provided.

EXECUTIVE SUMMARY

On 27 November 2018, Council resolved as follows:

That:

- A. *Council prepare a Planning Proposal to rezone the five lots owned by Sydney Water and the Crown at the north east corner of the intersection of Wakehurst Parkway and Kirkwood Street in Allambie Heights/Seaforth, from Low Density Residential (R2) to Public Recreation (RE1) under the Warringah Local Environmental Plan 2011. The five lots consist of:*
 - a. *Three Crown land lots:*
 - i. *Lot 76 DP 504237*
 - ii. *Lot 77 DP 504237*
 - iii. *Lot 2 DP 710023.*
 - b. *Two Sydney Water lots:*
 - i. *Lot 1 DP 710023 – bushland site (surplus land)*
 - ii. *Lot 1 DP 835123 – with water tower (reservoir).*

In accordance with the above decision, a Planning Proposal was prepared and reported to Council on 28 May 2019 wherein it was resolved as follows:

That Council:

- A. *Submit the attached Manly Warringah War Memorial State Park Planning Proposal to the Department of Planning and Industry for a Gateway Determination to amend Warringah Local Environmental Plan 2011 to:*
 - a. *Rezone the following lots from R2 (Low Density Residential) to RE1 (Public Recreation):*
 - i. *Lot 76 DP 504237 (Crown Land)*
 - ii. *Lot 77 DP 504237 (Crown Land)*
 - iii. *Lot 2 DP 710023 (Crown Land)*
 - iv. *Lot 1 DP 1200869 (Crown Land)*
 - v. *Lot 1 DP 710023 (Sydney Water - Surplus Bushland Site).*
 - b. *Rezone Sydney Water Lot 1 DP 835123 (Water Tower - Reservoir) from R2 (Low Density Residential) to SP2 (Infrastructure) - 'Water Supply System'.*
 - c. *Amend the Height of Building Map and Minimum Lot Size Map to remove the residential development standards for height and minimum lot size from all of the subject lots.*
- B. *Request approval to exercise the function of 'Local Plan Making Authority' from the Department of Planning and Industry via the Gateway Determination for the Manly Warringah War Memorial State Park Planning Proposal.*
- C. *Prepare and exhibit consequential amendments to Warringah Development Control Plan 2011 to remove residential development controls, including setback and minimum landscaped area controls, from land covered by the Manly Warringah War Memorial State Park Planning Proposal.*
- D. *Seeks approval from Sydney Water and the Department of Planning and Industry (Water, Property and Housing) to rezone land for a public purpose (RE1 (Public Recreation)) following a Gateway Determination being issued by the Department of Planning and Industry (Planning and Places).*
- E. *Writes to the relevant Minister to advocate for the inclusion of Sydney Water Lot 1 DP 710023 (Surplus Bushland Site) and Crown Land (Lot 1 DP 1200869) into the Manly Warringah War Memorial State Park.*

Prior to issuing a Gateway Determination, the Department of Planning, Infrastructure and Environment (DPIE) required Council to consult with Sydney Water. Sydney Water advised that their support for rezoning the subject property is conditional upon the land being acquired at market value. A valuation of the site was been obtained. The valuation obtained, as at 18 October 2019 was significant. Funds have not been allocated within Council's property fund for the acquisition of Lot 1 DP 710023. Accordingly, on 17 December 2019 Council resolved as follows:

That Council:

1. *Withdraw Lot 1 in DP 710023 from the Manly Warringah War Memorial State Park Planning Proposal previously submitted to the then Department of Planning and Environment.*
2. *Not proceed with acquisition of Lot 1 DP 710023 (Sydney Water – Surplus Bushland Site) at current market value.*
3. *Proceed with Phase 1 contamination report for the remaining lots.*

4. *Subject to a favourable outcome from the Phase 1 contamination report, progress the Planning Proposal to a Gateway Determination.*
5. *Revisit the status of Lot 1 DP710023 once the requirements of the Beaches Link Tunnel are known.*
6. *Writes to the State Member for Manly, James Griffin MP and Federal Member for Warringah Zali Steggall MP to negotiate and have Lot 1 DP 710023 transferred back into the park.*

In accordance with the December 2019 resolution, a Phase 1 contamination report was prepared which identified contamination on the sites which can be addressed via various mitigation actions including removal of contaminated material.

Council wrote to James Griffin MP and Zali Steggall MP on 20 December 2019 in accordance with Council's previous resolution. In responding (Attachment 3), James Griffin MP provided an update on the temporary Wakehurst Parkway construction site for the Beaches Link tunnel project and provided the following commitment:

"Following construction, land used in the temporary Wakehurst Parkway construction site (option B) will be handed to the Manly Warringah War Memorial State Park (Manly Dam Reserve) for the community to enjoy".

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Note that remediation works have commenced on the properties owned by Crown Lands, being Lots 76 & 77 of DP 504237 and Lot 2 of DP 710023, and Council as a Planning Proposal Authority, is satisfied that once these land parcels have been remediated they will be suitable to be used for the purposes of Public Recreation (RE1).
 2. Review the zoning that applies to the Sydney Water operational reservoir site (Lot 1 DP 835123) and adjoining lot with unclear ownership (Lot 1 DP 1200869) as part of the LEP review.
 3. Submit the attached Manly Warringah War Memorial State Park Planning Proposal to the Department of Planning, Industry and Environment for Gateway Determination to amend Warringah Local Environment Plan 2011 to:
 - A. Rezone three land parcels owned by Crown Lands (Lots 76 & 77 of DP 504237 and Lot 2 of DP 710023) at Wakehurst Parkway, Seaforth from R2 (Low Density Residential) to RE1 (Public Recreation).
 - B. Amend the Height of Building Map and Minimum Lot Size Map to remove the residential development standards for height and minimum lot size from Lots 76 & 77 of DP 504237 and Lot 2 of DP 710023, at Wakehurst Parkway, Seaforth.
 - C. Request approval to exercise the function of 'Local Plan Making Authority' from the Department of Planning, Industry and Environment via Gateway Determination for the Manly Warringah War Memorial State Park Planning Proposal.
 - D. Prepare and exhibit consequential amendments to Warringah Development Control Plan 2011 to remove residential development controls, including setback and minimum landscaped area controls; from land covered by Manly Warringah War Memorial State Park Planning Proposal.
-

REPORT

BACKGROUND

On 27 November 2018, Council resolved as follows:

That Council:

- A. *Council prepare a Planning Proposal to rezone the five lots owned by Sydney Water and the Crown at the north east corner of the intersection of Wakehurst Parkway and Kirkwood Street in Allambie Heights/Seaforth, from Low Density Residential (R2) to Public Recreation (RE1) under the Warringah Local Environmental Plan 2011. The five lots consist of:*
 - a. *Three Crown land lots:*
 - i. *Lot 76 DP 504237*
 - ii. *Lot 77 DP 504237*
 - iii. *Lot 2 DP 710023.*
 - b. *Two Sydney Water lots:*
 - i. *Lot 1 DP 710023 – bushland site (surplus land)*
 - ii. *Lot 1 DP 835123 – with water tower (reservoir).*

In accordance with the above decision, a Planning Proposal was prepared and reported to Council on 28 May 2019 wherein it was resolved as follows:

That Council:

- A. *Submit the attached Manly Warringah War Memorial State Park Planning Proposal to the Department of Planning and Industry for a Gateway Determination to amend Warringah Local Environmental Plan 2011 to:*
 - a. *Rezone the following lots from R2 (Low Density Residential) to RE1 (Public Recreation):*
 - i. *Lot 76 DP 504237 (Crown Land)*
 - ii. *Lot 77 DP 504237 (Crown Land)*
 - iii. *Lot 2 DP 710023 (Crown Land)*
 - iv. *Lot 1 DP 1200869 (Crown Land)*
 - v. *Lot 1 DP 710023 (Sydney Water - Surplus Bushland Site).*
 - b. *Rezone Sydney Water Lot 1 DP 835123 (Water Tower - Reservoir) from R2 (Low Density Residential) to SP2 (Infrastructure) - 'Water Supply System'.*
 - c. *Amend the Height of Building Map and Minimum Lot Size Map to remove the residential development standards for height and minimum lot size from all of the subject lots.*
- B. *Request approval to exercise the function of 'Local Plan Making Authority' from the Department of Planning and Industry via the Gateway Determination for the Manly Warringah War Memorial State Park Planning Proposal.*

- C. *Prepare and exhibit consequential amendments to Warringah Development Control Plan 2011 to remove residential development controls, including setback and minimum landscaped area controls, from land covered by the Manly Warringah War Memorial State Park Planning Proposal.*
- D. *Seeks approval from Sydney Water and the Department of Planning and Industry (Water, Property and Housing) to rezone land for a public purpose (RE1 (Public Recreation)) following a Gateway Determination being issued by the Department of Planning and Industry (Planning and Places).*
- E. *Writes to the relevant Minister to advocate for the inclusion of Sydney Water Lot 1 DP 710023 (Surplus Bushland Site) and Crown Land (Lot 1 DP 1200869) into the Manly Warringah War Memorial State Park.*

Prior to issuing a Gateway Determination, the Department of Planning, Infrastructure and Environment (DPIE) required Council to consult with Sydney Water. Sydney Water advised that their support for rezoning the subject property is conditional upon the land being acquired at market value. A valuation of the site was been obtained. The valuation obtained, as at 18 October 2019 was significant. Funds have not been allocated within Council's property fund for the acquisition of Lot 1 DP 710023. Accordingly, on 17 December 2019 Council resolved as follows:

That Council:

- 1. *Withdraw Lot 1 in DP 710023 from the Manly Warringah War Memorial State Park Planning Proposal previously submitted to the then Department of Planning and Environment.*
- 2. *Not proceed with acquisition of Lot 1 DP 710023 (Sydney Water – Surplus Bushland Site) at current market value.*
- 3. *Proceed with Phase 1 contamination report for the remaining lots.*
- 4. *Subject to a favourable outcome from the Phase 1 contamination report, progress the Planning Proposal to a Gateway Determination.*
- 5. *Revisit the status of Lot 1 DP710023 once the requirements of the Beaches Link Tunnel are known.*
- 6. *Writes to the State Member for Manly, James Griffin MP and Federal Member for Warringah Zali Steggall MP to negotiate and have Lot 1 DP 710023 transferred back into the park.*

Context

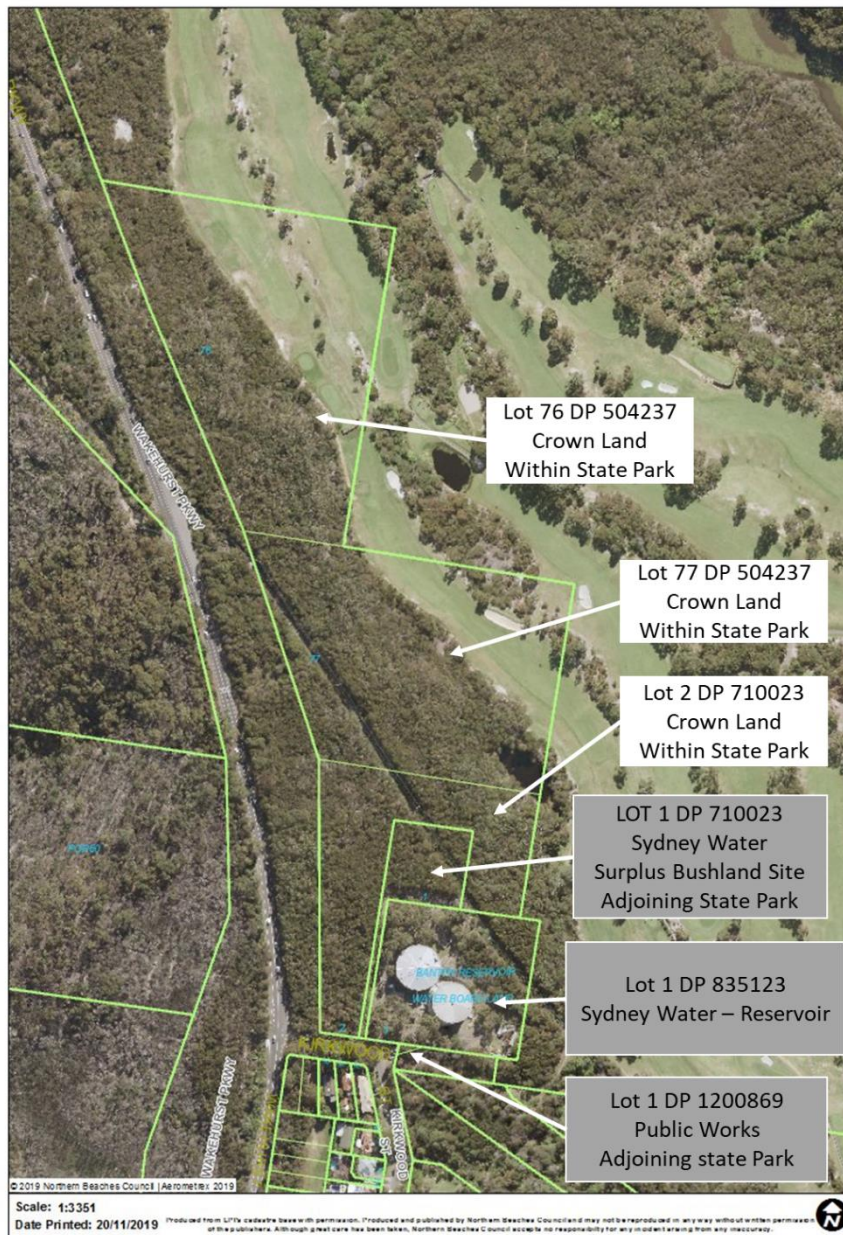
The six (6) lots subject to the Planning Proposal are located within or surrounding the south-west boundary of the Manly Warringah War Memorial State Park (State Park) and are generally surrounded by the Wakehurst Parkway and Garigal National Park to the west, the State Park including the Wakehurst Golf Club and Manly Dam to the north and east, and the Seaforth Bowling Club, and low density residential development to the south.

All of the six (6) lots are currently zoned R2 Low Density Residential under WLEP2011. These parcels of land were zoned as various forms of open space reservation from the Warringah Shire Planning Scheme 1963 until Warringah LEP 2000. Under WLEP2000 these sites were managed within the locality of G3 Manly Lagoon Suburbs locality characterised as detached style housing. With the Warringah LEP2011, these parcels became R2 zoning, reflecting land use within the broader locality under the WLEP2000 scheme.

Summary of lots considered during this project

In total, six lots with R2 (Low Density Residential) zoning have been considered during the history of this project (see Figure 1 & 2). These include:

- **Three Crown Land Lots that are included in the Planning Proposal** (Attachment 1) that sit within the boundary of the State Park. These include:
 - Lot 76 DP 504237
 - Lot 77 DP 504237
 - Lot 2 DP 710023
- **Sydney Water owned Surplus Bushland Site** (Lot 1 DP 710023) was removed from the proposal as per Council resolution on 17 December 2019 (above). Council has been unable to obtain landowner consent to rezone this lot and it is now subject to plans by Transport for NSW as outlined below in this report. Correspondence from MP James Griffin (Attachment 3) and Transport for NSW (Attachment 4) identify this lot as a support site for the Beacheslink tunnel project and make commitments to give surplus bushland to the Manly Warringah War Memorial State Park at the conclusion of the Beaches Link Tunnel project.
- **Sydney Water Reservoir Site** (Lot 1 DP 835123) Council has received a formal request from Sydney Water on 26 September 2019 requesting Council consider 50 operational sites across the Northern Beaches, including this lot for SP2 (Infrastructure) zoning. This was previously outlined in a previous report to Council
- **Small Triangle Lot 1 DP 1200869** was included in the Planning Proposal supported by Council at its meeting on 28 May 2019 as it is also zoned R2 (Low Density Residential). This lot was identified as Crown Land at the time in line with the title search. A lengthy investigation into this lot (Attachment 5) has uncovered a number of inaccuracies recorded on the land title and uncertainties around ownership by either Public Works or Sydney Water which need to be resolved before landowner consent can be provided.



A. Figure 1 - Six Lots, all with R2 (Low Density Residential) zoning have been considered through this history of this project

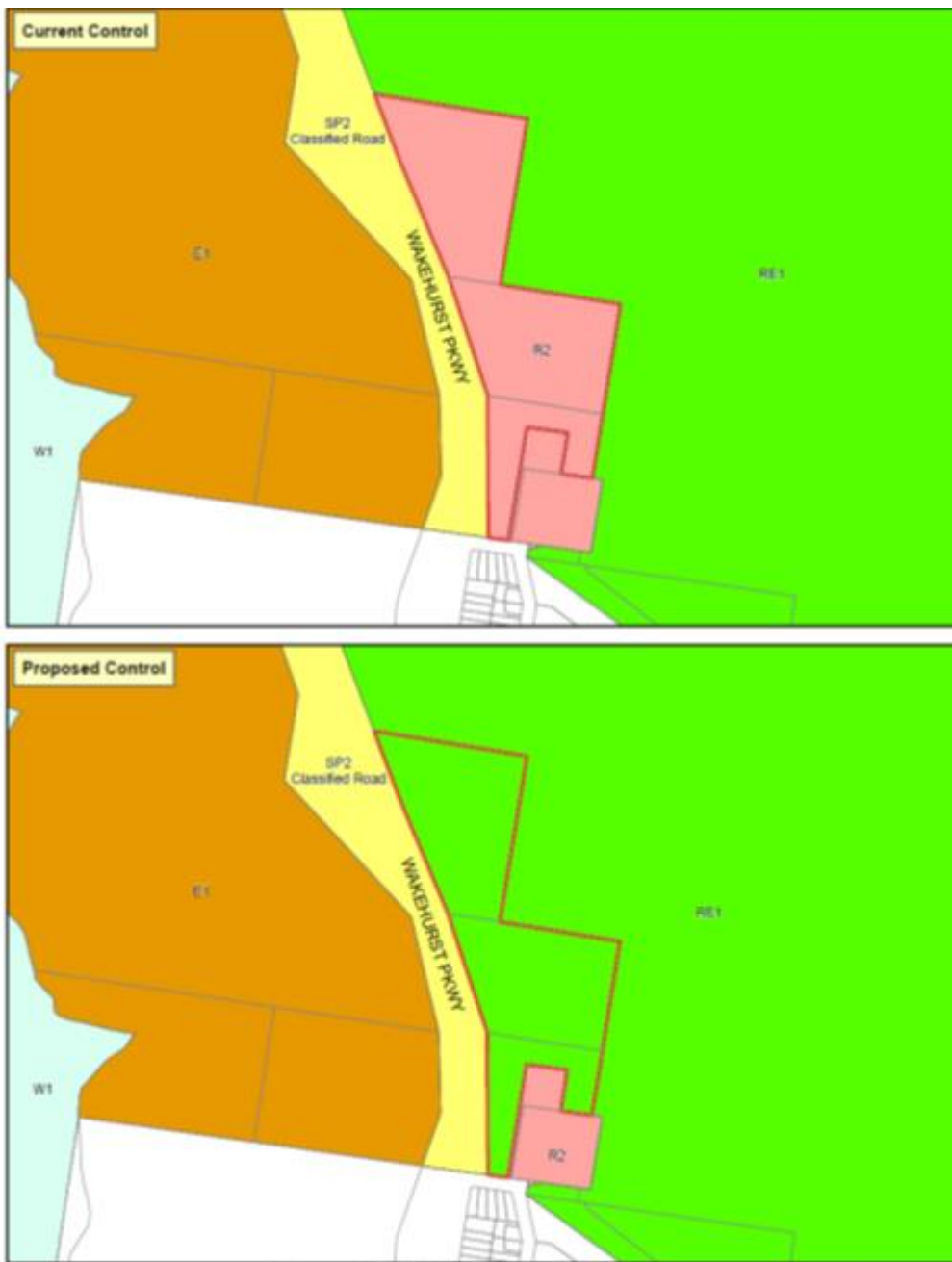


Figure 2 – Current and Proposed zones

Issues

Preliminary Contamination Investigation

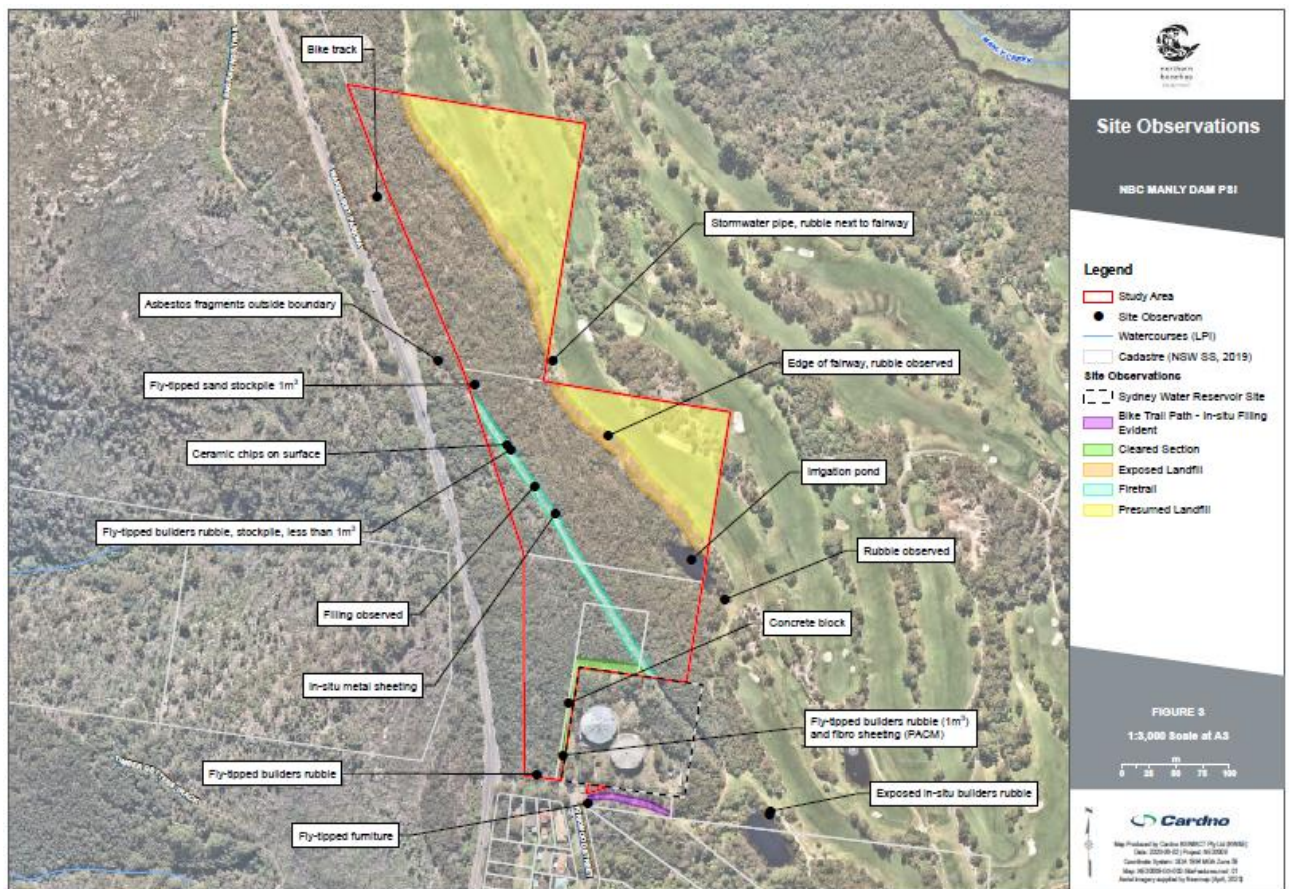
In accordance with Council's resolution on 17 December 2019, Council appointed a contamination specialist (Cardno) to undertake a Preliminary Site Investigation Report (Attachment 2) in accordance with the requirements of Ministerial Direction 2.6 and the contaminated land planning guidelines under the Environmental Planning and Assessment Act 1979.

The Preliminary Site Investigation report identified the following:

1. Fly-tipping of hazardous materials and builder's rubble via Kirkwood Street and a fire trail accessed off Wakehurst Parkway under the power lines. Non-fiable asbestos was detected in a small fly-tipped builder's rubble stockpile via Kirkwood Street and it presents low

potential risk of inhalation to users. This impacts Crown Land owned Lot 2 of DP 710023 and Lot 77 of DP 504237.

2. Historical restricted land fill of building materials and excavation material under the Golf Course indicated in yellow in Figure 3. In some spots capping material is visible as topsoil and turf have eroded over time on Lot 77 of DP 504237 and Lot 76 DP of 504237 in the area marked orange along the edge of the tree line in Figure 3.
3. The historical laydown area within the Sydney Water site could present low potential risk of impacted surface soils, however there is currently no risk to receptors as this portion of the land is fenced and not accessible to the public.



B. Figure 3 - Clean up works areas - Provided by Cardno 2020 Preliminary Site Investigation

For the purposes of satisfying [Ministerial Direction 2.6](#), Council, as the Planning Proposal Authority, must be satisfied that the land will be remediated to be made suitable for any purpose for which the land in that zone is permitted to be used, before any change in land use occurs.

Cardno's recommendations to manage the potential risks at the site and validate the suitability of the site for the land use change include:

1. Removal of fly-tipped material including asbestos fragments by a suitably qualified person and have the areas validated suitable for use
2. While the cap is currently in place this poses minimal risk to golfers and intrusive maintenance staff of Wakehurst Golf Club. Cardno recommend replenishment of top soil and turf to protect the landfill cap from further erosion.

3. Access to the historical materials laydown area is currently fenced off from the public access, therefore the potential exposure pathway is deemed negligible. Upon change of land use, further ground investigation may be necessary to assess the suitability of the Site.

Northern Beaches Council has care, control and maintenance responsibility for Manly Warringah War Memorial State Park. The three lots requiring rectification works are owned by Crown Land, managed by the Manly Warringah War Memorial Park (R68892) Reserve Trust. Northern Beaches Council manages the affairs of the Trust and carries out the day-to-day management of the Park on behalf of the Trust under the provisions of the Crown Land Management Act 2016.

Council's Parks and Recreation team have proactively commenced the process of removing the materials to ensure the land is suitable for Public Recreation (RE1) uses and to improve the quality of the bushland environment for the community to enjoy. An indicative costing by Cardno suggests it will cost \$25,597 (excluding GST) for this rectification work to be undertaken. Council's Parks and Recreation team have advised that the cost of these works can be accommodated within the existing operational budget. The fire trail has been gated in recent years to discourage further illegal dumping on the fire trail.

With regards to the Golf Course, while the capping material is in place there is limited risk to ground staff or users of the course. To prevent further issues in the future, Council's parks and Recreation team have notified Wakehurst Golf Club of the Cardno findings and made recommendations to the Club to replenish top soil and turf along the top edge of the fairway to protect the landfill cap.

Sydney Water and Crown Land have both been notified and provided with a copy of the Cardno report.

Update on Lot 1 DP 710023 with regards to the Beaches Link Tunnel Project

Council wrote to James Griffin MP and Zali Steggall MP on 20 December 2019 in accordance with Council's previous resolution. In responding (Attachment 3), James Griffin MP provided an update on the temporary Wakehurst Parkway construction site for the Beaches Link tunnel project and provided the following commitment:

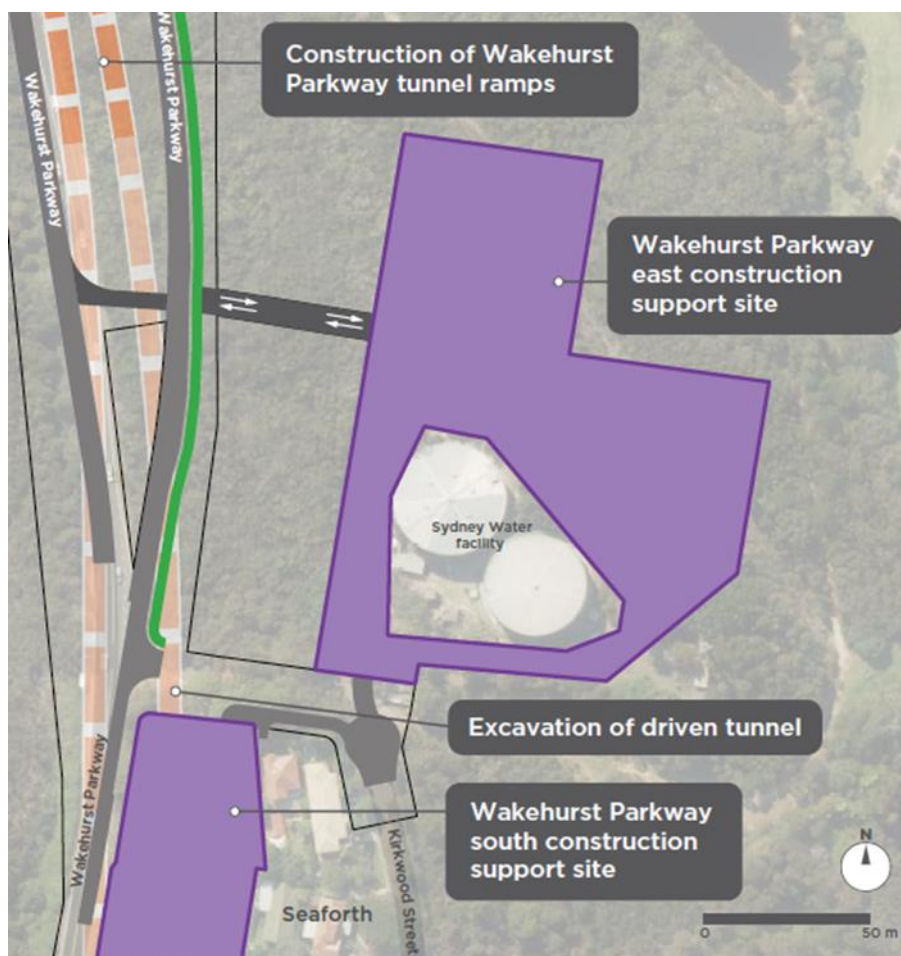
"Following construction, land used in the temporary Wakehurst Parkway construction site (option B) will be handed to the Manly Warringah War Memorial State Park (Manly Dam Reserve) for the community to enjoy".

Further to this, Council received correspondence from Transport for NSW on 17 August 2020 (Attachment 4) from the Program Director for the Western Harbour Tunnel and Beaches Link projects, advising as follows:

"Once construction is complete, we are planning to rezone the land to RE1 – Public Recreation and transfer the surplus land (i.e. land that Sydney Water does not require for its operations) to the Manly Warringah War Memorial State Park for the community to enjoy".

The updated construction support site map shows an intention to use two lots owned by Sydney Water which both sit outside the Manly Warringah War Memorial State Park boundary. These include the surplus bushland site (Lot 1 of DP 710023) which Sydney Water proposed to sell to the private market in 2015, and Sydney Water's operational water reservoir site (Lot 1 DP 835123). An access road on Crown Land will connect the construction support site directly to the Wakehurst Parkway, minimising impacts on nearby residents.

Verbal conversations with both Sydney Water and the Transport for NSW project team confirmed that the acquisition process is yet to commence and will occur after the Beaches Link Environmental Impact Statement has been on Public Exhibition. Sydney Water has not changed its position to oppose Council's proposed rezoning of the land that it owns, being Lot 1 DP 710023. As such the previous resolution of Council on 17 December 2019 stands.



C. Figure 4 - Temporary Wakehurst Parkway Construction Site

Lot 1 DP 1200869 (Small Triangular Lot), Kirkwood Street, Seaforth

Ownership of this small 82sqm lot at Kirkwood Street, Seaforth (refer to Figure 5) is unclear. Public Works Advisory have undertaken a comprehensive investigation on the ownership history of the subject Lot in response to enquiries by Council officers (Attachment 5). Information contained in the title search is incorrect as the parcel is not affected by S25A of the Crown Lands Consolidation Act 1913 and was not added to reserve R68892. Crown Lands has referred Council to the appendix of Crown Plan 19276-3000, which shows that Lot 1 DP 1200869 is not included in the schedule of lands outlined in the Government gazettes. There does not appear to be a vesting notice, which vests Lot 1 DP1200869 to any other agency, or Council, therefore the title remains in the name of Minister for Public Works.

Sydney Water may have beneficial ownership of this lot as on physical inspection it sits within the fence line of the adjoining operational water reservoir site (Lot 1 DP 835123) owned by Sydney Water (refer to Figure 5). Public Works acquired the land in 1892 for the purpose of authorised work for the supply of water to Manly Village where the Minister for Public Works was the Constructing Authority. While Public Works Authority have been unable to find any documentation supporting Sydney Water's beneficial ownership of the small triangle Lot 1 DP 1200869, it sits within the Sydney Water fence line and advice from Sydney Water indicates it contains a 375 water main. Sydney Water has requested the adjoining Reservoir site be considered for SP2 zoning as part of the LEP review process. It would therefore be appropriate for this small triangle lot to also be considered as part of Council's Local Environmental Plan (LEP) review.

It will take some time and resources for Sydney Water and Public Works to resolve ownership of this lot. Neither organisation were aware of having an interest prior to recent contact from Council.

Public works advisory does not have delegated authority at officer level to provide consent for a rezoning and would need to refer the matter to the Minister administering the Public Works Act to obtain consent. Council has been advised that this is a lengthy process, which may take many months.

Further, the Department of Planning, Industry and Environment are unlikely to require landowner consent for rezoning if the proposal comes about through the LEP review process which determines an appropriate zone based on zone criteria and objectives.

Accordingly, it is recommended that Lot 1, DP 1200869 be removed from current Planning Proposal.



D. Figure 5 - Location of Lot 1 DP 1200869 indicated in red cross-hatching



E. Figure 6 - Photograph at Kirkwood St, Seaforth showing small triangle lot (Lot 1 DP1200869) immediately behind trailers.

Proceed with the planning proposal to rezone the three Crown Land owned lots

Council is now in a position to re-submit the attached Planning Proposal to the Department of Planning, Industry and Environment, given that:

- Crown Lands have provided written support for the proposal to rezone three lots from R2 (Low Density Residential) to RE1 (Public Recreation).
- Council as the Planning Proposal Authority can be satisfied that the three Crown Land owned lots, under the day to day management of Northern Beaches Council, are currently being remediated and made suitable to be used for the prescribed land uses that are permitted under the Public Recreation RE1 zone.

Council has previously approved this proposal, noting that the following updates have been made to the attached version since it was submitted to Council on 28 May 2019, including the following:

- Removal of Lot 1 of DP 835123 Sydney Water reservoir operational site;
- Removal of Lot 1 of DP 710023 Surplus Bushland site
- Removal of Lot 1 of DP 1200869, a 82sqm small triangle parcel with unclear ownership
- Inclusion of Preliminary Contamination Investigation findings and attachment of the report prepared by Cardno
- Inclusion of the letter from Crown Lands providing written support for the rezoning of three lots that they own from R2 (Low Density Residential) to RE1 (Public Recreation).
- Updated responses to reflect the latest ministerial directions, State Environmental Planning Policies (SEPPs) and strategic documents including the Local Strategic Planning Statements (LSPS).

CONSULTATION

Public Exhibition of the Planning Proposal will take place following receipt of a Gateway Determination from DPIE to proceed with the Planning Proposal. The Gateway Determination will prescribe the minimum requirements for consultation including the exhibition period and government agency consultation requirements. Council would usually undertake consultation as follows:

- Notification in writing to affected and adjoining landowners;
- Notification of key stakeholders, including but not limited to the 'State Park Advisory Committee' and the local environmental conservation group 'Save Manly Dam Catchment Committee';
- Electronic copies of the exhibition material made available on Council's website;
- An email to registered community members who have listed their interest on Council's Community Engagement Register.

The following State Government Agencies are identified as requiring consultation following Gateway Determination to proceed with the Planning Proposal:

- Crown Land – the landowner of three Crown Land lots that are proposed to be rezoned from R2 to RE1. Crown Lands have provided written support for this proposal;
- Sydney Water – Adjoining landowner
- Heritage NSW – the subject land has been identified as Aboriginal Potential Area 1 and within 100 metres of an Aboriginal Site
- Local Planning Panel – Council's Local Planning Panel considered the Planning Proposal at its meeting on 1 May 2019 and resolved to support the officer's recommendations.
- Commissioner of the NSW Rural Fire Service as required under Ministerial Direction 4.4 Planning for Bushfire Protection.

TIMING

It is anticipated that the Planning Proposal will be completed in 6-12 Months from the date of Council's approval to proceed. Following the issue of a Gateway determination, Council will be required to formally exhibit the Planning Proposal for 28 days. The matter will be reported back to Council for final consideration following the public exhibition period.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- 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 2: Our environment and community are resilient to natural hazards and climate change.
- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

The Planning Proposal process will be undertaken within the existing Strategic and Place Planning budget.

Remediation works to remove fly-tipped material to ensure that the subject lots are suitable for Public Recreation use will be undertaken by the Parks and Recreation team and will be funded within the teams existing budget.

SOCIAL CONSIDERATIONS

The subject land is valued socially for public recreation, as a bushland environment for its aesthetic/scenic beauty, ecological and scientific value as well as providing habitat for threatened species. The subject land has Aboriginal heritage significance, identified as Aboriginal Potential Area 1 and within 100 metres of an Aboriginal site.

The proposed RE1 zoning of the subject land will support ongoing use for a range of recreational settings, activities and land uses that are compatible with and protect the environmental, recreational, aesthetic and cultural values of the State Park and the water quality of Manly Dam.

ENVIRONMENTAL CONSIDERATIONS

Council's Bushland & Biodiversity team has assisted in the preparation of the Planning Proposal and confirms that the likely environmental effects of the Planning Proposal will be to better protect manage and restore the public lands ecological, scientific, cultural or aesthetic values.

Scenic Protection

The State Park is highly valued for the scenic beauty of its natural bushland environment. The proposed RE1 zone would preclude future residential development on the subject land which would intrude into the Park's visual catchment and/or skyline, detracting from the Parks natural aesthetic appeal.

Water Quality of Manly Dam

The subject land drains into Manly Dam, which is valued by the community for its high water quality and recreational uses. The proposed RE1 Public Recreation zone would minimise potential for residential development impacts such as fertiliser use and uncontrolled or polluted stormwater runoff from affecting the water quality of Manly Dam.

GOVERNANCE AND RISK CONSIDERATIONS

The following Governance and Risk considerations have been identified with regard to the Planning Proposal:

Delegation of Plan Making Authority

As the Planning Proposal is considered of local significance only, it is recommended that Council requests delegation to exercise the function of local plan making authority for the Planning Proposal from the Department of Planning, Industry and Environment.

State Government Approvals

The approval of Crown Land and the Department of Planning, Industry and Environment is required to rezone land for a public purpose (i.e. proposed RE1 (Public Recreation)) as per Ministerial Direction 6.2 – Reservation of Land for Public Purposes) and Clause 12 of the Environmental Planning and Assessment Regulations 2000.

Contaminated Land

A Preliminary Contamination Investigation was undertaken for the purposes of satisfying Ministerial Direction 2.6. Council, as the Planning Proposal Authority, is required to be satisfied that the land will be remediated to be made suitable for any purpose for which the land in that zone is permitted to be used, before the land is used for that purpose.

The Manly-Warringah War Memorial State Park was established on 7 April 2017 and is under the care, control and management of the Manly Warringah War Memorial Park (R68892) Reserve Trust. Northern Beaches Council manages the affairs of the Trust and carries out the day-to-day management of the Park on behalf of the Trust under the provisions of the Crown Lands Act 1989.

The findings of the Preliminary Contamination Investigation are outlined above and the report prepared by Cardno is attached to the Planning Proposal. Council's Parks and Recreation team have initiated works to remediate this land to make it suitable for public recreation use in accordance with recommendations from the Cardno report.

Landslip Risk

Warringah Local Environmental Plan 2011 identifies the subject land as 'Area A – slopes less than 5 degrees' and 'Area B – Flanking Slopes from 5 to 25 degrees' in terms of landslip risk. Council must therefore consider risk associated with landslides and their impact on both property and life when assessing development applications. Furthermore such development must not cause significant detrimental impacts because of storm water discharge from the development site or impact on or affect the existing subsurface flow conditions.

Bush Fire Prone Land

The land is Bush Fire Prone Land in close proximity to Garigal National Park and dense bushland of the State Park. The proposed rezoning from R2 (Low Density Residential) to RE1 (Public Recreation) would serve to protect life and property from potential bush fire hazards by discouraging the establishment of incompatible residential land uses in the bush fire prone area. It would also protect native flora and fauna from land clearing pressure to create bush fire asset protection zones along the Park's boundaries.

ITEM 12.2	PUBLIC SPACE VISION AND DESIGN GUIDELINES
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2020/493538
ATTACHMENTS	1 Public Space Vision and Design Guidelines Community Consultation Outcomes Report (Included In Attachments Booklet) 2 Draft Public Space Vision & Design Guidelines (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council endorsement for the public exhibition of the draft Public Space Vision and Design Guidelines (PSV & DG).

EXECUTIVE SUMMARY

Council staff have undertaken a comprehensive review and consolidation of the three former Councils' various public domain guidelines.

This has included the consolidation of various materials schedules, palettes and associated public domain policy documents in collaboration with internal stakeholders and document users.

Significant work has been done to ensure that Council's guidelines for its public domain areas are in line with directions contained within the Greater Sydney Commission's North District Plan and the NSW Government Architect's Office suite of '*Better Placed*' policy documents.

The Public Space Vision and Design Guidelines document has been prepared in line with the increased expectations on the delivery of high-quality places and spaces for people in the urban public realm.

The draft Public Space Vision and Design Guidelines document seeks to retain and enhance the unique landscape character of the Northern Beaches whilst providing additional environmental, social, health and economic outcomes within its centres and neighbourhoods through the introduction of best practice street design and appropriate material selection.

It is intended the Public Space Vision and Design Guidelines document will be a twenty-year document with a review and updating cycle of every 5 years.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

1. Council endorse the draft Public Space Vision and Design Guidelines for the purpose of public exhibition and publicly exhibit the document for a period of 28 days.
 2. Following the exhibition period, the Public Space Vision and Design Guidelines be reported back to Council.
-

REPORT

BACKGROUND

In the process of consolidating the various former Councils' urban design guideline documents in 2019 (Interim Public Domain Guidelines 2019), some critical overarching information gaps were identified and significant work was required to ensure that Council's guidelines for its public domain areas were in line with directions contained within the Greater Sydney Commission's North District Plan and the NSW Government Architect's Office suite of '*Better Placed*' policy documents.

Following a review of the previous Interim document and relevant Government Directions, the draft Public Space Vision and Design Guidelines (PSV & DG) document was prepared. The PSV & DG document has been prepared in line with the increased expectations on the delivery of high-quality places and spaces for people in the urban public realm.

It is intended the PSV & DG document will be a twenty-year document with a review and updating cycle of every 5 years.

Community Engagement Strategy

The Community Engagement Strategy for the PSV & DG project was initially scheduled to include a number of ward-based pop-up community engagement sessions as part of the initial (Stage 1 – pre-exhibition) preliminary engagement process. However, the consequences and timing of the current climate of COVID-19 restrictions drove the strategy to an online focused and interactive preliminary engagement process.

There was a pleasing response to the online engagement with Council receiving 235 comments. The 'Community Consultation Outcomes Report' (Attachment 1) provides a comprehensive summary of the comments received and the issues raised. The comments provided as part of the online engagement process have informed the preparation draft PSV & DG document (Attachment 2).

Draft Public Space Vision And Design Guidelines Document

The draft PSV & DG seek to retain and enhance the unique landscape character of the Northern Beaches whilst providing additional environmental, social, health and economic outcomes within its centres and neighbourhoods through the introduction of best practice street design and appropriate material selection.

Six key objectives form the foundation of the guidelines which are derived from state government public domain targets and previous engagement with the Community.

The Six Key Objectives are as follows:

1. Enhance & protect the bush, beach & water character.
2. Encourage social activation through street design.
3. Inspire healthy & active lifestyles through safe & inclusive footpath & cycleway networks.
4. Implement traffic calming interventions to create safe environments.
5. Integrate water sensitive urban design into streets & open spaces.
6. Increase canopy cover on streets.

A key addition to the guidelines is the inclusion of a street types chapter. In line with best practice urban design, streets are commonly referred to as 'the backbone of public space', often accounting for a quarter or more of the total land area in our cities and neighbourhoods. Streets typically

make up around 80% of all public space in an urban area, with parks and squares comprising less than a fifth of our shared spaces.

In addition to the street types chapter, another important inclusion is the introduction of four key material palettes “Coastal, Urban, Bush and Waterways” which are responsive to their environmental conditions whilst still providing an overall cohesiveness to the entire LGA.

TIMING

If endorsed by Council, it is proposed that the draft PSV & DG document will be placed on public exhibition in October 2020 for a period of 28 days.

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.
- Environment Sustainability - Goal 6: Our Community will continue to work towards sustainable use of resources.
- Places for People - Goal 7: Our urban planning reflects unique character of our village, natural environment and is responsive to the evolving needs of our community.
- 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.
- Transport and Infrastructure - Goal 16: Our integrated transport networks meet the needs of our community.

FINANCIAL CONSIDERATIONS

Funding to support the implementation of the Public Space Vision and Design Guidelines is included annually in the existing asset management Council budgets.

SOCIAL CONSIDERATIONS

- PSV & DG Objective 2: Encourage social interaction through street design
- PSV & DG Objective 3: Encourage healthy and active lifestyles through safe and inclusive footpath and cycleway networks
- PSV & DG Objective 4: Implement traffic calming interventions creating safe environments

(Refer pages 13-15 PSV & DG – Attachment 2)

ENVIRONMENTAL CONSIDERATIONS

- PSV & DG Objective 1: Enhance and protect the bush, beach and water character
- PSV & DG Objective 5: Integrate water sensitive urban design into streets and open spaces
- PSV & DG Objective 6: Increase tree canopy cover and landscaping on streets

(Refer pages 13-15 PSV & DG – Attachment 2)

GOVERNANCE AND RISK CONSIDERATIONS

A Project Working Group and Project Control Group has been formed to oversee the preparation of the PSV & DG document. Council's Asset Management Group will be responsible for implementing any future works within the Public Domain in accordance with the Design Guidelines.

There is a risk that over time, some palettes, materials and or street furniture items may no longer be available, however the requirement to undertake a comprehensive review of the PSV & DG document every 5 years will ensure that the materials remain up-to-date and appropriate amendments can be made to the guidelines as required.

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	MONA VALE SURF LIFE SAVING CLUB, AMENITIES BUILDING AND APEX PARK AMENITIES
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2020/534655
ATTACHMENTS	<ol style="list-style-type: none"> 1 Coastal Engineering Report - Mona Vale SLSC (Included In Attachments Booklet) 2 Coastal Engineering Report - Mona Vale Beach Amenities (Included In Attachments Booklet) 3 Community Engagement Report - Mona Vale SLSC (Included In Attachments Booklet) 4 Community Engagement Report - Mona Vale Beach Amenities (Included In Attachments Booklet) 5 Images - MV SLSC - MV Beach Amenities - Apex park Amenities (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To seek Council's approval to proceed with the construction tender for the Mona Vale Surf Life Saving Club Building, the Mona Vale Beach Amenities Building and the proposed additional Apex Park Amenities.

REPORT

Since 2015 Council officers have been working closely with the Mona Vale Surf Life Saving Club (the Club) and local community on a project to deliver a new surf life saving club building at Mona Vale. This project has continually evolved as a result of a range of community engagements and involvements to now encompass providing improved amenities for the entire area, including Apex Park.

The building works now proposed to be delivered as part of this project, as displayed in Attachment 5, include:

- Demolition of the existing end-of-life surf life saving club building and construction of a new fit for purpose surf life saving club building
- Demolition of the existing end-of-life beach amenities and construction of a new amenities block, including accessible amenities, and lifeguard facilities
- Construction of a new family focused amenities building in Apex Park

The development of this project has included extensive community involvement at all stages, as follows:

May to June 2017

- Community Working Group – July 2017 to November 2017 comprising representatives from Surf Club, Surf Life Saving, Board Rider Group, Resident Group, Local Business, Local Resident, Key Hirer, Bronze Cafe
- Monthly workshops with the appointed architect to develop a draft concept design

May to June 2018

- Exhibition of draft concept approved by working group
- 94% of feedback supportive of the design
- Key themes included support for the overall design concept, broader community use and community benefits, address surf lifesaving needs and storage space and the cafe

October to November 2018

- Development Application including public exhibition

Once the decision was made to relocate the public amenities and lifeguard facilities into a renewed beach amenities building, additional consultation was then completed as follows:

Public exhibition – August to September 2019

- Concept exhibited on YourSay page with 80% of feedback in favour of the design and approach
- Key themes included sustainable features, external showers, inadequate size, age of existing building, impacts to views

Following this, in February 2020, to address concerns raised through a community petition, a further amendment to the proposed beach amenities building was made which delivered:

- reduced footprint
- reduced visual impact for residents

while still delivering:

- more toilets and circulation space
- shade cover and seating
- space for lifeguards
- accessible toilet

It is recommended that having been through these stages the allocated functions, uses and designs of the buildings within this project have come to a position that best delivers for the various needs of this community and that this project should progress to construction tender.

The project and design consultancy team have been working towards the completion of the design documentation to be ready to take these works to the construction tender phase. At this stage, six construction companies have been shortlisted through a public Expression of Interest (EOI) process ready to proceed to the selected tender stage if approved by Council to proceed.

In terms of timing, the new public amenities facility proposed to be installed in Apex Park, comprising an accessible toilet, a family change room and an ambulant cubicle is scheduled to be operational prior to the commencement of the construction works for the surf club and beach amenities buildings.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council approve the proposed new Mona Vale Surf Life Saving Club building, Mona Vale Beach amenities building and Apex Park amenities building progress to construction tender stage.

LINK TO COUNCIL STRATEGY

The concept and detail design development were conducted in a highly collaborative engagement process with representatives from different community groups participating in the decision making process. This aligns with the Community Strategic Plan (CSP) Goal 21 “Our community is actively engaged in decision making processes” and Goal 22 “Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community”.

The project has been designed to include solar power generation and rainwater harvesting to align with the Community Strategic Plan (CSP) Goal 5 “Our built environment is developed in line with best practice sustainability principles”.

The Mona Vale Beach precinct provides high social, sporting and recreational value to the community and is in line with the Community Strategic Plan (CSP) Goal 9 “Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities”.

FINANCIAL CONSIDERATIONS

A consultant quantity surveyor has prepared a cost estimate based on the detail design development documentation and the estimated construction costs are within the available budget funding, noting that the final construction cost will be subject to the outcome of the competitive tender process.

The project budget is comprised of Council Capital Works Program funding, grant funding and contribution by the Mona Vale Surf Life Saving Club.

ENVIRONMENTAL CONSIDERATIONS

Significant consultation has been undertaken with key stakeholders and the project design focuses on minimising the impacts in a sensitive coastal environment. It also incorporates sustainable design elements such as solar power generation and rainwater harvesting.

The buildings are designed in accordance with the coastal engineering recommendations regarding the foundation requirements and to minimise the potential impacts of coastal inundation. The coastal engineering report (Attachment 2) shows that with a deep piled foundation design, the beach amenities building in its current location is at a tolerable risk and is unlikely to suffer significant damage over its design life.

SOCIAL CONSIDERATIONS

This project will deliver an excellent outcome for the area, providing a range of upgraded community assets that support surf life saving activities, improved community spaces and additional public facilities.

GOVERNANCE AND RISK CONSIDERATIONS

To ensure transparency, the project has followed a rigorous three stage community engagement process with public exhibitions of the various concept designs and reporting at all stages of the project.

Project risks will be managed in accordance with Council’s risk management practices and the project will be delivered utilising Council’s established project management methodology and associated governance structures.

ITEM 13.2	PROPOSED LEASE - CENTRE OF EXCELLENCE - BROOKVALE OVAL
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2020/457559
ATTACHMENTS	1 Summary of Submissions

SUMMARY

PURPOSE

To seek Council approval, in accordance with Sections 47(5) (a) and (b) and 47 (6) of the Local Government Act 1993 (LGA), to apply to the Minister for Local Government for consent to grant a ground lease for a term of up to 30 years to Manly Warringah Sea Eagles Ltd (MWSE), for the construction and operation of a Centre of Excellence and Grandstand on the northern end of Brookvale Oval.

EXECUTIVE SUMMARY

The Manly Warringah Sea Eagles Ltd (MWSE) have secured State and Federal funding totalling \$32.5m for the creation of a Centre of Excellence (CoE) and Grandstand facilities at Brookvale Oval.

MWSE are looking to commence construction of the CoE immediately and the proposed construction lease, agreement for lease and subsequent ground lease was publicly notified from Wednesday 12 August 2020 and closed on Thursday 10 September 2020 in accordance with Section 47 of the Local Government Act 1993 (LGA). Brookvale Oval is community land under the LGA.

Given the size of the project and financial investment, the MWSE have requested a thirty (30) year term for the ground lease. Council must not grant a lease of community land except with the Minister's consent where the period of the lease exceeds 21 years. This report proposes that Council applies for the consent of the Minister for Local Government to enter into ground lease for up to 30 years with MWSE.

Additional to the request for a 30 year term, the report proposes that Council applies for the Minister's consent to the ground lease given that submissions by way of objection to the lease have been received. This is a requirement under the LGA where objections to a lease for a period exceeding five years are received.

This proposal is in accordance with Council strategy including Places for People (Goal 9), Vibrant Local Economy (Goal 15), and Good Governance (Goal 19).

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council note the approval of DA2019/1190 by the Sydney North Planning Panel on 29 July 2020 for the construction of a Centre of Excellence at the northern end of Brookvale Oval (Part Lot 1 DP 651295, Part Lot 6 DP 785409, Part Lot 1 DP 748268, Part Lot 1 DP 114027 and Part Lot B DP 966128) (Brookvale Oval).
2. Council enter into a construction lease and agreement for lease for a Centre of Excellence at Brookvale Oval with the Manly Warringah Sea Eagles Limited and authority be delegated to

Council's Chief Executive Officer to negotiate the terms and conditions of the construction lease and the agreement for lease in line with the Heads of Agreement.

3. Council note the objections received in respect of the proposed ground lease and endorse the position in response to those objections set out in the report for this item.
 4. Council apply to the Minister for Local Government in accordance with Sections 47(5)(a) and (b) and 47(6) of the Local Government Act 1993 for consent to grant the proposed ground lease to the Manly Warringah Sea Eagles Limited for a term of up to thirty 30 years, noting the objections received to the ground lease.
 5. Subject to the consent of the Minister for Local Government, Council enter into a ground lease for a Centre of Excellence at Brookvale Oval with the Manly Warringah Sea Eagles Limited for a term of up to 30 years and authority be delegated to Council's Chief Executive Officer to negotiate the terms and conditions of the ground lease in line with the Heads of Agreement.
 6. All costs associated with the drafting and registration of the documents referred to above, including but not limited to, Council's legal costs, survey costs, subdivision costs, documentation registration, be funded by Manly Warringah Sea Eagles Limited.
 7. Council delegates authority to the Chief Executive Officer to do all things and execute all necessary documentation in order to give effect to the above.
-

REPORT

BACKGROUND

The MWSE have secured State and Federal funding totalling \$32.5m along with DA approval for the construction of a Centre of Excellence (CoE) and new northern grandstand facilities at Brookvale Oval.

On 16 April 2019 Council resolved that:

- A. *Council instruct the Chief Executive Officer to negotiate a draft term sheet for the Centre of Excellence Agreement for Lease / Licence for the entirety of Brookvale Park, which includes, but is not limited to the following issues:*
 - a. *Length of the lease period.*
 - b. *The charging of commercial rent.*
 - c. *Rental arrangements during and at the end of the lease period.*
 - d. *Maintenance of the facility.*
 - e. *Condition of the facility.*
 - f. *Community usage and shared sporting uses.*
 - g. *What exclusive rights the Manly Sea Eagles may or may not be entitled to. Sponsorship or naming rights, including Council to have veto rights.*
 - h. *Council receiving a fair share of associated revenue.*
 - i. *Lease termination provisions.*
- B. *Council be provided with the following documents before granting land owners' consent:*
 - a. *The concept plans for the Centre of Excellence facility.*
 - b. *The business case for the Centre of Excellence facility.*
 - c. *The draft term sheet for the Centre of Excellence Agreement for Lease / Licence.*
- C. *The Chief Executive Officer be authorised to do all things to have Council grant land owners consent subject to his satisfaction with the matters in "B" above being satisfied.*

On 25 February 2020 Council resolved that:

- 1. *In accordance with Section 55(3)(i) of the Local Government Act 1993 enter into direct arrangement with the Manly Warringah Sea Eagles for the lease of land at Brookvale Oval for their construction and ongoing operation of a Centre of Excellence and Grandstand due to an unavailability of competitive or reliable tenderers given:*
 - A. *Specific grant funds have been provided to Manly Warringah Sea Eagles for this proposed development and use.*
 - B. *There is no other organisation with use and tenure of Brookvale Oval that can achieve the required outcomes of the project.*
- 2. *Delegates authority to the Chief Executive Officer to do all things necessary in order to give effect to this resolution.*

Upon confirmation of the Heads of Agreement terms between Council and MWSE, land owner's consent to lodge the Development Application (DA) was provided on 16 June 2020.

The DA was lodged by MWSE (DA2019/1190) for the construction of the CoE and its notification resulted in 25 public submissions being received. Whilst 23 of the submissions were in support of the DA, there were concerns raised around traffic & parking, public exercise circuit, sustainable financing and the liquor license. The consent authority, the Sydney North Planning Panel, considered that the concerns raised were adequately addressed and granted development consent to the DA subject to conditions.

In line with these prior Council resolutions and approval of DA2019/1190 *New - Construction of a new grandstand and Centre of Excellence* on 29 July 2020 by Sydney North Planning Panel, it is now proposed that Council enter into the following:

- Construction Lease for a term of no more than three years;
- Agreement for Lease (outlining the intention to enter into a Ground Lease subject to Ministerial Consent); and
- Ground Lease for a 30 year term subject to the Minister for Local Government's approval. Should the Minister's approval not be granted for a 30 year term, the ground lease shall be for 21 years (the maximum term for a lease of community land under the LGA) or such other term as agreed between the parties (and subject to the Minister for Local Government's approval to enter into the lease).

CONSULTATION

Public notification of the lease commenced Wednesday 12 August and closed Thursday 10 September 2020 in accordance with Section 47 of the Local Government Act 1993. The public notification included a notice of Council's website, notice letters to surrounding property owners and notice signs at Brookvale Oval seeking public submissions.

There were 19 individual submissions received through the notification period. Two submissions were in support, 1 submission posed general questions about the terms of the agreement and 16 other submissions related primarily to the DA and access to the field (which are not matters for the notification). In addition to questions relating to the DA, 4 of these submissions also contained an objection specific to the proposed lease. The objections received centred on the issue of leasing community land to a private entity as well as concerns as to whether a 30 year term was appropriate given the risk that the Sea Eagles may not survive that long as an NRL club based at Brookvale and if they did not survive it would be an additional asset for Council to maintain.

In accordance with Section 47 (5)(a) of the Local Government Act 1993, if an objection is received, Council is required to apply to the Minister for Local Government for consent to grant the proposed long term Ground Lease Agreement.

A full account of the submissions received is included in this report as Attachment 1.

The submissions by theme are listed below along with Council's responses.

Summary of submissions by theme	Submission Classification	Council Response
<p>1. Concerns around the DA and works</p> <ul style="list-style-type: none"> • Will construction affect public who use the space and will they still be able to walk around? • What will happen to the trees? • Trucks and traffic during construction. 	<p>Addressed in the DA assessment, not a lease matter</p>	<ul style="list-style-type: none"> • Access to the public will continue to be provided when it is safe to do so. Access will vary throughout the build. There will be some days when the entire venue will need to be closed however access will be provided for the majority of the time where it is safe to do so. Regular access updates will be provided on Council's website and signage on site. • Eleven of the heritage listed trees

		<p>are to be removed. They will be replaced by 11 trees of the same species, planted with a minimum 200 litre pot size.</p> <p>No other trees on the site are approved to be removed and extra protection will be provided during construction to some trees when required.</p> <p>The MWSE will be undergrounding the power lines to the north of the proposal, so that the replacement trees have space to grow.</p> <ul style="list-style-type: none"> The DA has been conditioned such that Traffic Management Plans for the Construction period will need to be submitted and approved by Northern Beaches Council Traffic Team prior to issue of a Construction Certificate.
2. Concerns as to whether the public will be able to walk around the oval after construction.	Addressed in the DA assessment, not a lease matter	<ul style="list-style-type: none"> The oval will still be available for public's recreation once construction has been completed as it is now. The new promenade on the northern side of the COE can be used for a loop of the facility off the field in place of the loop around the field that currently exists.
3. Lack of consultation on the Centre of Excellence development	Addressed in the DA assessment, not a lease matter	<ul style="list-style-type: none"> The general concept of improvements to the site with new grandstand and facilities was contemplated in the Plan of Management for Brookvale Oval. Before the DA was approved it was publicly notified and opportunity for feedback was provided.
4. Will there still be a non-drinking area for families?	Comment / Query	<ul style="list-style-type: none"> The MWSE have advised that the 'family hill' as it was known will be re-located to the North East corner of the facility (the Northern section of the existing Eastern Hill).
5. Lease Agreement 30 Year Term <ul style="list-style-type: none"> Concerns over the 30 year term and whether the MWSE will still be a viable entity over that term. Concerns that Warringah Golf only receiving 20 year lease yet CoE is proposed as 30 year lease. 	Objection	<ul style="list-style-type: none"> The agreement being negotiated requires that the lease for the site is reliant on the MWSE NRL team having their home ground as Brookvale. If the MWSE are no longer a team the agreement for the use of the COE would be terminated. The \$30+ million funding for the project is being provided by State and Federal Government and it is their expectation that a 30 year term for the facility is required given the extensive investment of funds.
6. Concern over community land being used by a for-profit entity. <ul style="list-style-type: none"> Perception that MWSE has a 	Objection	<ul style="list-style-type: none"> The grandstand facilities will be available for the use of the general public and for other events held at the oval beyond NRL games.

corporate gambling culture.		<ul style="list-style-type: none"> Clarification that the MWSE are not the same entity as the Manly Leagues Club. The naming rights / sponsorship (at this time Lottoland) of the MWSE will likely change from time to time.
7. Concern that this development is commencing during COVID and low attendance rates. Would prefer to wait a few years.	Comment	<ul style="list-style-type: none"> The project is being funded by state and federal government and their requirement is that the project be completed by 30 June 2021.
8. Great result <ul style="list-style-type: none"> MWSE an institution and great for them to remain at Brookvale oval but can we re-develop all of the facilities on the site. The Centre of Excellence will be an important contact point for our youth going forward. 	Support	<ul style="list-style-type: none"> Funding is not available for further facilities improvements on the site. Long term it is hoped that further improvements can be made.

TIMING

Based on the current funding agreements that the MWSE have signed, the key funding deadline is that the project needs to be completed by 30 June 2021.

LINK TO STRATEGY

The MWSE proposal aligns with the Community Strategic Plan (CSP) community outcomes as follows:

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.
- Vibrant Local Community - Goal 15: Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.
- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The funding for this project is provided by the State and Federal Governments (\$32.5m) with the MWSE committing to contributing a minimum of \$600,000 for the internal fit-out of the new facility.

An independent market rental valuation for land has been used to determine the annual rent fee that MWSE will pay to Council for the ground lease.

Potential economic benefits related to this report include:

- Economic impact from the construction of new facilities in the precinct.
- Increased economic benefit to local businesses from events held at the community and function centres within the precinct.

- Increasing economic benefits to local businesses from the MWSE (non-match day) and community events held at Brookvale Oval as a result of the relocation of the MWSE's training and administration base.

SOCIAL CONSIDERATIONS

MWSE are a prominent sports team with strong local community support and a long history at Brookvale Oval since their first match on 12 April 1947 and through past community engagements and surveys, ensuring a future for MWSE is seen as important to a large proportion of the local community.

The planned facilities include an additional 3,000 undercover seats which are anticipated to deliver a positive benefit to the users of the ground. Further, the MWSE plan to continue to run and expand a range community programs with a focus on education, literacy, healthy lifestyles, self-esteem and positive behaviour.

ENVIRONMENTAL CONSIDERATIONS

The proposed development is planned to have the following environmental benefits:

- Low carbon footprint through the incorporation of state-of-the-art ESD features.
- Use of recycled and grey-water within the new facilities to reduce overall facility water usage.

GOVERNANCE AND RISK CONSIDERATIONS

One of the key risks identified in progressing the noted leases is some type of failure relating to the construction that leaves Council with an un-finished construction site and no funds to finalise the works. Council has addressed this risk in discussions with relevant State agencies.

130

PROPOSED CONSTRUCTION AND GROUND LEASE - CENTRE OF EXCELLENCE BROOKVALE (CoE)			
WRITER	SUBMISSION	OBJECTION / SUPPORTING / DA OR OTHER COMMENT	SUMMARY
	<p>It is great to see the initial approved development at Brookvale Oval (Lottoland) and I would make the following submission as follows:</p> <ol style="list-style-type: none"> 1. What is the value annual ground lease that MWSE will be paying to NBC for the use of Brookvale Oval (Lottoland)? Has the lease rental only been based on using the Oval as a sports field on which games are played or what consideration has been given to the considerable funds that will be generated by the Centre of Excellence and ancillary structures i.e. Gymnasium etc. 7. Do NBC benefit at all? 2. I understand that MWSE is majority owned by Scott Penn and not by the supporters, so the direct benefit of the proposed development is for Scott Penn and his holding company. 3. Has NBC provided any form of guarantee to MWSE for loans/grants worth over \$32 million from the State and Federal Government. 4. Do the new works revert to NBC at the end of the lease. 5. What agreement or management plans have been agreed between NBC and MWSE regarding the maintenance and upkeep of the new Centre of Excellence and Northern stand, as with any new construction on or near NBC land normally have to provide a renewable guarantee of a agreed value for the life of the lease, so that maintenance work can be undertaken by NBC if MWSE fail to keep the property in proper order. 6. My concerns are for the oval & surrounding park. I often meet friends & their children at the oval or nearby park. If the CoE is built and the many football club have a rehearsal on the oval can we still use it or will that be up to the discretion of the club. I've noticed recently they close it for days before a game. Will the oval remain a public space. <p>Brookvale Oval has a capacity of 21,000. The average attendance is lucky to be half of that. Who knows how long Covid will last, and we have budgetary problems now. I would prefer that this be put off for a few years.</p> <p>I am concerned that there will be a removal of trees.</p> <p>Are the Sea Eagles paid their rent in the past? They were considerably behind.</p> <p>Do the Sea Eagles have a long term relationship with NBC? If so, what is the relationship that may not be appropriate?</p> <p>Not all the community use for this facility is about Rugby League what are you doing about ensuring other interests like the Brookvale Show reduces concerts fireworks soccer etc will they be excluded or encouraged?</p>		
Neil Gibson		No Specific Objection - questions about agreement.	What is the value of the lease? Are there any guarantees provided? Do the new works revert to NBC at the end of the lease?
Abd Lizzo		DA or Other	Concerns over the oval access and open space.
Steve Marton		DA or Other	Prefer development is put off a few years due to uncertainty of COVID.
Ian Thomas		DA or Other	Removal of Trees, concerns of rent, concerns about use of oval by other sporting groups
Wayne Crampton		Objection + DA or Other	Generally unhappy about loss of open space on Northern Hill, trees and no circuit. Objects to lease of community land to a private company.
Ian Abbottsmith		Objection + DA or Other	Concerned about reduction of overall green space for recreation and risk around leasing land for CoE given Sea Eagles could go bankrupt and expense of facility maintenance falls to Council.
Michael Buckley		DA or Other	Why is Council not consistent with lease terms only offering Warringah Golf 20 years and Sea Eagles 30 years.
John Truzewski		Supporting	Issues regarding the DA.
Ne name provided		Supporting	
Ne name provided		DA or Other	Disappointed no consultation has been entered into and a foregone conclusion. Concerns re access and trees.

15.0 NOTICES OF MOTION

ITEM 15.1	NOTICE OF MOTION NO 38/2020 - EAST ESPLANADE
TRIM FILE REF	2020/529257
ATTACHMENTS	NIL

Submitted by: Councillor Pat Daley OAM

MOTION

That East Esplanade grass area be returned to a 24 hour alcohol free zone as it was previously. This is for the duration of the COVID-19 pandemic.

BACKGROUND FROM COUNCILLOR PAT DALEY OAM

I put the above motion in support of Police and Council Rangers in the execution of their duties. It should be noted that the East Esplanade beach and path areas have always been a 24 hour alcohol free zone. This has never changed.

The current arrangements are causing a great deal of confusion and there are numerous breaches of social distancing occurring at East Esplanade. This is putting the community at unnecessary risk during these COVID times. The potential impact on the local business community if there is a COVID outbreak is also of serious concern.

I put this motion forward with the following experience and expertise:

- Former Member of ANACAD (Federal Governments Australian National Advisory Council on Alcohol and Drugs)
- Former Deputy Chief of the NSW Police Crime Prevention section
- Former Manly Councillor and Chair of Councils Community Safety Committee.

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 can be carried out within the existing operational budgets of Community Arts and Culture and Transport and Assets division.

ITEM 15.2**NOTICE OF MOTION NO 39/2020 - PASSING OF COMMUNITY LEADER MRS BRENDA DUCHEN****TRIM FILE REF****2020/550369****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

MOTION

1. That Council resolves to note:

- A. With sadness, the passing of community leader and Manly Warringah Sea Eagles Rugby League stalwart, Mrs Brenda Duchen on Saturday 29 August 2020.
- B. Manly Warringah Sea Eagles Coach, Des Hasler's tribute to Mrs Duchen on Channel 9 in an official Press Conference following her passing, honouring her over 50 years support of Manly Warringah Sea Eagles and noted "her advocacy ... her great sympathy for her fellow human being; her work in justice and individuals' rights, is legendary"
- C. Mrs Duchen was a female trail blazer and in 2019 was recognised in the NSW Volunteer of the Year Awards for her many decades of devotion to sport, sport philanthropy, social welfare and particularly advocacy for women and the less fortunate
- D. Mrs Duchen came from South Africa to Australia in 1965 having experienced the toll of apartheid and while her two younger children, were still at school, she sat the Higher School Certificate and enrolled in a law degree.

Mrs Duchen trailed her eldest son through law school, who contended graciously with her presence one year behind him and after a short stint at prestigious law firm Freehills, she set up in private practice, doing mostly legal aid work with some conveyancing on the side to fund her true love, criminal law.

Former NSW public defender, John Stratton SC paid tribute to Mrs Duchen "she became a formidable defender of the underdog" - among her early cases she acted for the Chelmsford Victims Action Group of around 200 victims of the Chelmsford Hospital scandal, in which patients were heavily drugged and subjected to electro-convulsive shock treatment while in a comatose state. In a line which would come to epitomise Brenda's criminal practice, journalist Janet Fife-Yeomans, covering the case, observed that "Mrs Duchen is not being paid because the group has no money".

- E. Throughout her trail blazing career in the Law, Mrs Duchen pursued her vocation of defending some of society's poorest, most disadvantaged citizens, many of her clients were indigenous.
- F. Despite her busy, inspirational and successful career, Mrs Duchen selflessly devoted herself to others and particularly the Manly Warringah Sea Eagles - in the last few weeks of her life, she gave away all her Manly paraphernalia to her Twitter followers – a final act of generosity.

2. That this Council resolves to:

- A. Acknowledge and commends the outstanding community service of Mrs Brenda Duchen over the decades, particularly with the Manly Warringah Sea Eagles Rugby

League Club and in honour of that service, requests the CEO to liaise with Mrs Duchen's family and the Manly Warringah Sea Eagles Rugby League Club's management to establish an appropriate permanent Memorial to Mrs Duchen at Brookvale Oval.

- B. Extend its condolences to Mrs Duchen's family; her husband David, children Steven, Tessa and Paul, their spouses, and her "eight angels" – her grandchildren.

BACKGROUND FROM COUNCILLOR VINCENT DE LUCA OAM

Brenda Duchen, 1936-2020

When the Manly Warringah Sea Eagles Rugby League Team ran on to the ground at the Sunshine Coast Stadium on Sunday 30 August 2020, the black armbands they wore were an unusual mark of respect for one of their most loyal and fervent fans, Mrs Brenda Duchen.

Coach Des Hasler, in heartfelt remarks at a press conference the day before, referred to her "advocacy her great sympathy for her fellow human being; her work in justice in individuals' rights, is legendary."

Hasler's comments hint at the story behind this unique woman. While Brenda may have been most recently known as the Sea Eagles' No. 1 fan, many of the team and the legion of supporters who posted social media tributes to her on Sunday will not have known the rest of her extraordinary story.

Sport, and sport philanthropy, were in her blood. Her father, George Blumberg, was regarded as the "unofficial 'father of South African golf'".¹ He was a much-loved character in the golfing world, a mentor to one of golf's first superstars, Gary Player, and an honorary board member of the sports management agency, IMG through his close acquaintanceship with founder Mark McCormack.

Unsurprisingly, golf was part of Brenda's earlier life and she managed to reach an impressive handicap of five. A true polymath, she was also the South African junior equestrian champion, and met her husband David who would go on to captain the South African squash team, then a popular and high-profile international game. Two of their three children were national level Australian swimmers. In those early morning hours on the pool deck, Brenda must have mulled over how to spend her time more productively, because she turned her talents to coaching swimmers, including a future member of Australia's famous "mean machine".

Brenda had a difficult childhood, growing up in apartheid South Africa. With her parents divorced and her mother struggling to cope, Brenda walked the miles to school each day as a small child. After she met and married David Duchen, the young family emigrated to Australia in 1965 after David had toured there for squash a year earlier, with two children aged under five. They arrived with not much more than the clothes on their back and they each worked multiple jobs to survive financially in those early years in Sydney. When they found a home in Roseville they began a lifelong love of the Manly Warringah Sea Eagles Rugby League Football Club, based nearby.

While her two younger children, Tessa and Paul, were still at school, Brenda sat the Higher School Certificate and enrolled in a law degree. She trailed her eldest son Steven through law school, who contended graciously with her presence one year behind him.

After a short stint at prestigious law firm Freehills, she set up in private practice, doing mostly legal aid work with some conveyancing on the side to fund her true love, criminal law.

¹ Ben Wright, *Good Bounces and Bad Lies*, <https://www.amazon.com/Good-Bounces-Bad-Lies-Wright/dp/0803298544>, (1995, 2005) Bison Books, 265.

There, according to a colleague, former NSW public defender John Stratton SC, she became a "formidable defender of the underdog". Among her early cases was acting for the Chelmsford Victims Action Group in the late 1980s, a group of around 200 victims of the Chelmsford hospital scandal, in which patients were heavily drugged and subjected to electro-convulsive shock treatment while in a comatose state. In a line which would come to epitomise Brenda's criminal practice, journalist Janet Fife-Yeomans, covering the case, observed that "Mrs Duchen is not being paid because the group has no money."²

She appeared for the accused in some notorious murder cases;³ her work exposed her to some of the nastier elements of the criminal underworld.

Undaunted, she pursued her vocation of defending some of society's poorest and most disadvantaged.

She was beloved by her clients. They were frequently "misunderstood", had "terrible lives" and were invariably "lovely people" who'd taken wrong turns. Many of her clients were indigenous.

Some clients she represented from Children's Court through to adulthood; from her experience in their early lives, she was acutely aware of the factors that led to their later crimes. Fellow criminal lawyer Veronica Love remembers her as a trailblazer for women lawyers in court, a fierce defender of the downtrodden who had no qualms about arguing vigorously with magistrates — she "got in the trenches" and "fought to the death" for her clients' welfare.

Stratton SC observed that she was "completely disinterested in making money. She was, in my view, a secular saint." She spent every weekend in one or more of the various prisons around NSW, seeking detailed instructions from her many clients in custody. In a world where legal aid lawyers are overworked, underpaid and time-poor, this devotion was a priceless gift to her clients.

In her rare leisure time, she devoted herself to the Manly Warringah Sea Eagles club. She could regularly be heard on the airwaves peppering 2GB's Ray Hadley with questions and opinions on the weekend's games. She was the "81-year old grandmother" whose support for the club, and players, found her on the front pages of several newspapers bedecked in full Manly Warringah regalia.

She developed a decade-long friendship with former Manly five-eighth Keiran Foran, who was openly bereaved by the loss of her friendship and mentorship.⁴ As she wound down her professional life, retiring just a year ago and well into her eighties, she dedicated more time to this favourite pursuit of hers. As the "Silvertails" Manly supporter's forum noted, she "always enjoyed travelling to watch her beloved Sea Eagles play, be it locally, interstate, or overseas". Behind this simple observation was the rather more complicated reality that Brenda had to conquer her phobia of flying before she could travel to follow her team. Which of course she did.

She was an early Twitter adopter, joining in her 70s in 2010 and describing herself as a "Sports junkie and above all fanatical Manly supporter. LBJ, 76ers, Jason Day & Tiger too. Then there were her 8 angels". In the last few weeks of her life, she gave away all her Manly paraphernalia to her Twitter followers – a final act of generosity. She is survived by her husband David, children Steven, Tessa and Paul, their spouses, and her "eight angels" – her grandchildren.

² Janet Fife-Yeomans, "Judge's Ruling Angers Patients", *Sydney Morning Herald*, 5 October 1988, 1.

³ <https://www.smh.com.au/lifestyle/death-surrounds-her-20140828-109g8z.html>

⁴ https://www.instagram.com/p/CEgA3menAGn/?utm_source=ig_web_copy_link

ITEM 15.3	NOTICE OF MOTION NO 40/2020 - SECURING THE FUTURE OF OUR NORTHERN BEACHES YOUNG PEOPLE
TRIM FILE REF	2020/557056
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott and Councillor Walton

MOTION

That, in order to help train and develop the necessary skills for the future employment of the young people in our Northern Beaches community:

- 1 Staff investigate and bring back a report to Council within 3 months outlining the costs and benefits of a targeted Council program for young people which:
 - A. Increases the uptake of apprentices in Council
 - B. Increases tertiary training placements in Council
 - C. Increases graduate placement programs in Council
 - D. Explores opportunities to provide an annual tertiary grant or scholarship initiative, where, for example, Council could provide a tertiary fee contribution to a student in exchange for the contribution of their skills back to Council during or post-graduation.
2. Council includes consideration of the above as part of the service review program currently being undertaken across the Council.

BACKGROUND FROM COUNCILLOR STUART SPROTT AND COUNCILLOR WALTON

With Northern Beaches Council being one of the largest employers here on the Northern Beaches we have a social responsibility to our community to train young people to be ready to take on opportunities for their future employment. A targeted program could be investigated to help train and develop the necessary skills for the future employment of the young people of our community. The program could target a range of areas across the organisation and could include various offerings from an uptake of apprenticeships in trades like electrical, landscaping and carpentry etc to supporting graduate employment for tertiary and university specialisations such as environmental science, engineering, accounting etc.

The program could investigate opportunities to offer scholarships or grants to tertiary students in exchange for their skills contribution upon their graduation to give back to the community and Council as the organisation which has helped provide some support to further their education. Such an initiative could rotate through various disciplines to ensure students from a range of academic fields have an opportunity to participate and Council benefits in different areas.

The report can investigate different models and options to deliver the best outcome for students, the community and the organisation jointly. Such a program should be an equal opportunity employment program available to all our youth within the LGA to apply, and designed with the purpose of giving a head start to those that need it.

ITEM 15.4	NOTICE OF MOTION NO 41/2020 - JOB CREATION FOR YOUTH AND TRAINEESHIPS
TRIM FILE REF	2020/561513
ATTACHMENTS	NIL

Submitted by: Councillor Sarah Grattan

MOTION

That:

1. Council note the increased unemployment and underemployment on the northern beaches post the COVID-19 lockdown, particularly of our young people.
2. Staff provide an update to Councillors at a briefing on options for a job creation program trial designed to provide an employment and/or training opportunity during the COVID recession for northern beaches youth including a discussion of potential options for the trials implementation.
3. Council explore funding options for a Job creation pilot or Traineeship trial including from available grants and/or savings.

BACKGROUND FROM COUNCILLOR SARAH GRATTAN

Since early June 2020 I have been discussing with staff a potential job creation project/ trial to address the impact of unemployment/ underemployment of our young people from the Covid recession. Our young people and their families have been disproportionately affected by the downturn in hospitality, retail and tourism. Youth unemployment reached 15.6% [ABS 15-24 yrs] in June 2020 and 12.1% in July, this is 3,300 young people on the beaches that are unemployed, representing 38% of the total 8,600 unemployed on the Northern Beaches.

Our young women are facing a 15% unemployment rate, although down from a peak of 24% in May 2020, around 2,300 unemployed. These figures are significantly higher than other age groups, such as 1.9% unemployment rate for 25-34 year olds and 4% for 35-44 year olds.

In addition the pandemic is expected to significantly and perhaps even generationally interrupt the careers of secondary school leavers and university graduates. Our young people need our help.

Economic data has also shown that the Northern Beaches has a high number of Jobkeeper recipients. In August 2020 over 44% of businesses in the Northern Beaches LGA were registered for Jobkeeper (TaylorFry.com.au). Further, the more stringent eligibility requirements in JobKeeper 2.0 will likely result in an increase in the number of unemployed/ underemployed from October. Especially troublesome as young school leavers and graduates exit education to join the workforce.

In June I began to research and discuss with staff a job creation program concept to run for a period of 6 to 12 months until the local economy began to recover.

NBC already run trainee program with an external RTO provider for young people that incorporates 25 trainees per year at a cost of \$780k p.a. We currently have 11 young people in this program across children's services and property. We've had 9 trainees complete the program and have another 3 under recruitment in this rolling program. Since 2016, 60 trainees have gone through the program, 21 obtained full time roles and of these 17 are still employed. We also provide a number

of scholarships through ICMS each year to students on the Northern Beaches to support skills development in areas relevant to Council such as events and property management.

There are a number potential options and models that could support further short-term job creation and/or traineeship opportunities for the Northern Beaches Council during the COVID economic downturn. These include:

- Identification of additional entry level positions (eg swim centre, life guards, rangers, COVID public safety team, customer service, parks & maintenance).
- Design of a career “kick start” program within Local Government that was a potentially rotational program across front line functions.
- Extension of the existing traineeship program to cover more trainees.

Staff have advised that we couldn’t lawfully preclude all suitable applicants based on geography, age or gender but we could position opportunities to appeal to Northern Beaches young people.

Depending upon the scale of the program, the impact on our budget would likely be sizeable and as a Council and community we would need to debate whether, and to what extent, the community were willing to fund such a program. To provide employment at a basic rate, say the JobKeeper rate - approx. \$20/hr., the cost would be fairly significant to our budget possibly \$1m-\$1.5m– the equivalent of \$10-\$15 per household on their rates bill. There would also be additional costs in the form of employment of a program coordinator, funding for an induction program and the cost of initial instruction, uniforms and relevant equipment. Plus the additional time of relevant staff to supervise the recruits. Some resources may be able to be re-allocated from current budgets due to the ongoing COVID-19 event restrictions.

The recently announced State Government Youth Opportunities Grant may also be available to assist in supporting this program.

A job creation, career kick start or trainee program could look to employ young people to assist in a range of areas on council including customer service, parks & gardens, working in compliance (eg food & health inspections, rangers), in environmental services on waste & recycling initiatives, assisting in cataloging the Manly Environment Centre, our libraries, learning to build a footpath, working in youth services, on the local SWAT teams or in events (once they return).

These young people, depending upon the model chosen, would receive on the job training, a wage, maintenance of employment and a reference. Our council will receive a good pipeline of potential and locally based employees. Our local community would receive the benefit of higher service levels (especially with our young people’s good customer service skills from hospitality, retail or tourism), stimulus in our local economy and goodwill from the knowledge of helping our local youth and their families. And hopefully from the pilot, the local government sector will have an innovative program that could be scaled for use in other LGAs.

ITEM 15.5**NOTICE OF MOTION NO 42/2020 - COUNCIL'S COVID-19
SUMMER ACTION PLAN FOR OUTDOOR PUBLIC SPACES****TRIM FILE REF****2020/566439****ATTACHMENTS****NIL**

Submitted by: Councillor Rory Amon

MOTION

That:

1. Council's Covid-19 Summer Action Plan for Outdoor Public Spaces (**the Plan**) go on public exhibition for 28 days and that key stakeholders and Chambers of Commerce be notified of the public exhibition.
2. A report be brought to Council's November meeting for consideration of the community feedback on the Plan.

BACKGROUND FROM COUNCILLOR RORY AMON

Council has released a Covid-19 Summer Action Plan for Outdoor Public Spaces (**the Plan**). The Plan will have significant impacts upon local amenity, community, and business. The Plan should go on formal public exhibition and come back to a Council meeting for formal adoption, modification, or otherwise.

Until such time as the Plan is adopted, modified, or otherwise, I anticipate it will remain in force as implemented by the Council bureaucracy.

ITEM 15.6	NOTICE OF MOTION NO 43/2020 - REVIEW OF DEVELOPMENT APPLICATION PROCESS FOR EVENTS
TRIM FILE REF	2020/567819
ATTACHMENTS	NIL

Submitted by: Councillor Ian White and Councillor Candy Bingham

MOTION

That:

1. The Events Team in consultation with the Planning and Place Division prepare a report on how events could become exempt of the Development Application process, in order to help streamline events within the LGA, by providing an alternate approval process.
2. A report to be provided before the December council meeting.

BACKGROUND FROM COUNCILLOR IAN WHITE AND COUNCILLOR CANDY BINGHAM

The current Development Application requirements has made it very difficult for the provision of many pop up events within the LGA. Many councils have been working on opportunities to enable the simplification of the event organisation process. Many worthwhile events have not taken place because of the length of time and resources needed to submit complicated Development Application submissions for events.

16.0 QUESTIONS WITH NOTICE

ITEM 16.1	QUESTION WITH NOTICE NO 14/2020 - NORTHERN BEACHES REVIEW
TRIM FILE REF	2020/549116
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

QUESTION

1. Was Council approached by the Northern Beaches Review regarding its impending launch? If so, on what date was the first formal or informal approach? What was the nature of all approaches (e.g. funding, partnerships etc)?
2. Have councillors or council met with and on what dates have those meetings (by phone or video or in person) with the Northern Beaches Review?
3. What support, either in kind or financial support, has Council offered or talked about offering the Northern Beaches Review?
4. Will council or is council considering purchasing advertising or column space in the Northern Beaches Review? If so, what has Council budgeted (or what is Council considering budgeting) to spend or otherwise offered or considered to offer to spend on advertising in the Northern Beaches Review?

ITEM 16.2**QUESTION WITH NOTICE NO 15/2020 - PEDESTRIAN
CROSSING AT THE CORNER OF FISHER ROAD AND REGENT
STREET, DEE WHY****TRIM FILE REF****2020/569430****ATTACHMENTS****NIL**

Submitted by: Councillor David Walton

QUESTIONS

1. Please provide the current position with the proposed and promised upgraded traffic light pedestrian crossing at the corner of Fisher Road and Regent Street, to replace the temporary pedestrian crossing in Regent Street.
2. Will this upgraded and improved traffic lights improve pedestrian safety, include a pedestrian light crossing over Regent Street and delayed right and/or left turns to give pedestrian priority?
3. What is the time frame for these promised improvements?
4. What is the annual cost associated with the installation and running of the temporary pedestrian crossing in Regent Street?

BACKGROUND

On the 16 September 2020, a two year old boy was involved in a pedestrian accident at the traffic light pedestrian crossing at Regent Street and Fisher Road Dee Why, adjacent to the Dee Why Public School. The boy was crossing with his mother when a car allegedly struck him, causing head injuries.

18.0 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 18.1 Update on Whistler Street Legal Matter on the basis that it involves the receipt and discussion of advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege [10A(2)(g) Local Government Act 1993].

This report provides advice concerning litigation, namely, New South Wales Supreme Court Proceedings No 2017 / 00324554, in which Council is the defendant, and which would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. Further, the advice concerns legal matters that meet the requirements of Section 10B(2) of the Act.

- b. Item 18.2 Further 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.

- c. Item 18.3 RFT 2020/006 - Bell and Carols Wharf Upgrades 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 commercial tenders. 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 result in the release of commercial in confidence information

- d. Item 18.4 RFT 2020/046 - Services for Bus Shelter Cleaning 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 services for bus shelter cleaning. 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 commercial position of the companies that supplied it.

- e. Item 18.5 Approval to Tender - Kimbriki Clean Water Diversion System 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 a significant procurement proposal. 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 could compromise the commercial position of KEE.

- f. Item 18.6 Exemption from Tendering for the Ongoing Engagement of Information & Communication Technology Suppliers 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 the ongoing engagement of ICT suppliers. 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 release pricing information which could prejudice the commercial position of the suppliers.

- 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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19.0 CONFIDENTIAL ITEMS RESOLVED BY EXCEPTION

20.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

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



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