



northern
beaches
council

AGENDA

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

Tuesday 24 November 2020

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

A handwritten signature in black ink, appearing to read 'Ray Brownlee', with a long horizontal stroke extending to the right.

Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership

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

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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

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

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 27 OCTOBER 2020

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 27 October 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 13/2020 - EXTENSION OF FEE WAIVERS UNDER COVID-19 BUSINESS SUPPORT PACKAGE
TRIM FILE REF	2020/635377
ATTACHMENTS	NIL

BACKGROUND

Council continues to support local business and the community through these uncertain times brought about by COVID-19.

While public health restrictions have been easing, Council continues to provide support for our local businesses through a range of measures including the waiving of fees on outdoor dining and footpath merchandise. We have also provided relief for businesses for fees on food and other health on premises and fire safety fees. The package was developed in consultation with the local Chamber of Commerce representatives and has brought much needed assistance through a range of measures.

In recent discussions with representatives from our local business chambers, I continue to be amazed by the stories of innovation and determination demonstrated by our local businesses to survive but unfortunately many are still struggling. There are many businesses who are just making ends meet and while looking forward to increased patronage as restrictions ease with the summer months and holiday season ahead, they still require our support.

Therefore I am seeking your support to continue our business support package for a further three months until 31 March 2021 for fee waivers on outdoor dining and footpath merchandise and fee waivers on food and other health on premises and fire safety fees.

I understand that the cost of extending this support can be met within our current operational budget.

MOTION

That Council extends its business support package until 31 March 2021 for the waiving of:

1. Fees for outdoor dining and footpath merchandise.
2. Fees on food and other health on premises and fire safety fees.



Michael Regan
MAYOR

ITEM 7.2	MAYORAL MINUTE NO 14/2020 - NSW YOUTH WORK AWARDS
TRIM FILE REF	2020/685305
ATTACHMENTS	NIL

BACKGROUND

Youth Action, the peak body for young people and youth services in NSW, announced the NSW Youth Work Awards 2020 on 15 October 2020. As a part of these Awards, two individuals that work with young people in the Northern Beaches were inducted into the NSW Youth Workers Hall of Fame. The Hall of Fame seeks to pay tribute and honour the hard work and commitment that nominated individuals have shown over their professional career.

I would like to acknowledge and congratulate our staff member Justin Burke, Team Leader Youth Development, who was inducted into the NSW Youth Workers Hall of Fame for over 25 years of outstanding work with young people.

Justin Burke has been working with young people for more than 25 years in a variety of roles. These include working at a summer camp in New Jersey, USA, as a casual Links to Learning Officer at the former Manly Council and a range of volunteer, casual and full time Youth Development Officer roles at the former Warringah Council. For the past three years Justin has been leading the Northern Beaches Youth Development team as our Team Leader Youth Development. Justin continues to work hard establishing and innovating a variety of youth programs, events and activities on the Northern Beaches and, along with his team, has focused on innovation, collaboration with the community and partnerships. Our Youth team are strong advocates for the involvement of young people in decision making processes, which has led to creative ways to consult with young people. Council's Youth Development Team was also nominated for numerous other award categories, including the NSW Youth Service of the Year.

I would also like to acknowledge another long standing local that was also inducted into the Hall of Fame, Samantha King. Samantha has been working in the youth sector in the Northern Beaches and Northern Sydney region for the past 17 years with the Business Education Network. She has been an ongoing advocate for young people entering the workforce and in more recent years, shown broader support for young people in their transition from adolescence to adulthood and from secondary education to the journey that lies beyond.

Through her role at the Northern Beaches Youth Interagency as Chairperson she has ensured that the voice of young people is utilised for the development of key projects to ensure the highest rate of success and support from young people.

MOTION

That Justin Burke and Samantha King be congratulated for being inducted into the NSW Youth Workers Hall of Fame and thanked for their ongoing hard work and dedication to the young people and community of the Northern Beaches.



Michael Regan
MAYOR

ITEM 7.3	MAYORAL MINUTE NO 15/2020 - RECOGNITION OF THE KEEP AUSTRALIA BEAUTIFUL 2020 SUSTAINABLE CITIES AWARD
TRIM FILE REF	2020/707456
ATTACHMENTS	NIL

BACKGROUND

This month I was incredibly proud to accept on behalf of Council the prestigious Keep Australia Beautiful NSW 2020 Sustainable Cities Award. This was one of a number of awards that the Northern Beaches received for our work and our commitment to environmental sustainability.

Keep Australia Beautiful NSW (KAB NSW) is the state's premier organisation for litter reduction and environmental sustainability. Each year they acknowledge those communities who create a sustainable and more beautiful environment. This year, along with some of our passionate community organisations and schools, we received the following awards:

Council

- Overall Sustainable City - Winner
- Response to Climate Change – Protect. Create. Live Northern Beaches Environment and Climate Change Strategy 2040 – Joint Winner
- Environmental Communications Award – Swap for Good - Winner
- Recycled Organics Award – Closed Loop Organic Recycling Program - Winner
- Don't be a Tosser! Litter Action Award - "What a load of Rubbish" Say no to Single Use Plastics – Highly Commended

Community groups and schools

Coastal and Waterways Protection Award

- Australian Microplastic Assessment Project (Ausmap) Reducing Litter in the Dee Why Lagoon Catchment project – Winner
- Operation Straw – Highly Commended

Schools Environmental Achievements Award

- Seaforth Public School – Seaforth for the Sea – Kitchen Garden Program – winner
- Northern Beaches Secondary College Cromer Campus – Recycling Program – highly commended

I want to congratulate the amazing efforts of our staff and our community organisations and volunteers who have all been involved in delivering these successful programs to our community. This serves as another great example of our staff working to meet the goals under our Community Strategic Plan to be recognised as a community leader in environmental sustainability. I hope that our commitment and our partnerships with amazing community groups and volunteers serve as a great example to inspire other community groups and councils to commit to sustainable practices.

I want to also acknowledge Seaforth Primary School who this year got involved in sustainability and were successful in taking out the School Achievement Award for their Kitchen Garden program. Further congratulations to Northern Beaches Secondary College, Cromer Campus who were awarded Highly Commended for their recycling project.

Councillors, I hope you will join me in congratulating the many staff involved who are passionate about their work and continue to deliver award winning programs to our community.

MOTION

That Council:

1. Acknowledge and congratulate all staff involved in the programs recently recognised at the 2020 Keep Australia Beautiful Awards.
2. Write to Seaforth Primary School and Northern Beaches Secondary College, Cromer Campus to acknowledge their commitment to our environment and their success at the 2020 Keep Australia Beautiful Awards.



Michael Regan
MAYOR

ITEM 7.4	MAYORAL MINUTE NO 16/2020 - RECOGNITION OF ACHIEVEMENTS BY NORTHERN BEACHES COUNCIL AT THE GREATER SYDNEY COMMISSION'S AWARD
TRIM FILE REF	2020/706643
ATTACHMENTS	NIL

BACKGROUND

Council was recently recognised at the Greater Sydney Commission's 2020 Planning Awards taking out the 'Community Collaboration' Award for our Local Strategic Planning Statement, Towards 2040 and our Arts and Creativity Strategy, Connected through Creativity 2029.

The Greater Sydney Commission is leading metropolitan planning to make Greater Sydney more productive, sustainable and livable. The annual awards, which are presented by Chief Commissioner Geoff Roberts AM, were celebrated online on Thursday 29 October. Nominees for the awards included local government, State agencies and a broad range of private sector organisations.

It was a great achievement for our staff who worked incredibly hard with our community in developing these strategies and I would like to share with you the comments from the judges for our Award for outstanding commitment to community collaboration -

Northern Beaches Council has demonstrated an exceptional commitment to close collaboration with their community. Being a Council that was formed in 2016 after the amalgamation of Manly, Pittwater and Warringah Councils, the development of a shared vision and the Local Strategic Planning Statement was one of their highest priorities.

They used a wide range of innovative engagement methods to understand community views and to focus on opportunities for enhancing their local economies, livability and sustainability. Other simultaneous strategic work, Connected through Creativity 2029, explored ways to enrich the local cultural landscape and economy – an especially significant piece of work in the wake of COVID-19.

The strength and robustness of these pieces of work are a testament to the council's vision and approach to community collaboration.

I want to congratulate our staff in the Strategic Place & Planning, Arts & Culture, Community Engagement, Communications and Graphic Design & Production Teams. I'm sure, like us they will take great pride in their achievement and once again, is an outstanding acknowledgement of our continued efforts to genuinely engage with our community.

MOTION

That Council:

1. Formally acknowledge the outstanding achievement in being awarded the Greater Sydney Commission's Planning Awards 'Community Collaboration' Award for our Local Strategic Planning Statement, Towards 2040 and our Arts and Creativity Strategy, Connected through Creativity 2029.
 2. Congratulate all council staff within the Strategic Place & Planning, Arts & Culture, Community Engagement, Communications and Graphic Design and Production teams.
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Michael Regan
MAYOR

ITEM 7.5	MAYORAL MINUTE NO 17/2020 - RECOGNITION OF ACHIEVEMENTS BY GUNNEDAH SHIRE COUNCIL AND OUR NORTHERN BEACHES SUICIDE RESPONSE PROJECT AT THE 2020 NSW RESILIENT AUSTRALIA AWARDS
TRIM FILE REF	2020/644945
ATTACHMENTS	NIL

BACKGROUND

Last week, we were delighted to hear that under the Local Government category of the NSW Resilient Australia Awards and NSW Get Ready Community Awards, we received a Highly Commended Award for the Northern Beaches Suicide Response, with Gunnedah Shire Council winning the award for their Community Resilience Program.

The Resilient Australia Awards is a national program that recognises initiatives that strengthen community disaster resilience. The NSW awards are coordinated by the Office of Emergency Management and are open to individuals, not for profit organisations, small and large businesses, local and state government, schools, education institutions, research bodies and emergency service agencies.

Our response to Suicide on the Northern Beaches is, as we all know, a high priority for this Council and we are leading the way in our prevention measures. While we are being recognised for our efforts, we would not be receiving this recognition without the support of our local community and our close work with NSW Police, health authorities and local service groups. Our staff are incredibly dedicated and I congratulate everyone involved on this further recognition of your commitment to helping those in our community who are at risk.

I want to warmly congratulate Gunnedah Shire Council who we have a very special bond through our Sister City relationship. Gunnedah deservedly took out the NSW Resilient Award and it was wonderful to see them recognised as we know they have had it incredibly tough dealing with the drought and of course this year with COVID-19. They received the award for their work with the community to ensure their community is prepared and has the ability to recover from disasters. They undertook a range of community projects including upgrades to facilities and provided jobs for those who were impacted by the drought. It is truly deserving and we send our warmest congratulations to them.

MOTION

That Council:

1. Congratulate staff on receiving a Highly Commended Award under the Local Government category of the NSW Resilient Australia Awards and NSW Get Ready Community Awards.
2. Write to Mayor Jamie Chaffey of Gunnedah Shire Council to congratulate them on winning the Award for their Community Resilience Program.



Michael Regan
MAYOR

ITEM 7.6	MAYORAL MINUTE NO 18/2020 - RECOGNITION OF ACHIEVEMENT BY CHILDREN'S SERVICES
TRIM FILE REF	2020/711509
ATTACHMENTS	NIL

BACKGROUND

Another great honour for Council after this month our Belrose Children's Centre received an 'Excellence' rating from the National Quality Framework.

The Excellence rating is the highest rating achievable and recognises that providers and educators use innovative practices to achieve significant improvements in care and education. Our rating was for an outstanding commitment to inclusion within the community.

Belrose Children's Centre is the only children's service on the Northern Beaches that carries the Excellence rating. The rating is awarded by the Australian Children's Education and Care Quality Authority (ACECQA). To receive the rating, a centre must be rated 'Exceeding National Quality Standard' in all seven quality areas.

In NSW, only 17 of the 5,626 children's services centres have the Excellence rating and we now join the national ranks of only 42 children's services centres of 16,215 across Australia to receive an Excellence rating.

Our Children's Services continue to deliver and this is another significant achievement and stands testament to the passion, professionalism and commitment of our managers, educators and other childcare staff who continue to provide highly personalised, flexible, quality care for children aged 6 weeks to 12 years.

I am very proud of our staff who ensure we deliver high quality services to our community. This recognition is a reminder of how fortunate we are to have dedicated and committed staff who are continuously looking to improve the quality of the services we provide.

I would like Councillors to join me in congratulating all the educators and staff at the Belrose Children's Centre for their achievement and their ongoing commitment to our local community.

MOTION

That Council:

1. Formally acknowledge the outstanding achievement in receiving an 'Excellence' rating from the National Quality Framework for services provided at the Belrose Children's Centre.
2. Acknowledge the efforts of staff at the Belrose Children's Centre and all staff in our Children's Services at our Long Day Care Centres and Pre-schools and thank them for their part in this achievement.



Michael Regan
MAYOR

ITEM 7.7**MAYORAL MINUTE NO 19/2020 - RECOGNITION OF OUR LOCAL WOMEN'S AFL AND FOOTBALL PREMIER DIVISION TEAMS ON THEIR RECENT PREMIERSHIP VICTORIES****TRIM FILE REF****2020/635383****ATTACHMENTS****NIL****BACKGROUND**

I want to formally congratulate both the Manly Warringah Australian Football Club Women's Premier Division team and the Manly United Women's Football Premier League team on their success in taking out their respective Premier Leagues this season.

It is an amazing achievement particularly for the Manly Warringah AFL Wolves who were only promoted to the Women's Premier Division this year and after only dropping one game all season have taken out the Premiership this month.

Manly United Football Club also had an amazing victory in the National Premier Leagues Women's NSW Championship beating the unbeaten premiers, Sydney University.

I think it is fair to say that Women's sport is thriving on the Northern Beaches and it's wonderful to take a moment and congratulate both these teams in what I'm sure has been an incredibly difficult year for them and all our local sporting teams.

Unfortunately it would not be appropriate at this time due to the current health restrictions to hold any civic events to recognise the achievements of these teams.

We do not have a formal Civic Events Policy. In fact, none of the former Councils had policies. I think it is important that we look to put in place a clear guiding policy on how we can celebrate the successes of our local community groups and sporting teams in the future. I know in the past when the Sea Eagles have won Premierships, the former Manly Council hosted a public ticker tape parade, civic and private functions with other Councils asked to contribute at the time. I refer also to civic events for our RFS volunteers for their incredible efforts during the bushfires last Christmas and January. We need to have clear guidelines and principles around how council, civic and ceremonial events are delivered and the roles of the elected representatives. We need to include appropriate budgeting measures and have the appropriate governance measures in place.

Previously Cr Walton, Cr McTaggart and Deputy Mayor Bingham have expressed an interest in combining their skills and experience to assist staff to put a policy together for this and future Councils.

I would like to seek nominations from Councillors who are interested to work with staff in the form of a working party to commence discussions on what we could include in the Policy and bring our recommendations to the CEO for further consideration and formalisation.

I believe we as the elected representatives have an opportunity to provide the foundations for this Policy which would then be subject to the usual processes required to adopt a new Policy which would of course include community consultation.

I invite Councillors who are interested to nominate for the working party so we can commence on formalising a policy and guidelines for civic events on the Northern Beaches.

MOTION

That:

1. Council write to both the Manly Warringah Australian Football Club and the Manly United Football Club congratulating them on the success of their Women's Premier Division teams in the 2020 season.
2. That Councillors nominate if they wish to contribute as part of a working party to develop a Civic Events Policy and Guidelines



Michael Regan
MAYOR w

ITEM 7.8	MAYORAL MINUTE NO 20/2020 - PROPOSAL FOR IMPROVED CUSTOMER SERVICE TO OUR LOCAL BUSINESSES
TRIM FILE REF	2020/643752
ATTACHMENTS	NIL

BACKGROUND

At recent meetings with the Business Chambers and our Economic Strategic Reference Group, it was highlighted that some local businesses find it difficult to deal with the various areas of Council over a wide range of issues and would like to see less 'red tape' when they are dealing with Council.

I believe there may be an opportunity to consider how we can provide improved services such dedicated case management and clear and regular contact regarding the process of an enquiry.

Many businesses are regularly dealing with Council staff across a broad range of our business areas on a broad range of matters sometimes interrelated such as development applications, fees and charges, health inspections and licensing information to name a few. I believe a case management approach where businesses have a contact officer who manages all their inquiries may provide a more efficient and effective customer experience for our local businesses.

I am aware that there are certain applications where Council needs to ensure the integrity of assessment and as such assistance would be limited to the process that an applicant would follow. This does present an opportunity to ensure that the information and access to Council's services is clear, easy to access and customer centric.

Councillors may recall that Service NSW ran the Small Bar and Café pilot program a couple of years ago in which we participated. This program was designed to provide upfront information on processes and to provide assistance to applicants to understand clearly how to navigate the process for whatever service they were seeking. Whilst the program did not reduce the number of applications required or level of detail, it provided an applicant clarity on when, how many and what types of applications were required and guided them through each step. The outcome was significantly reduced timeframes for applicants.

Our staff do an amazing job but I believe there may be an opportunity through our customer service and or our digital strategies to improve the services we provide to our local businesses.

I ask Council to provide a report as part of the Service Review framework that investigates how we may be able to deliver this style of service for our local businesses and other customers and identify the costs, challenges and advantages for providing this new service.

I understand that this report can be undertaken by staff within existing operational budgets and resourcing given the Service Reviews are presently underway.

MOTION

That Council, as part of the Service Review Framework, investigates the delivery of a case management or 'concierge style' service for customers which includes:

1. The benefits and challenges of providing this style of service to local businesses
 2. The costs and any savings opportunities
 3. Any other relevant factors including the impacts on other service areas of Council.
-



Michael Regan
MAYOR

ITEM 7.9	MAYORAL MINUTE NO 21/2020 - ACKNOWLEDGEMENT OF FUNDING FOR WAKEHURST PARKWAY FLOOD MITIGATION
TRIM FILE REF	2020/718736
ATTACHMENTS	NIL

I want to formally thank the NSW Government who recently announced it is allocating a further \$13.1 million to support the introduction of flood mitigation along the Wakehurst Parkway. This brings the total funding for the project to \$18.1 million.

We commissioned a comprehensive flood and ecological study with the recommendations discussed with Councillors and the NSW Government last year. Since then we have been working with them, and along with the support of our local State Members, the Hon. Rob Stokes, MP for Pittwater and the Hon. Brad Hazzard, MP for Wakehurst and Mr Jonathan O'Dea, MP for Davidson, we will now be able to complete works that will significantly reduce the frequency of flooding along this major transport corridor.

Many in the community are impacted during heavy rains and we are all very aware this is a major access route to the Northern Beaches Hospital and in time to the Beaches Link. This important work will help improve this access.

This will be a significant achievement for our community and is another example of what can be achieved through our partnerships with our local State members and the NSW Government.

Now that we have this funding confirmation, Council can confirm its preferred options and will be providing further details to the community soon. I know you will join me in thanking our staff who have worked with the State Government to secure this funding.

MOTION

That Council writes:

- A. To the Minister for Transport, the Hon. Andrew Constance, MP and thank the NSW Government for the funding for flood mitigation works on the Wakehurst Parkway.
- B. To our local State Members, the Hon. Rob Stokes, MP for Pittwater and the Hon. Brad Hazzard, MP for Wakehurst and Mr Jonathan O'Dea, MP for Davidson, thanking them for their advocacy and strong support in securing the additional funding.



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	PUBLIC EXHIBITION OF THE DRAFT DESTINATION NORTHERN BEACHES: CREATING A SUSTAINABLE VISITOR ECONOMY AND DESTINATION COVID RECOVERY PLAN
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2019/097740
ATTACHMENTS	1 ⇒Draft Destination Management Plan (Included In Attachments Booklet) 2 ⇒Two Year Visitor Economy Recovery Plan (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's endorsement to publicly exhibit and seek community feedback on the draft Destination Management Plan (DMP), Destination Northern Beaches: Creating a sustainable visitor economy and the supporting draft action plan, Destination COVID Recovery Plan.

EXECUTIVE SUMMARY

The draft DMP has been developed in consultation with local industry and key stakeholders. It sets the direction for future growth in our visitor economy, whilst protecting our environment and our community's social values.

Prior to the pandemic, almost 2.7 million visitors, both from within Australia and from across the globe, travelled to the Northern Beaches annually. Visitor expenditure was estimated at \$500 million per annum which supported the year round sustainability of many businesses on the beaches.

The closure of international and domestic borders and social distancing restrictions had a dramatic impact on the local tourism industry with significant job losses in the hospitality and retail sectors identified to date. However, the economic shock of the global pandemic was amplified as the local tourism industry was already impacted by the bushfires in late 2019/2020. This experience has highlighted the vulnerability of the tourism sector.

In light of recent events, the draft DMP has been through a review and updated with relevant industry data. In addition, the draft Destination COVID Recovery Plan was developed to provide a short term response to strengthen our tourism industry's capabilities and preparedness to adjust to new conditions. Key actions include identifying new target markets, shifting demand to higher-yield visitor markets and strengthening the visitor offering/experience to meet evolving market demands.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council:

1. Place the draft Destination Northern Beaches: Creating a sustainable visitor economy and the Destination COVID Recovery Plan on public exhibition for a minimum of 28 days.
 2. Report the outcomes of the public exhibition of the draft Destination Northern Beaches: Creating a sustainable visitor economy and the Destination COVID Recovery Plan to the Council Meeting in March 2021.
-

REPORT

BACKGROUND

The draft Destination Northern Beaches: Creating a Sustainable Visitor Economy is a Destination Management Plan (DMP). It is a five year strategic plan to guide the growth of the beaches visitor economy. It aims to balance the region's commitment to the environment and sustainability with the ambition to strengthen the local economy. It takes into account the needs of the visitors, local residents and our business community including supporting employment opportunities and contributing to the vibrancy of our region's thriving villages and centres.

The draft plan is based on a vision, goal and high-level objectives. (refer to Attachment 1)

It provides industry data, competitor analysis, outlines opportunities and challenges and identifies key target markets and trends.

Why do we need a Destination Management Plan?

Research shows that prior to the global pandemic our visitor expenditure growth over the last 10 years has significantly lagged behind Greater Sydney (3.24% pa vs 9.12% pa) and that our visitor economy has underperformed compared to both the national and Sydney averages.

Further, average visitor spend over the last five years has been significantly lower for visitors to the Northern Beaches compared to Greater Sydney:

- Domestic Day - \$74 vs \$107 (40% below Greater Sydney average)
- Domestic Overnight stays - \$475 vs \$731 (35% below Greater Sydney average)
- International Overnight stays - \$2,027 vs \$2,289 (12% below Greater Sydney average).

Since March 2020, like elsewhere we have seen substantial job losses, especially in the tourism and hospitality sectors. Today, there are 5,000 fewer jobs on the Northern Beaches than this time last year (-4.5%), the majority from the 'Accommodation & Food' sector (-3,000 jobs).

Across the Northern Beaches there has been a marked drop in spend on 'travel' by both local residents and visitors since December 2019. 'Travel' covers visitor accommodation (hotels, motels, campgrounds), tourist attractions, car and boat hire, cruises, travel agents, gift shops and also includes taxis, railways and airlines. Spend levels declined to \$2.22 million in April 2020 compared to \$7.32million in April 2019. 'Travel' spend has started to rebound from May to July 2020, to \$4.54million (source spendmapp.com.au).

Current research by Tourism Australia suggests over 50% of people are already planning or intend to travel within Australia in the next six months, indicating there will be an opportunity for significant rebound in domestic tourism with a captive market to compete for.

The task for the Northern Beaches tourism sector is to reorientate itself to capitalise on this and especially to convert day trippers (traditionally 73% of all visitors), to overnight stays, to fill the gap left by international visitors.

Setting a new direction

The draft plan provides a framework to support the local tourism sector recover and rebuild in the face of a dramatically different tourism landscape. Through reviewing global and domestic trends, existing local visitor trends, and consultation with the tourism industry, a series of target markets have been identified to attract high-yield visitors.

Travel market demands

Key to attracting new target markets is also understanding and identifying trends and behaviours in the travel market.

Over the past few years there has been significant growth in a number of areas within the travel market. This offers the Northern Beaches travel industry opportunities to capitalise and leverage visitor yield as the region already hosts a range of travel products and experiences in the following growth areas. Industry research shows people are motivated to travel and seek experiences relating to the following areas:

- Wellbeing
- Quality food and service
- New luxury sustainable and socially responsible
- Transformative travel
- Events personalised and curation

Experience framework and visitor themes

Five primary visitor experience themes emerged through the consultation process with the local community and tourism industry. They build on the existing strengths of the Northern Beaches and tap into global trends in tourism. An experience framework creates an easy way to see what products are already on offer and highlights opportunities that can be filled by the tourism sector. The five experience themes in the framework are:

- 1) Arts & culture
- 2) Events
- 3) Nature
- 4) Indigenous heritage
- 5) Urban coast culture

The draft DMP sets out a series of initiatives that would improve the Northern Beaches' offering for each of these visitor experience themes over the next five or more years. These include:

- Promoting the Northern Beaches Coast Walk
- Repositioning Manly as the premier global destination
- Creating the extraordinary northern and southern gateways
- Celebrating and connecting the waterways of the Northern Beaches
- Creating best of nature accommodation
- Capitalising on the beaches as an off-road cycling destination.

Marketing and promotion

Central to meeting the objectives of the draft DMP, is targeted marketing to promote initiatives to increase visitor yield at the right time and finding ways to grow visitor spend. Key initiatives identified in the plan to achieve this include developing a dedicated tourism website and implementing off-season marketing campaigns targeting key markets and incorporating identified themes.

Building industry resilience

Building the capacity of the local tourism industry, as well as strengthening partnerships with other tiers of Government, will also be key to delivering on the longer-term plan. The draft DMP considers a range of initiatives to build strength and resilience, including facilitating a range of workshops to build capacity in the tourism industry, and also exploring a staged approach to creating an industry tourism organisation for the Northern Beaches.

A survey of local tourism operators in September 2020 found COVID-19 was having a significant impact on their business viability. Of those operators surveyed, 84% stated that their businesses overall were 'majorly' or 'severely' impacted, and 33% noted sales revenue was down 50-75%, with a further 31% citing sales revenue down 25-50%.

The key areas of support needed by the local industry are the identification of new source markets and marketing and promotional assistance to tap into the increasingly important 'local' market. These priorities are further explored in the supporting draft action plan, Destination Northern Beaches: COVID-19 Recovery Plan 2020-2022. (Refer Attachment 2).

Draft Destination Northern Beaches: COVID-19 Recovery Plan 2020-2022

In response to the devastating impact of the pandemic on the tourism industry, a two year plan has been developed to identify priority actions to help local operators get back on track and build resilience.

The plan is based on three pillars including:

1. **Shifting demand** – recognising the increasing importance of digital visitor servicing with more people at home and online planning travel, there is an urgent need to enhance Council's online visitor platforms. Targeted campaigns to encourage shift in demand from day trippers to overnight visitors, including visitors within 2-3 hour drive of the Northern Beaches and attract high-yield markets.
2. **Strengthening Supply** – focus on creating COVID-19 safe itineraries and visitor experiences, in line with Council's COVID-19 Summer Action Plan for Outdoor Public Places. Pilot pop-up initiatives, such as glamping, park and ride and mobile visitor information servicing, to encourage visitors to stay and disperse across the region.
3. **Industry capacity building** – COVID-19 highlighted the need for resilience and capacity building within the tourism industry to adapt to COVID-19 safe requirements and tap into new markets. Empower tourism operators with information and support to enhance customer services, adopt COVID-19 safe measures, improve digital presences and identify new markets.

Two-Year Visitor Economy Recovery Plan

High-level goals:

- 1 Build awareness of a single, unifying identity for Sydney's Northern Beaches
- 2 Transition from day-visitors to overnight visitors and encourage greater regional dispersal
- 3 Increase yield, length of stay and repeat visitation
- 4 Address seasonality - increase visitation during low and shoulder seasons
- 5 Increase awareness of the core proposition and offering of the Northern Beaches (extraordinary experiences in a vibrant, nature-based and wellness setting)
- 6 Respond to COVID-safe practices and resulting market trends, desires or expectations

Principles:

- Adopt a customer-centric approach
- Take action by implementing initiatives in a staged approach
- Focus on the local residents initially to rebuild a sense of vibrancy and contribute to growing advocacy for the Northern Beaches
- Recognise that collaboration is a key to success

Shifting Demand

- Identify one voice: Build awareness of single unifying brand identity for Northern Beaches across all channels as a destination of choice.
- Establish a single destination website and dedicated social media channels that are visitor-centric and offer an easy way for visitors or potential visitors to find out more about the destination.
- Implement a campaign for the local community and VFR market leading to a microsite (webpage).
- Implement a destination campaign targeting high-yield markets to drive mid-week, low and shoulder seasons.
- High priority is to curate a COVID-safe series of experiences, from outdoor dining to top spots to picnic and great nature walks. Ensure compliance with the Northern Beaches' COVID-19 Summer Action Plan for Outdoor Public Places.
- Reimagine the Manly Visitor Information Centre (VIC) and create a single multi-channel contact centre or hub to service all enquiries across all customer channels from voice to email, Live Chat, online and digital including social media (Instagram, Facebook, Messenger etc).
- Trail mobile Visitor Information Service over peak periods.

Strengthen Supply

- COVID-safe experiences and itineraries should be developed and/or profiled. Outdoor recreation, accommodation and dining, nature-based and wellness experiences should be the highest-order priority. This will deliver on the COVID-19 consumer behaviour trends while also leveraging investment in key assets such as the Coast Walk. Pilot experiences to be trialled over summer could include nature-based glamping at locations such as Manly Dam and Middle Creek.
- Council to reform the regulatory and approval processes to actively encourage greater outdoor dining and live music, utilising NSW Government's streamlined application process for alfresco dining to encourage pop-up bars and events to allow a more vibrant use of spaces and places in an appropriate and COVID-safe manner.
- In line with the Northern Beaches' COVID-19 Summer Action Plan for Outdoor Public Places, implement customer-centric demand management initiatives. Consider ways to support local businesses, especially hospitality and accommodation providers, through high-demand parking or transport solutions.
- Plan for small-scale and boutique events and promote workshops and masterclasses, including through linking to multiday itineraries.

- Implement State Government’s Streets as Shared Spaces program, which aims to promote the health of local economies and increase greener public spaces.
- Prioritise investment in Council-owned or managed accommodation sites such as Currawong and Lakeside Holiday Park in Narrabeen, to service demand for nature-based and coastal holidays by the domestic leisure market.

Industry Capability & Preparedness

- Increase focus on industry preparedness by providing regular communications with updates on key trends and best practices relating to COVID-19 as well as helpful links for those businesses who seek training programs or grant funding etc.
- Strengthen industry networks to enhance collaboration.
- Conduct another business survey to benchmark demand for tourism and hospitality services.
- Implement a tourism industry capacity building program (Tourism e-School) and develop a more comprehensive, tailored and responsive capability development program for local operators.

CONSULTATION

A thorough consultation plan has been implemented to ensure key stakeholders were engaged throughout the development of the draft DMP.

Initial industry consultation commenced early 2019 through a series of one-to-one interviews and group sessions with tourism operators, wider hospitality sector, education providers and government agencies. This informed the Situation Analysis and Key Directions Paper.

The Industry Tourism Summit hosted in May 2019 brought together over 55 industry representatives to hear about emerging industry trends from Tourism Australia, Destination NSW and a range of local operators.

Wider community engagement for the plan’s development took place during June and July 2019, where the Key Directions Paper, which has shaped Destination Northern Beaches, was placed on exhibition. In total, 643 people engaged with the project during this period.

Over the past few months and in preparing the Draft Destination Northern Beaches: COVID-19 Recovery Plan 2020-2022 a number of representatives from Manly’s Tourism and Economic Recovery Taskforce were interviewed for input.

A survey of local tourism operators was also conducted in September 2020 to understand how these businesses were coping and what support they needed. This has assisted in identifying specific challenges and opportunities as well as capturing the ambition of the industry.

TIMING

	Timeline	Activity
Phase 1	October 2018	Councillor briefing
	December 2018	Consultants engaged
	January – March 2019	Consultation industry, key stakeholders and Economic and Smart Cities SRG
	March 2019	Detailed situation analysis
	May – July 2019	Tourism summit, community consultation on Key Directions Paper

Phase 2	November 2020	<p>Councillor briefing</p> <p>Draft Destination Northern Beaches: Creating a sustainable visitor economy is a Destination Management Plan (DMP) and</p> <p>Draft Destination Northern Beaches: COVID-19 Recovery Plan 2020-2022</p> <p>Council Meeting</p>
	November 2020 – January 2021	Public exhibition
	February 2021	Report on engagement and finalise for Council consideration

The project is within the second phase of development. Following community feedback on the draft plans, the feedback will be presented to Council with the final plans for consideration.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Vibrant Local Community - Goal 15: Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.

Link to other Council Strategies and Plans

The draft DMP has been developed to respond to the Community Strategic Plan (CSP), particularly in terms of delivering on the 'Vibrant Local Economy' community outcome which includes:

- **CSP - Goal 15d:** Enhance and extend opportunities for sustainable tourist economy throughout the area
- **Delivery Program - Goal 15:** Develop a Northern Beaches Destination Management Plan

To ensure consistency with other Council emerging strategies and plans, Destination Northern Beaches has been developed alongside Council's Environment and Climate Change Strategy 2040, Northern Beaches Coast Walk and the Arts and Creativity Strategy.

In particular, the plan supports the Local Strategic Planning Strategy (LSPS) "Towards 2040". It builds upon Priority 29 "A thriving sustainable tourism economy" with the plan's overarching goal reflecting the top principle under this Priority to "enable a strong tourism economy while maintaining quality of life and protecting the environment". The plan also reinforces Priority 26 in the LSPS "Manly as Sydney's premier seaside destination" and recognises the critical role of Manly as the official gateway for tourism on the Northern Beaches and status as Australia's best beach.

FINANCIAL CONSIDERATIONS

The implementation of the draft Destination Northern Beaches: Creating a sustainable visitor economy is a Destination Management Plan (DMP) and the draft Destination Northern Beaches: COVID-19 Recovery Plan 2020-2022 will be managed within existing operational budget.

SOCIAL CONSIDERATIONS

Community sentiment to tourism and the visitor economy has historically been mixed across the region. Part of the role of the public exhibition period is to promote greater understanding in the community about the importance and value of visiting friends and family (VFR) market to the local economy. Raising community awareness about the role tourism, the importance of service

standards and the need for visitors through the year in underpinning the vibrancy of our villages, will be a central message.

ENVIRONMENTAL CONSIDERATIONS

The draft Destination Northern Beaches: Creating a Sustainable Visitor Economy is being developed alongside Council's Environment and Climate Change Strategy 2040 and the Local Strategic Planning Statement "Towards 2040".

The overarching goal for the plan is to "achieve a balance between growing the visitor economy and protecting the environment and social values". Consequently, there is a recurring theme that future tourism on the Northern Beaches must protect our natural environment and recognising that our unique environment (beaches and bushland) are the foundations for what attracts visitors to our area.

GOVERNANCE AND RISK CONSIDERATIONS

Due to the severe financial impact of the pandemic on the local tourism industry, the risk is that in the absence of both a longer term strategy and a short term action plan, the viability of local operations continuing would be jeopardised.

The challenges presented over the past several months have highlighted the need to build resilience and capacity in this sector. This economic shock has also highlighted the need to understand the value of the visitor economy and how to target efforts to aid its recovery and growth.

The absence of a plan may lead to missed opportunities to help recover and grow the visitor economy. It will also address community concerns around localised impacts of tourism, by spreading of visitation across the seasons and throughout the region.

With regard to future governance of the implementation of the draft DMP - Destination Northern Beaches: Creating a Sustainable Visitor Economy, consideration is required to investigate partnership models to support and oversee the delivery of key initiatives.

ITEM 8.2	PUBLIC EXHIBITION OF THE DRAFT COUNCILLOR USE OF SOCIAL MEDIA POLICY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2020/633032
ATTACHMENTS	1 ↓ Draft Policy - Councillor use of Social Media - 20201016

SUMMARY

PURPOSE

To seek endorsement to place the draft Councillor use of Social Media Policy on public exhibition.

EXECUTIVE SUMMARY

Following the Council adoption of the Draft Communications Policy endorsed by Council at its Meeting 26 February 2020, Council resolved to request staff research the social media policies of other Councils as they apply to Councillors, and to present the findings to Councillors at a briefing.

Further to the briefing, a Notice of Motion No 25/2020 requested a Social Media Policy be developed for councillors and be brought back to a Council briefing.

The draft policy provides guidance for Councillors about the personal and professional use of social media. It intends to assist Councillors to use social media in a way that minimises exposure of both Councillors and Council to legal risk. In particular, it outlines guidance for Councillors with regards to confidentiality, governance, privacy, record keeping and other legal and regulatory risks when using social media.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That:

1. Council place on public exhibition the draft Councillor Use of Social Media Policy for a period of at least 28 days
 2. The outcomes of the public exhibition of the draft Councillor Use of Social Media Policy be reported to Council.
-

REPORT

BACKGROUND

At its Meeting 26 February 2020, Council endorsed the Communications Policy, noting the outcomes of the public exhibition and rescinding the former policies of Pittwater and Warringah.

The key points in the policy related to staff use of social media.

Following the adoption of the policy, Council endorsed a Notice of Motion No 25/2020 Councillor Social Media Policy at its Meeting 23 June 2020.

It was resolved that:

1. A Social Media Policy be developed for Councillors.
2. A draft policy be brought back to a council briefing.

Council developed a Social Media Policy for staff however such a policy does not currently exist for Councillors.

Increased cases of defamation in NSW due to comments and postings made on social media, have increased the risk of litigation to Council and Councillors using social media.

As social media continues to grow and expand as a means for Councillors to communicate and connect with their communities, the need for a policy was identified.

It is noted that many other councils already have such a policy including Randwick, Inner West, Maitland and Snowy River.

As part of the research, a range of policies and frameworks from other councils were reviewed, including:

- Inner West Council Social Media Policy for Councillors
- Maitland City Council Social Media Policy
- Mosman Council
- Randwick Social Media Policy.

CONSULTATION

The draft policy was developed in relation to existing council policies on councillor use of social media.

It is proposed to publicly exhibit the draft policy for a period of at least 28 days in December 2020. Community engagement will include:

- Information on a 'Your Say' project web page including an online submission form where community feedback can be submitted.
- Briefings to relevant Strategic Reference Group members.

Exhibition of the draft policy will be promoted through e-mails to key stakeholders and Council's community register.

TIMING

All feedback received during the public exhibition period in December 2020 will be considered for the draft policy, after which the final policy will be reported back to Council for consideration before its adoption.

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.
- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council.

SOCIAL CONSIDERATIONS

Council recognises that communication with the community is a critical function that underpins understanding and awareness of the decisions of Council and importantly how Council is delivering on the Community Strategic Plan Outcomes and Goals.

The draft policy defines a set of principles to ensure communication between Councillors and the community will be in a manner that:

- informs the community about the decisions of Council, policies, programs, services and decisions
- promotes two-way communication
- builds a highly informed and engaged community
- accurately responds to community comments and requests
- complies with relevant laws and regulations, and ensures the confidentiality of Council information
- respects the democratic process acknowledging Council resolutions represent the majority view.

ENVIRONMENTAL CONSIDERATIONS

There are no perceived impacts on the environment associated with the implementation of this policy.

GOVERNANCE AND RISK CONSIDERATIONS

Ensuring a robust, complete and up to date policy environment is key to Council's governance framework. There are no increased risks to the organisation through harmonising the policies from the former Councils into a single approach for managing communications.

Draft Council Policy

Councillor use of Social Media

Policy Statement

The purpose of this policy is to provide guidance for Councillors about the personal and professional use of social media. Social media is an important communication, engagement and customer service channel which can encourage dialogue between Councillors and the community.

This policy intends to assist Councillors to use social media in a way that minimises exposure of both Councillors and Council to legal risk. In particular, it outlines guidance for Councillors with regards to confidentiality, governance, privacy, record keeping and other legal and regulatory risks when using social media.

Principles

Communication through social media will be in a manner that:

- informs the community about the decisions of Council, policies, programs, services and decisions;
- promotes two-way communication;
- builds a highly informed and engaged community;
- accurately responds to community comments and requests;
- complies with relevant laws and regulations, and ensures the confidentiality of Council information; and
- respects the democratic process acknowledging Council resolutions represent the majority view.

Scope and application

This policy applies to the use of social media by Councillors in their personal and professional capacity.

- Professional capacity, being in the course of fulfilling their functions and duties to Council; and
- Personal capacity, being where the use of social media is connected with, or might otherwise impact on, Council's legal obligations, its reputation and/or its effectiveness, legal obligations or duties owed by the Councillor to the Council.

Councillor use of social media

Northern Beaches Council recognises the importance of social media as a communication, engagement and customer service channel.

Social media provides a platform to encourage dialogue between Councillors and the community, and enables Councillors to gain insight into the community and its needs via public feedback and comments.

Councillors are responsible for managing their social media accounts, including creating and sharing content, gaining permission for the use of images, video, audio and other materials if required and monitoring comments.

Councillors should ensure that they have appropriate privacy settings on all social media sites moderated, managed or operated by them. Councillors should be aware that any social media activity or interaction, either official or personal, is public, often permanently available, traceable and able to be reproduced elsewhere.

Councillors should also be aware that whether they intend it or not, what they post online in a private capacity reflects on Northern Beaches Council and their role as a Councillor.

Councillors should behave in a way at all times that upholds the values, behaviours and reputation of the Council, and is consistent with the Code of Conduct and other Council policies.

Councillors are reminded that 'shares', 'likes' or 'retweets' may be viewed as an endorsement of the original post.

Councillors may use their own social media accounts to express personal views, however, they are strongly encouraged to have a dedicated Councillor account separate to any other personal or business accounts they might hold.

Councillors can make personal comments on their social media platforms on matters relating to Council policy and other matters of public interest, but must make clear that any views are their own opinions as an individual and are not the opinions of Council, an official Council position or a Council policy. In making comments and expressing views on social media, consistent with the Code of Conduct, Councillors must not bring the Council, Council decisions or civic office into disrepute.

Councillors should consider that a disclaimer or separate personal or business account does not necessarily provide legal protection for comments posted on social media.

When commenting on an issue, Councillors are required to provide an accurate account of the relevant Council resolution or decision. This can be achieved by publishing the full Council resolution.

Councillors should be aware that they may be legally liable for their comments and the comments of others, published on a Councillor's social media site. Councillors are encouraged to ensure prompt removal of inappropriate content from third parties.

In using social media, Councillors should comply with applicable laws and must not:

- breach the privacy of other Councillors, Council officials, employees, those that deal with Council, or other third parties or otherwise handle personal information or health information in a manner which may cause Council to be in breach of its obligations under applicable privacy laws;
- post content that is defamatory, offensive, humiliating, misleading or deceptive, threatening or intimidating to other Councillors, Council officials or employees, those that deal with Council, or other third parties
- divulge confidential Council information or any other confidential information obtained in the course of performing duties as a Councillor;
- breach copyright or trademark protected materials or otherwise infringe on the intellectual property rights or other rights of a party or individual; or
- post content that contains allegations of suspected breaches of the Code of Conduct or information about the consideration of a matter under the Procedures.

Councillors should be aware that messages, forums and posts created using social media platforms may be digital records under the GIPA if they have been used for conducting 'government business'. Similarly, messages created in messaging apps (such as WhatsApp, Facebook Messenger and WeChat) may be digital records for the purpose of the GIPA if the messages have been used for conducting government business. For this reason, Councillors should exercise care to ensure government business is not conducted on personal social media accounts and messaging apps.

Breaches

Breaches of this policy may be subject to disciplinary action, in line with the Northern Beaches Council Code of Conduct and disciplinary policy and procedure.

References and related documents

- Access to Information Policy
- Code of Conduct Policy;
- Communications Policy;
- Code of Meeting Practice; and
- Community Engagement Policy.

Related legislation

- Local Government Act 1993 NSW;
- Independent Commission Against Corruption Act 1988 NSW;
- The Government Information (Public Access) Act 2009 NSW (**GIPA**);
- Anti-Discrimination Act 1977 NSW;
- Privacy and Personal Information Protection Act 1998 NSW;
- Health Records and Information Privacy Act 2002 NSW;
- State Records Act 1998 NSW;
- Work Health and Safety Act 2011 NSW;
- Model Code of Conduct for Local Councils in NSW 2020;
- Copyright Act 1968 Cth; and
- Copyright Amendment (Digital Agenda) Act 2000 Cth.

Definitions

Councillors: The current elected Mayor and Councillors of Northern Beaches Council.

Social media: Social media is defined in this policy as all online and digital media. It includes information that can be created, shared, discussed and disseminated, allowing user participation and interaction.

Examples include, but are not limited to:

Social networking sites (e.g. Facebook, Twitter, LinkedIn, Yammer)

Video and photo sharing websites (e.g. Instagram, YouTube, Snapchat, TikTok, Flickr)

Blogs, including those hosted by social channels or media outlets (e.g. Tumblr, 'comments' or 'your say' feature on websites such as news websites)

Forums, discussion boards and groups (e.g. Google groups, Reddit, Whirlpool)

Instant messaging (e.g. WhatsApp, Facebook Messenger)

Geo-spatial tagging (e.g. Google maps, Foursquare)

Any other tool or emerging technology that allows individuals to publish or communicate in a digital environment.

Responsible Officer

Executive Manager Community Engagement and Communications

Review Date

October 2024

Revision History

Revision	Date	Status	TRIM Ref
1	16 October 2020	Draft Policy – Councillor use of Social Media	2020/635627
2			

ITEM 8.3	CALL FOR VOLUNTEERS - COVID SAFETY AMBASSADORS
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2020/612706
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To report on the outcome of investigation into the use of volunteers as COVID Safety Ambassadors for beaches and open space.

EXECUTIVE SUMMARY

Council and the State Government have collaborated on a COVID Summer Action Plan to ensure we can keep beaches and parks open while keeping the community safe. At the time of the initial COVID-19 lockdowns, staff whose roles were affected by NSW Health Orders were redeployed to other positions within the organisation. This included new roles to ensure the safety of our community throughout this time. One critical role was keeping our beaches and parks open. Many staff were redeployed as COVID ambassadors to assist lifeguards and rangers in reminding people of the Health Orders including social distancing and restrictions on gathering numbers.

With the coming of summer Northern Beaches, along with other councils, has approached the State Government to help fund additional resources to act as COVID ambassadors and undertake a similar role as the redeployed staff earlier in the year. The previous approach of redeploying staff is no longer a viable option due to all Council services resuming operation.

At the 29 September 2020 Council meeting, Mayoral Minute 12/2020 resolved that Council should consider volunteers to be an option to act as COVID ambassadors. These roles would support the lifeguards and rangers at high visitation locations during our busy months, including summer. The role would include: friendly reminders to stay 1.5m apart; monitoring large groups numbers (gatherings of 30), and assisting in crowd intelligence gathering for controlling overall numbers. Ultimately this will allow the lifeguards and volunteer SLSC patrollers to focus on keeping people safe in the water and our Rangers to ensure compliance on other issues.

Our community has been asked to express their interest in becoming COVID ambassador and based on the number of people expressing their interest as volunteers, it is recommended that should the program progress that it is delivered across the Northern Beaches area.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That:

1. Council commences a volunteer program for COVID ambassadors, to assist the community with the implementation of the COVID Summer Action Plan.
 2. Thanks the volunteers who registered an expression of interest and accept other community volunteers who may consider participating in the COVID ambassadors program.
-

REPORT

BACKGROUND

At the 29 September 2020 Council meeting, Mayoral Minute 12/2020 resolved that Council:

1. *Bring back a report to the October Council meeting on the possibility of using volunteers as COVID Safety Ambassadors 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.*
4. *Write to the Premier and Ministers for Emergency Services and also Planning and Open Space to ask for their consideration of a State Sponsored Campaign for all Councils to assist with recruiting volunteers for each Local Government Area.*
5. *Investigate the possibility of using Red Frog or similar volunteers to help with social distancing at any schoolies celebrations.*

Each action has been investigated with the following findings:

1. ***Bring back a report to the October Council meeting on the possibility of using volunteers as COVID Safety Ambassadors for beaches and open space.***

An extension was provided to bring the report to the November meeting, ensuring all points from the Mayoral Minute could be addressed, and to allow enough time for members of the community to express their interest in the program.

2. ***Advertise immediately for Expressions of Interest from local residents who would be interested should we determine to go down this path.***

Expressions of Interest opened on Friday 2 October 2020. 12 locations were identified as priority volunteer locations for the program due to historically high visitation numbers. To date 46 people have expressed an interest. A summary of availability and location preferences is listed in the table below.

Which location/s are you willing to volunteer at?

Manly	20
Queenscliff	18
Freshwater	18
Curl Curl	15
Dee Why	15
Mona Vale	13
Newport	5
Palm Beach	6
Narrabeen Lagoon Trail	13
Manly Dam	9

Note: people were able to select more than one location that they would consider volunteering at.

How often would you like to volunteer

Weekly	22
Twice per week	10
More than twice per week	3
Fortnightly	9
Other...	1 (view)

From the respondents we received, 46 volunteers registered an expression of interest to take part in the program.

Management of Volunteers

All COVID ambassadors will undergo an induction, working with Children Check and a training program. A Council officer will be allocated the responsibility of managing the program.

Risks

A number of risks with the program have been identified.

- The number of volunteers that applied does not meet the total number required per week.
- Back-up options are limited if a volunteer does not arrive on site or decides to pull out of the program. Running three volunteers as a group rather than two to allow for potential no shows is an option, but will also have the consequential effect of reducing the number of active shifts delivered.
- Whilst a Council officer will be allocated as first contact, it is reasonable to assume onsite volunteers may need additional support from lifeguards and/or rangers and this should be managed in line with the delivery of their core services.

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.

On 26 October 2020 a letter was sent to all 21 Surf Clubs on the Northern Beaches asking for expressions of interest from their members. A deadline was given within which to respond and as yet Council has not received an indication that the Clubs are able to provide additional volunteer services above what they already perform.

4. Write to the Premier and Ministers for Emergency Services and also Planning and Open Space to ask for their consideration of a State Sponsored Campaign for all Councils to assist with recruiting volunteers for each Local Government Area.

On 19 October 2020 Council sent a letter to the Premier, Gladys Berejiklian, MP, the Minister for Police and Emergency Services, and the Minister for Planning and Public Spaces. Council has currently not received any responses.

5. Investigate the possibility of using Red Frog or similar volunteers to help with social distancing at any schoolies celebrations.

Council staff investigated if it was possible to engage the Red Frogs to help with social distancing at any Schoolies celebrations. Research showed that Council did not need to engage the Red Frogs Services as the Northern Beaches is not an official Schoolies venue nor are there official Schoolies events happening on the Northern Beaches. Council reached out to local hotels and hostels to investigate whether any venues had taken bookings for Schoolies, and none had. Council received the following responses:

- Boardrider Backpackers: Manager said they would not take schoolies, no under 18s allowed
- The Bunkhouse, Pine Street: Manager said they will not take schoolies, no under 18s allowed
- Manly's Hidden Gem: No schoolies permitted
- Manly Lodge: No schoolies booked in at the moment, only have 32 rooms, under 18s require an adult to accompany them, so unlikely any schoolies will stay
- Novotel Sydney Manly Pacific: No schoolies booked in at the moment
- Quest Manly: No schoolies booked in at the moment
- Q Station: No schoolies booked in at the moment.
- Sandy Bottoms Guesthouse: Manager said they would take bookings however had not received requests so far and would contact Council if there were any requests received
- Sebel Manly: No schoolies booked in at the moment
- Stoke Beach House: No response yet.

There has also been further recent advice to the public from the NSW State Government about what can and can't be done for Schoolies Celebrations under the current orders.

Operational considerations

- Defining the role of the Ambassadors

It is important to note that these volunteers will not be taking on the same role as our redeployed Council staff due to the high risk environment. Ambassadors will be:

- a presence at the location
- educating the public on the most current NSW Health Restrictions
- roaming the location (eyes and ears for the lifeguards/ rangers)
- providing advice when questioned directly (reactive) .

- Volunteer Shifts

Options for shifts will be:

- 9.00am – 12.30pm (Morning)
- 12.00pm – 3.30pm (Midday)
- 3.00pm – 6.30pm (afternoon)

- Council resources required
 - Council Officer co-ordinating the COVID ambassador program
 - Induction & Training
 - Working with Children Checks
 - Budget (e.g. uniforms, meal vouchers, online rostering system, staff).
 - There will be no cost associated with volunteers being paid for shifts. However, there will be costs associated with:
- Uniforms (hat and shirt)
 - Shirt at approx. \$6.50 per unit. 50 x units = \$325
 - Hat at approx. \$4 per unit. 50 x units = \$200

Risk Considerations

- Reliability of volunteers to turn up for their shifts.
- There may be a drop off of volunteer interest throughout the program.
- Members of the public may not take kindly to the volunteers' presence.
- Volunteers not to patrol the East and West Esplanade.
- Training to ensure volunteer safety.
- Compliance with WHS requirements.

CONSULTATION

The Expression of Interest for the program was externally advertised through the Northern Beaches Council Website, Council's electronic newsletter, and Council's Facebook page.

Internal consultation of the program was carried out with the following teams:

- Incident Management Team
- Social Planning and Services
- Beach Safety
- Human Resources.

TIMING

It is proposed that the start date of the program be moved back and commence on 14 December 2020.

Staff will be required to start managing the program from 1 December 2020.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.

- Community and Belonging - Goal 11: Our Community feels safe and supported.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

Based on the operational delivery required for the program this will be funded from the Council's existing Events Operations Budget should this program be approved to progress.

SOCIAL CONSIDERATIONS

The Volunteer COVID Safety Ambassadors program is aiming to help keep the community safe and healthy this summer. The program will run in conjunction with Council's COVID-19 Summer Action Plan for Outdoor Public Spaces.

ENVIRONMENTAL CONSIDERATIONS

There are not considered to be any material environmental impacts associated with the program.

GOVERNANCE AND RISK CONSIDERATIONS

There is both risk to volunteers and risk to Council as outlined in the report above.

There is a risk that, in some circumstances, a volunteer will not show up for a shift, or speak on behalf of Council and incur reputational issues that could reflect poorly on Council.

Risks to volunteers that need to be considered include the public not taking kindly to the volunteers' presence, and there only being two volunteers at a location at one time.

Adequate training and screening during interview process will need to be conducted in order to minimise the risk to volunteers and Council.

ITEM 8.4	RESPONSE TO NOTICE OF MOTION 47/2020 - TWILIGHT ACTIVITY OPTIONS IN MANLY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2020/699910
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek endorsement for the re-allocation of funds from World Food Markets Manly to alternative family friendly activity in response to the Notice of Motion 47/2020 from the Council meeting of 27 October 2020.

EXECUTIVE SUMMARY

To support the trial of expanded outdoor dining in Manly through summer, it is proposed that a new activation be trialled within Manly Corso from Thursday through Sunday from 17 December 2020 to 31 January 2020.

Council will collaborate with the Manly Business Chamber to create opportunities to reinvigorate the public use of the open space.

The re-allocation of funds from the World Food Markets in Manly, approximately \$6,000 will deliver alternative family friendly entertainment to further enhance the Corso and attract families to dine there.

Local businesses will be encouraged to collaborate within their application allowing for maximum opportunity for involvement. Given the space is limited in size, it is envisaged the overflow of patrons would visit local eateries within the area including the Corso, Market Lane, Manly Beachfront, Manly Wharf and Rialto Lane.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council reallocate \$6,000 in funding from the World Food Markets, Manly to support a summer activation on the Corso including family friendly entertainment.

REPORT

BACKGROUND

World Food Markets began under Manly Council in 2009 as a twilight food market on Friday evenings. The event began to encourage the community in coming together in a family friendly way to support local businesses.

In 2019 Northern Beaches Council approved the event to be delivered throughout the LGA aligning to the Event Strategy 2018 – 2023, with a caveat that one event remain within Manly. The event was held at Freshwater, Lakeside Park, Narrabeen and the Corso, Manly from January to March 2020. Each location had three events on consecutive Friday nights.

The Freshwater and Narrabeen locations were not held in town centres but open public spaces.

Food Trucks are selected via an Expression of Interest form, they can apply for one, two or all three locations and pay a fee to be involved.

Council owns and operates the event, covering costs of the following items including, but not limited to: infrastructure, entertainment, security, fees, waste management and staffing.

World Food Markets has a budget of \$18,264 for the three locations with three events at each location.

A Notice of Motion 47/2020 was raised at the 27 October Council meeting, and it was resolved that:

2. *Council investigate alternative family-friendly twilight activity options which will support existing food outlets in the CBD, to replace the World Food Markets in Manly and a report be brought back to the November Council meeting.*

To support outdoor dining in Manly with family activities and entertainment through summer, it is proposed that a Request for Proposal be sent to local businesses to activate space approximately 14m x 40m within Manly Corso adjacent to the New Brighton Hotel, running Thursday through Sunday from 17 December 2020 to 31 January 2021.

This space would provide a food and beverage offering with seating limited in line with the current NSW Health Orders. Part of the space would be utilised for family entertainment such as putt putt and large outdoor games.

Businesses would be encouraged to collaborate within their application allowing for maximum opportunity of involvement. Given the space is limited in size it is envisaged that the overflow of patrons would visit local eateries within the area including the Corso, Market Lane, Manly Beachfront, Manly Wharf and Rialto Lane.

Council will use the allocated \$6,000 from World Food Market to cover any fees for waste collection, power supply and marketing.

The photos below are from an activation at Manly Jazz in 2019 and show a similar size and space as proposed for this activation, including family activities. Please note Manly Jazz 2019 was pre COVID-19 and therefore you will not see social distancing measures in place.



CONSULTATION

Consultation has taken place with internal and external stakeholders including:

- Manly Business Chamber
- Manly Task Force
- Place Coordinators
- Events Team.

Manly Task Force and Manly Chambers are supportive of more events and activities within the Manly Corso area taking place as soon as possible. Support for outdoor dining for local businesses with their restriction on indoor spaces is a priority.

The Events Team gave detailed information on the operational requirements for the 2019 Manly Jazz activation, the costs and EOI process undertaken.

TIMING

Timing is tight to ensure deadlines are met and businesses can capitalise across the coming months. The Manly Place Coordinator will deliver the project with the key dates outlined below:

- Request for Proposal, opening 25 November to 2 December 2020.
- Review proposals and Panel selection, 3-4 December 2020. Panel will consist of three staff members across varying business units.
- Successful applicant to be appointed by 7 December 2020.

- First day of operation is scheduled for 17 December 2021, with bump-in commencing two to three days prior.
- Final day scheduled for 31 January 2021, bump-out would be 1-2 days post this.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging - Goal 10: Our community is stimulated through a diverse range of cultural, creative activities and events.
- Community and Belonging - Goal 11: Our Community feels safe and supported.
- Community and Belonging - Goal 12: Our community is friendly and supportive.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

The report also relates to the four goals of the Northern Beaches Events Strategy:

- Goal 2 – Activate our town centres and villages to reflect community aspirations, create vibrancy and enhance our sense of place.
- Goal 3 – Boost the economic and tourism benefits of events in key destinations.
- Goal 4 – Work in partnership with event organisers in a customer focused manner to promote the delivery of events.
- Goal 6 – Continuously work to demonstrate and promote environmental sustainability in event delivery and theming.

FINANCIAL CONSIDERATIONS

\$18,264 has been provided in the 2020-21 approved budget under the "World Food Markets". \$6,000 (being the portion allocation the Manly share of World Food Markets) would be allocated to the above project/s.

SOCIAL CONSIDERATIONS

Council staff will work to provide more opportunities for local businesses to get involved in the activation as well as the additional activities for the broader community to enjoy. They will also look to reduce the impact on the broader community through the reduction of the infrastructure, footprint, bump-in and bump-out periods. This event will increase greater community connection, promote the vitality of town centres and support local visitation to our villages and town centres.

ENVIRONMENTAL CONSIDERATIONS

All applicants will be required to comply with Council's environmental and waste management policies and plans.

GOVERNANCE AND RISK CONSIDERATIONS

In accordance with risk management practice, a detailed risk assessment will be conducted, and a risk and emergency management plan implemented.

In addition a COVID Safety Plan will also be developed and implemented.

ITEM 8.5	OUTCOME OF PUBLIC EXHIBITION OF THE COVID SUMMER ACTION PLAN
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2020/707024
ATTACHMENTS	1 ⇒Community Engagement Report - COVID19 Summer Safety Plan (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To report to Council on the public exhibition of the Northern Beaches COVID Summer Action Plan for Outdoor Public Spaces.

REPORT

At the 29 September 2020 Council meeting it was resolved (Resolution 244/20):

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.*

Following on from this, community and stakeholder engagement for the COVID-19 Summer Action Plan for Outdoor Public Spaces (the Plan) was conducted over a four-week period from Friday 2 October to Sunday 1 November 2020.

The Plan was:

- Placed on a Your Say Northern Beaches page
- Included in two Northern Beaches Community Engagement Newsletters, with a distribution list of over 20,000
- Included in one Council eNews
- Sent via direct email to approximately 15,500 businesses
- Sent to representatives of the Chamber of Commerce on the 7 October 2020 inviting them to review the plan and share the link with their members

As a result, 1195 visitors viewed the project page with 35 submissions received.

Attachment 1 - Community and Stakeholder Engagement Report reflects the insights of 35 participating community members and stakeholders, through which a total of 33 issues were raised.

This feedback identified several recurring themes and perspectives. While there is support for the Plan, there is also some concern in the community about how the implementation of the plan will potentially impact on their quality of life over the summer period. While changes are not recommended to the Plan as a result of the consultation process, it re-emphasises the need for the Plan to be dynamic and regularly updated to ensure the community's health and safety remains prioritised.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Community and Belonging - Goal 11: Our Community feels safe and supported.
- Vibrant Local Economy - Goal 13: Our businesses are well-connected and thrive in our environment that supports innovation and economic growth.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

The current delivery of the COVID Summer Action Plan is contained within existing operational budgets. Should the conditions of the pandemic change and require a greater level of response then the proposed additional measures will be reported to Council for consideration.

ENVIRONMENTAL CONSIDERATIONS

There are no adverse environmental considerations to take into account with regards to this report.

SOCIAL CONSIDERATIONS

The COVID Summer Action Plan aims to keep the Northern Beaches Council's beaches, reserves, parks, walking trails and other public spaces open for the enjoyment and wellbeing of the community of the community while adhering to NSW Public Health Orders and recommendations.

GOVERNANCE AND RISK CONSIDERATIONS

The COVID Summer Action Plan considers the risks identified and provides a range of proactive risk management actions to address them.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council note the outcome of the public exhibition of the COVID Summer Action Plan.

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	MONTHLY INVESTMENT REPORT - OCTOBER 2020
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2020/679885
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 \$161,704,389 comprising:

- Trading Accounts \$2,659,800
- Investments \$159,044,589

Performance over the period from 1 July 2020 to date was strong having exceeded the benchmark: 1.05%pa vs. 0.62%pa.

Certification – Responsible Accounting Officer

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

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council receives and notes the Investment Report as at 31 October 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 \$619,462 compared to budgeted income of \$557,238, a positive variance of \$62,224.

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

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.

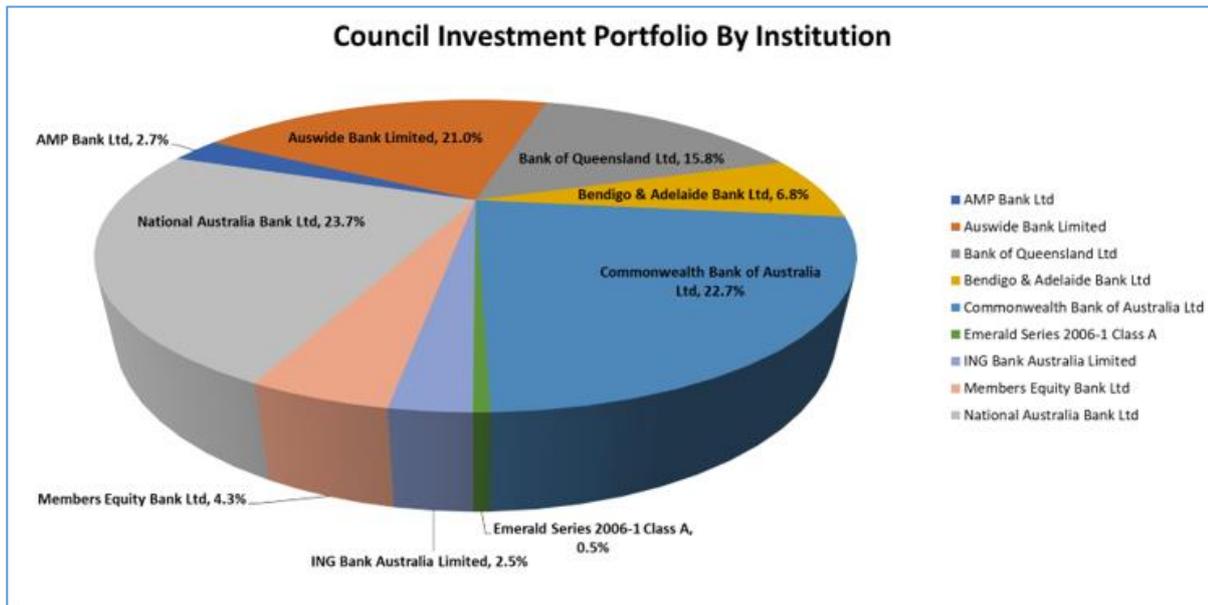
Council's Investment Policy and Strategy were also reviewed in September 2020 by Council's Investment Advisors, Laminar Capital Pty Ltd, who confirmed that the current policy "remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet" and that they "do not recommend any changes to the list of approved investments or credit limit frameworks".

Investment Balances

INVESTMENT BALANCES				
As at 31-Oct-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	824,270		0.30%
National Australia Bank Ltd	A1+	<u>285,687</u>		0.00%
		1,109,957		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	<u>4,139,663</u>	At Call	0.55%
		4,139,663		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	AAA	<u>826,437</u>	21-Aug-51	0.5485%
		826,437		
Term Deposits				
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+	2,000,000	17-Nov-20	0.75%
National Australia Bank Ltd	A1+	3,000,000	17-Nov-20	0.73%
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%
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%
Members Equity Bank Ltd	A2	2,000,000	07-Jan-21	0.60%
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%
AMP Bank Ltd	A2	1,500,000	21-Jan-21	1.55%
National Australia Bank Ltd	A1+	2,000,000	21-Jan-21	0.70%
Members Equity Bank Ltd	A2	2,000,000	25-Jan-21	0.65%
Bank of Queensland Ltd	A2	2,000,000	28-Jan-21	0.70%
Bank of Queensland Ltd	A2	2,000,000	28-Jan-21	1.05%
Bank of Queensland Ltd	A2	2,000,000	02-Feb-21	0.70%
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%
Bank of Queensland Ltd	A2	2,000,000	09-Feb-21	0.70%
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%

INVESTMENT BALANCES				
As at 31-Oct-2020				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
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	2,000,000	25-Feb-21	1.65%
Auswide Bank Limited	A2	2,500,000	25-Feb-21	0.85%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	02-Mar-21	0.63%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.75%
Bank of Queensland Ltd	A2	1,000,000	09-Mar-21	0.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	11-Mar-21	0.70%
Auswide Bank Limited	A2	2,000,000	16-Mar-21	0.80%
Auswide Bank Limited	A2	2,000,000	18-Mar-21	0.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Mar-21	0.66%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	25-Mar-21	0.65%
Bank of Queensland Ltd	A2	2,500,000	30-Mar-21	0.75%
Auswide Bank Limited	A2	3,000,000	07-Apr-21	0.80%
Auswide Bank Limited	A2	2,000,000	13-Apr-21	0.80%
Bank of Queensland Ltd	A2	1,000,000	13-Apr-21	0.80%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	22-Apr-21	0.66%
Bank of Queensland Ltd	A2	2,000,000	27-Apr-21	0.75%
Members Equity Bank Ltd	A2	3,000,000	29-Apr-21	0.55%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	04-May-21	0.65%
Bank of Queensland Ltd	A2	1,000,000	11-May-21	0.85%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	25-May-21	0.67%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	01-Jun-21	0.66%
Bank of Queensland Ltd	A2	2,000,000	08-Jun-21	0.65%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	10-Jun-21	0.60%
Bank of Queensland Ltd	A2	2,000,000	29-Jun-21	0.70%
Bank of Queensland Ltd	A2	2,000,000	29-Jul-21	0.60%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	21-Sep-21	0.75%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Sep-21	0.70%
		134,900,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,549,843		0.00%
		1,549,843		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,266,632	At Call	0.10%
Commonwealth Bank of Australia Ltd	A1+	1,014,095	At Call	0.20%
		2,280,727		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	1,000,000	12-Oct-20	0.48%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	09-Nov-20	0.49%
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%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	30-Nov-20	0.28%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Dec-20	0.30%
		16,897,762		
Total Cash and Investments		161,704,389		

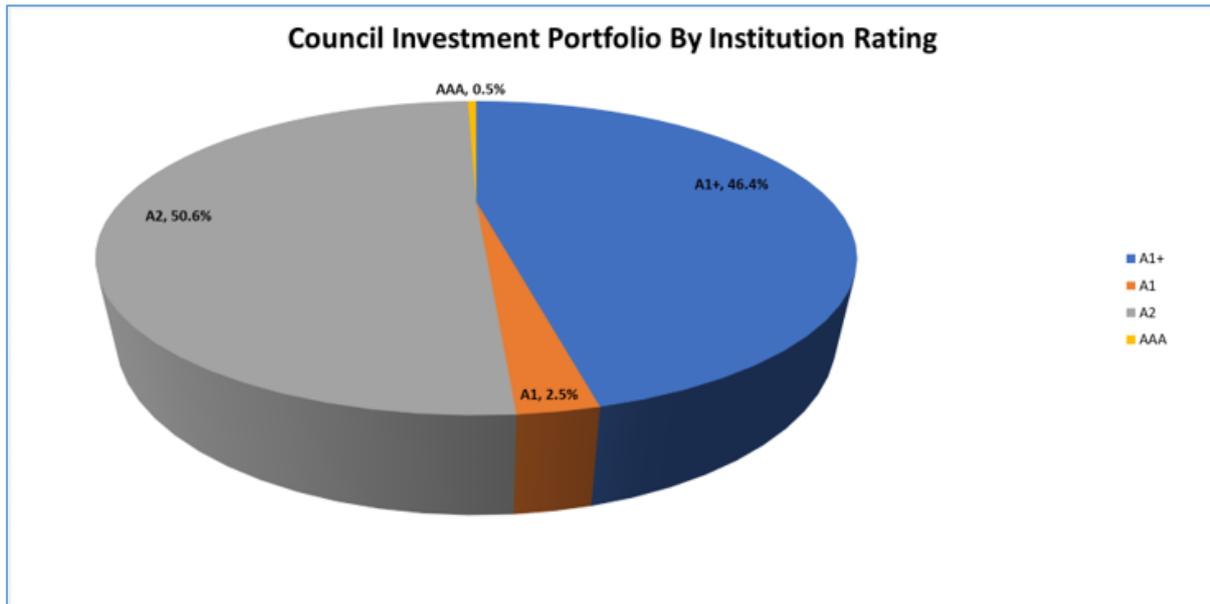
PORTFOLIO ANALYSIS



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)



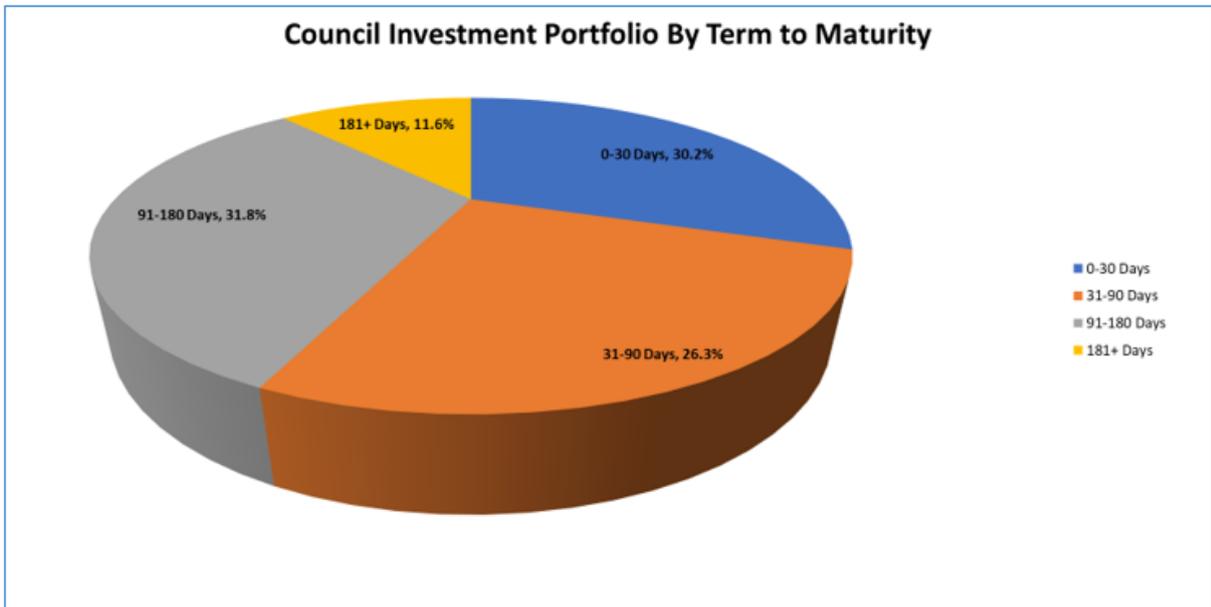
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

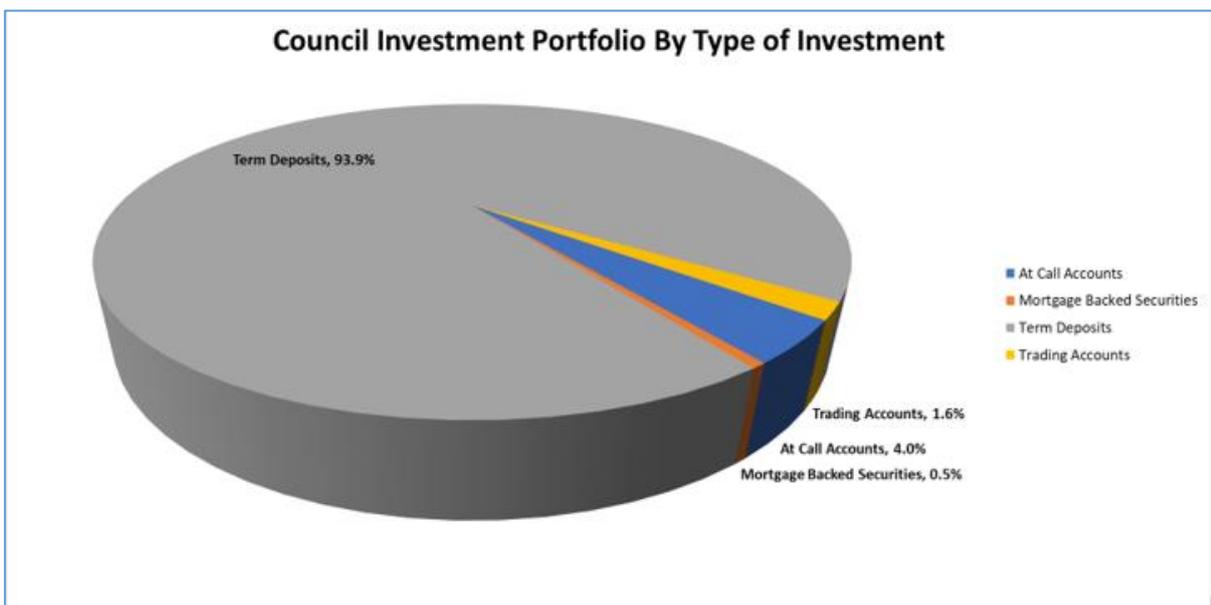
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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

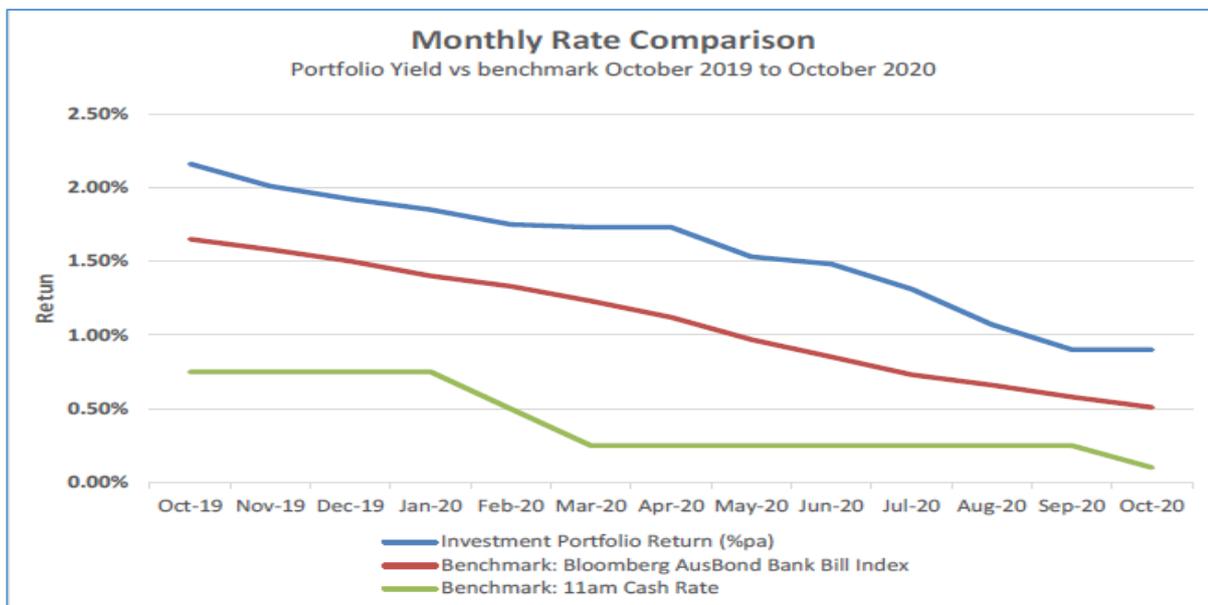


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	0.90%	0.51%	0.10%
3 Months	0.96%	0.58%	0.20%
6 Months	1.20%	0.72%	0.23%
FYTD	1.05%	0.62%	0.21%
12 Months	1.52%	1.04%	0.38%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

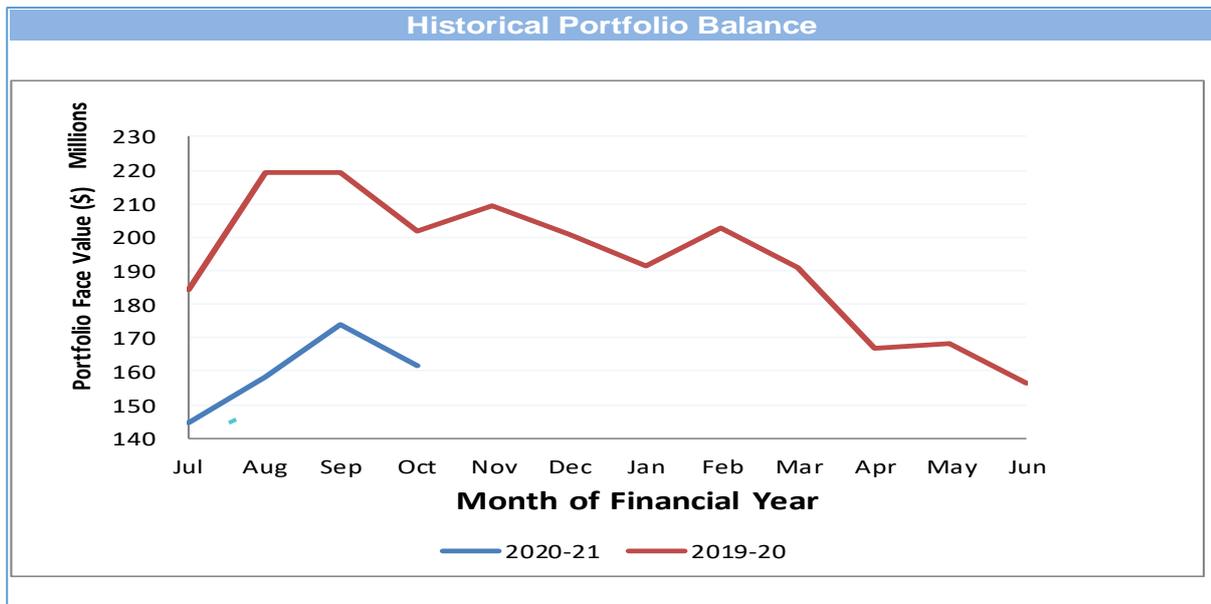


MONTHLY INVESTMENT INCOME* VS. BUDGET

	Oct 2020 \$	Year to Date \$
Investment Income	124,156	552,427
Adjustment for Fair Value	4	67,035
Total Investment Income	124,160	619,462
Budgeted Income	134,175	557,238

*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	173,826,570	219,459,189
Oct	161,704,389	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	159,603,206	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 not exceed monthly budget.

Investment Policy Compliance

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

ECONOMIC NOTES

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

Economic readings and surveys in major economies again rose more strongly than expected through October for the most part despite rising covid-19 infection rates in many countries including the United States and much of Europe. The stimulus measures put in place by governments and central banks early in the pandemic continue to support a resurgence in spending by households and businesses that for most countries will see GDP growth rebound strongly in Q3 reports from low-point readings in Q2.

In Europe, while stimulus spending is more certain to continue through the remainder of this year and into 2021 a big wave of new covid-19 infections is forcing a return to extensive lockdowns in several countries including France, Italy, Spain and the United Kingdom. Soon to be reported Q3 GDP will show a big bounce but likely to be followed by one of the world's bigger setbacks in Q4. Q3 GDP growth (preliminary report due next week) will bounce after Q2 GDP showed a fall of 11.8% q-o-q, -14.7% y-o-y. Leading indicators of economic activity are already starting to turn down and the move to new covid-19 restrictions in several larger European economies raises the risk that after lifting sharply in Q3, European GDP could fall again in Q4.

Briefly looking around the major economies during October, the US continues to report very strong housing readings. September pending, new (August latest available), and existing home sales rose respectively 8.8% m-o-m; 4.8%; and 9.4%. September home building permits and starts rose respectively 5.2% m-o-m and 1.9% while the October National Association of Homebuilders index rose to a cycle high of 85 from 83 in September. Notwithstanding the unemployment benefit supplement political stalemate household spending remains strong too. Retail sales rose 1.5% m-o-m in September after lifting 0.6% in August. The US unemployment rate continues to fall faster than expected, down to 7.9% in September from 8.4% in August. The US will report Q3 GDP later this week and it is expected to rise at over 31% annualised from -31.4% annualised in Q2.

In China, the strong quarterly Q2 GDP bounce moderated in Q3. September economic readings point to moderate economic growth continuing at the end of Q3 and heading into Q4. September export growth accelerated to 9.9% y-o-y from 9.5% in August while imports lifted to 13.2% y-o-y from -2.1% in August and an indication of stronger domestic spending. September fixed asset investment spending, +0.8% y-o-y from -0.3% y-o-y in August; industrial production +6.9% y-o-y from +5.6% y-o-y in August; and retail sales, +3.3% y-o-y from +0.5% in August all showed modest improvement. China is becoming more dependent upon domestic spending to support growth with increasing international trade frictions with its major trading partners threatening to limit export growth and dial down what has been a major factor in China's economic growth out-performance over the past two decades.

In Australia, there remains concern among forecasters that the economic recovery road is going to be long and unusually bumpy. The long Victorian covid-19 shutdown has added fuel to these concerns. Both the Federal Government and the RBA have taken on board the long, slow bumpy economic recovery view reflected in the Government's willingness to run very big budget deficits and the RBA's guidance that very low interest rates (perhaps a touch lower very soon) will persist for years to come.

Recent economic readings and survey reports are running on the strong side of official and general economic forecasts. Housing activity has been more resilient than widely expected and remains so even in the early stages of banks reducing home loan repayment holidays. The latest August reading of housing finance commitments for example showed a record 12.6% m-o-m increase. House prices have stopped falling in all capital cities except Melbourne according to the latest industry data. Retail sales, although falling month-on-month in August and September nationally were up in most states other than Victoria and were still up 5.2% y-o-y nationally in September.

ITEM 9.2	SEPTEMBER 2020 QUARTER REVIEW
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS AND EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2020/651129
ATTACHMENTS	1 ⇒Quarterly Budget Review Statement - September 2020 (Included In Attachments Booklet) 2 ⇒Quarterly Report on Service Performance - September 2020 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present the financial and management results for the period ended 30 September 2020.

EXECUTIVE SUMMARY

This report details Council's management results for the quarter and the consolidated financial position for the three months ended 30 September 2020. The Quarterly Report on Service Performance is a progress report on the Operational Plan 2020/21.

The operating result (which includes capital grants and contributions) for the financial year is forecast to decrease by \$3.6 million to a surplus of \$27.3 million. Excluding capital grants and contributions the result is forecast to decrease by \$7 million, from a deficit of \$7 million to a deficit of \$14 million, primarily due to the settlement of the Whistler Street Carpark dispute. Capital expenditure is forecast to increase by \$7.5 million to \$122.1 million, primarily funded by grants and working capital made available through \$3.9 million in dividends received from Kimbriki.

In recent months some COVID-19 impacted Council business activities have experienced a gradual recovery in service delivery including Aquatic Centres (+\$0.7 million favourable proposed budget variation), parking fees (+\$0.7 million) and Lakeside Holiday Park (+\$0.3 million), while other areas continue to experience challenges including Community Centres (-\$0.4 million), Glen Street Theatre (-\$0.3 million) and Parking Fines (-\$0.3 million).

Other material proposed changes to the budget include dividends from Kimbriki (\$3.9 million) and an investment of \$3.4 million in several IT and organisation initiatives including the streamlining of payroll, time capture and rostering systems and processes, online bookings system, security improvements, website back-end updates and updating the Council Chamber AV equipment to address stability issues.

The Council previously adjusted its capital expenditure to provide capacity to respond to the COVID-19 pandemic and retain our long term strong and sustainable position. Sufficient working capital is available to fund the \$6.75 million Whistler Street Carpark settlement.

Of the 188 actions of the operational plan 2020/21, the majority are progressing on schedule, and five are complete. 84 percent of performance measures have met or are approaching their targets.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Notes the Budget Review Statement for the three months ended 30 September 2020.
2. Approve the following changes to the Current Forecast in the September 2020 Budget Review Statement:

- A. A decrease in the forecast surplus from Continuing Operations which includes Capital Grants and Contributions of \$3.568 million to \$27.348 million
 - B. An increase in capital expenditure by \$7.492 million to \$122.083 million
3. Note the Quarterly Report on Service Performance for the period ending 30 September 2020.
-

REPORT

BACKGROUND

Northern Beaches Council's Operational Plan 2020/21 was adopted on 23 June 2020. The operational plan is for the period 1 July 2020 to 30 June 2021.

The Quarterly Budget Review Statement is a regular progress report against the Operational Plan 2020/21. It has been prepared in accordance with the requirements of the Local Government Act 1993 (s404(5)) and Local Government (General) Regulation 2005 (Cl203), namely that the Responsible Accounting Officer report quarterly on a budget review statement and the Chief Executive Officer report at least every six months on the principal activities.

The Quarterly Budget Review Statement provides reporting to adequately disclose the Council's overall financial position as well as provide sufficient information to enable informed decision making while ensuring transparency.

The report includes:

- Service performance
- Financial performance
 - Recommended changes to the budget
 - Income and expenses budget review statement
 - Capital budget review statement
 - Cash and investments budget review statement and cash flow statement
 - Balance sheet
 - Key performance indicators
 - Contracts listing
 - Budget review of consultancy and legal expenses.

Overview of service performance

Council is making steady progress towards achieving its performance, operational and capital targets.

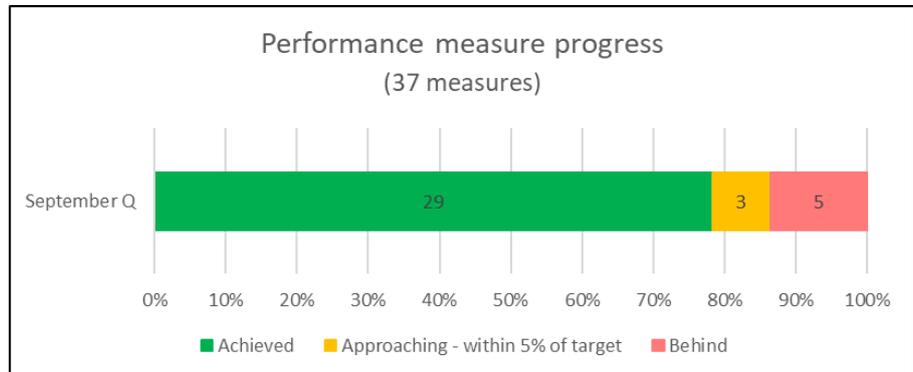
With respect to Council's 37 performance measures, overall 78% of targets have been met and a further 8% are approaching their target. Most of the results with missed targets have been impacted by COVID-19. One indicator was unable to be measured, i.e. satisfaction with key community events, as most events were cancelled due to COVID-19 restrictions.

Of the 188 projects, 94% were either progressing or completed (comprised of 91% of operational and 96% of capital projects). In total, five projects are completed. Council's target is for 80% of all projects to be completed or progressing on schedule by 30 June 2021.

A summary of our performance is outlined below.

Performance measures

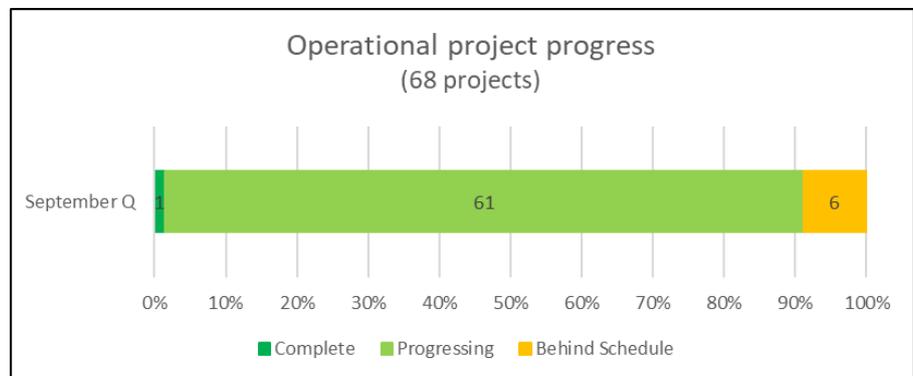
Overall 86% have met or are approaching the target. Six of the seven measures that did not achieve the target were due to the continuing impact of COVID-19. In addition, the measure for satisfaction with key community events could not be measured as events are on hold.



Operational project progress

Of the 68 operational projects, overall 91% are complete or progressing on schedule.

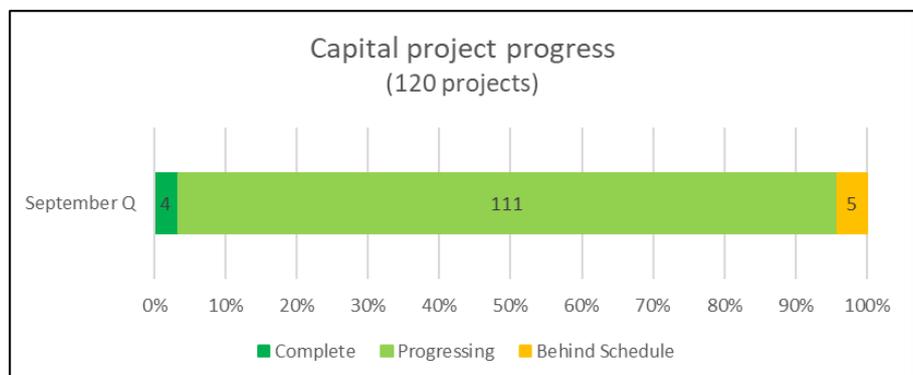
Target: 80% complete/on schedule as at 30 June 2021



Capital project progress

Of the 120 projects, overall 94% are complete or progressing on schedule.

Target: 80% complete/on schedule as at 30 June 2021



With respect to completed works, Little Manly and Forty Baskets Beaches works were completed and both pools are now open to the public in time for the summer season. The seawall at Clontarf Reserve was also finished, providing an accessible ramp from the car park to the tidal pool, as well as a lovely place to sit and take in the views. We completed the new skate park at North Curl Curl and the new children's playground at Manly Dam Reserve.

As health orders are progressively eased Council is getting back to business with our libraries, aquatic centres and community centres now open with new measures in place to keep the community safe. The impacts of the COVID-19 pandemic continue to be felt by the community. A range of initiatives were delivered to support local business getting back on their feet including extending fee waivers for businesses from six to nine months. This means fees for outdoor dining and footpath merchandise as well as food, health and fire safety inspections on premises will not be charged until after 31 December 2020.

Council won five industry awards and received 14 recognitions for our outstanding programs. Highlights include program wins for the Northern Beaches Suicide Response project, the Swap for Good Business Program, and the Taste of Manly 2019 event. Our Council team (staff) also won the NSW Local Government Professionals' Management Challenge for the second year in a row and go through to the National award.

A detailed report on Council's service performance is provided as Attachment 2 – 'Quarterly Report on Service Performance'.

Overview of Financial Performance

Responsible Accounting Officer Budget Review Statement

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

"It is my opinion that the Budget Review Statement for Northern Beaches Council for the period ending 30 September 2020 indicates that Council's projected financial position at 30 June 2021 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure."

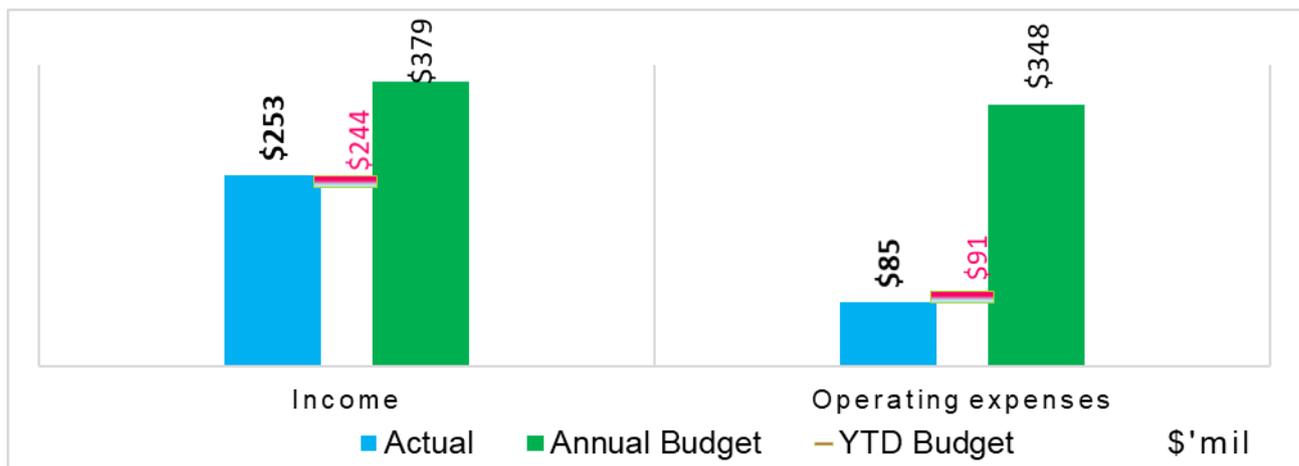
David Walsh Chief Financial Officer, Northern Beaches Council.

Income Statement – progress and forecast changes

The attached Quarterly Budget Review Statement (QBRs) provides an overview of the Council's progress against the annual budget at the end of the September 2020 quarter and provides explanations for major variations that result in recommendations for budget changes.

Further information on the financial performance for each of the 16 services of the Delivery Program is available within Attachment 2 – 'Quarterly Report on Service Performance'.

Operating budget summary – as at 30 September 2020



The Council's financial results remain impacted by the COVID-19 pandemic, which is forecast to cost the Council \$21m. While several COVID-19 impacted services are recovering sooner than anticipated, the overall forecast impact of the pandemic has not materially changed from the Original 2020/21 budget at this stage. For the three months to 30 September 2020 the operating result is \$15m ahead of budget, primarily due to higher than anticipated fees and charges (\$7 million) which mostly relate to COVID-19 impacted services recovering sooner than anticipated and the timing of grants and operating expenditure.

The operating surplus which includes capital grants and contributions for the financial year is forecast to decrease by \$3.6 million to \$27.3 million. This decrease is due to higher than anticipated income of \$5.7 million and higher than anticipated operating expenses of \$9.3 million.

The operating result excluding capital grants and contributions is forecast to decrease by \$7 million to a \$14 million deficit.

These overall movements are detailed in the table below, under the 'Recommended Changes' column.

Operating budget as at 30 September 2020 – summary of recommended changes

\$'000	Annual				Year to date			
	ORIGINAL Budget	REVISED Budget	Recommended changes	CURRENT Forecast	Actual	Approved Budget	Variance	
Income	374,827	378,790	5,701	384,492	253,246	243,940	9,306	4%
Operating expenses	(346,046)	(347,874)	(9,270)	(357,144)	(85,250)	(90,966)	5,716	(6%)
Surplus / (Deficit)	28,781	30,916	(3,568)	27,348	167,996	152,973	15,022	10%
Surplus / (Deficit) before Capital Grants & Contributions	(7,457)	(6,959)	(7,026)	(13,985)	161,114	146,219	14,894	10%

Income Year to Date (YTD) Analysis

Total income at the end of September 2020 is \$253 million which is \$9 million above the forecast. The principal reasons for this variance are as follows:

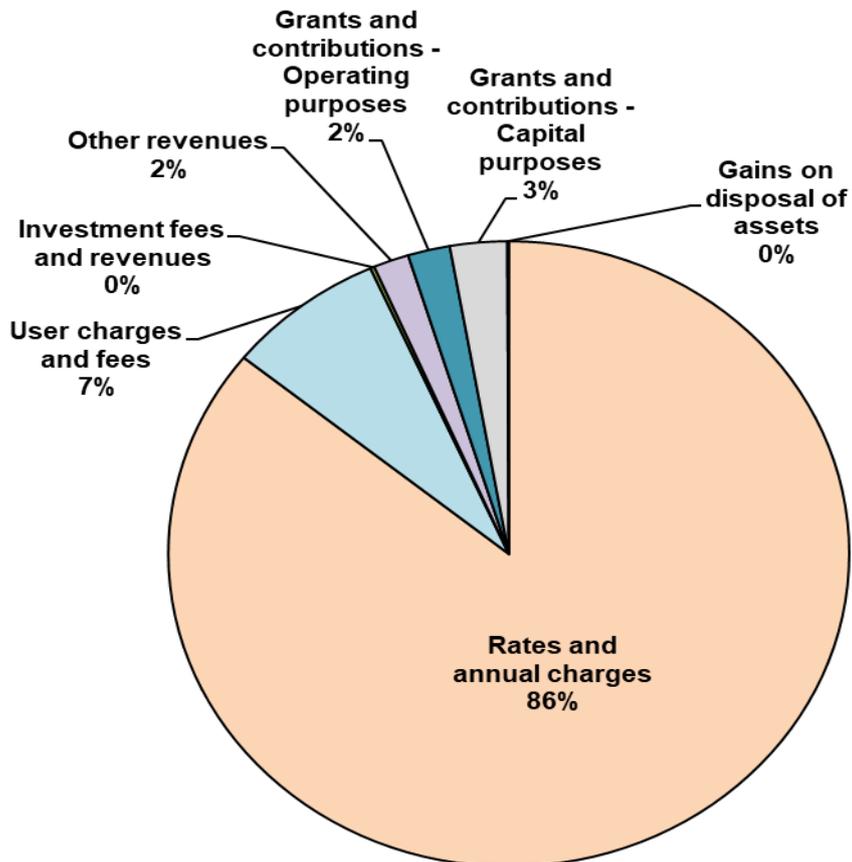
Income as at 30 September 2020 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
307	<p>Rates and Annual Charges</p> <ul style="list-style-type: none"> Domestic Waste annual charges \$0.603m Timing of pensioner subsidies (\$0.320m)
7,088	<p>User Charges & Fees</p> <ul style="list-style-type: none"> Aquatic centres \$1.687m Carparks and pay and display parking \$1.561m Kimbriki tipping fees \$1.140m (excl fee charged to Council) Development assessment \$0.794m Lakeside Holiday Park \$0.714m Golf driving range \$0.422m Community Centres \$0.330m Road permits \$0.304m Parking permits \$0.263m Childcare fees (\$0.268m) (offset by grants)

YTD Variance \$'000	Details – Favourable / (Unfavourable)
71	Investment Fees and Revenues
(993)	Other Revenues <ul style="list-style-type: none"> • Fines income (\$0.398m) • Advertising on Council structures (\$0.200m) • Kimbriki recycling and other income (\$0.143m) • Glen Street Theatre (\$0.132m)
2,705	Grants and Contributions – Operating Purposes <ul style="list-style-type: none"> • Emergency Services Levy NSW Govt contribution \$1.176m (timing) • Children’s Services \$0.890m (timing and offsetting fees) • Better Waste Recycling Fund grant \$0.257m (timing) • Aboriginal Heritage Office contributions \$0.175m (timing)
128	Grants and Contributions – Capital Purposes <ul style="list-style-type: none"> • Development contributions \$0.401m • Streets as Shared Spaces Grant \$0.437m • Offset by the timing of receipt and recognition of various grants for capital projects including Stronger Communities Fund projects including Currawong Cottages, Connecting Communities Footpaths and Cycleways programs
9,306	TOTAL INCOME VARIANCE – YTD ACTUALS WITH YTD BUDGET

Actual Results – Consolidated

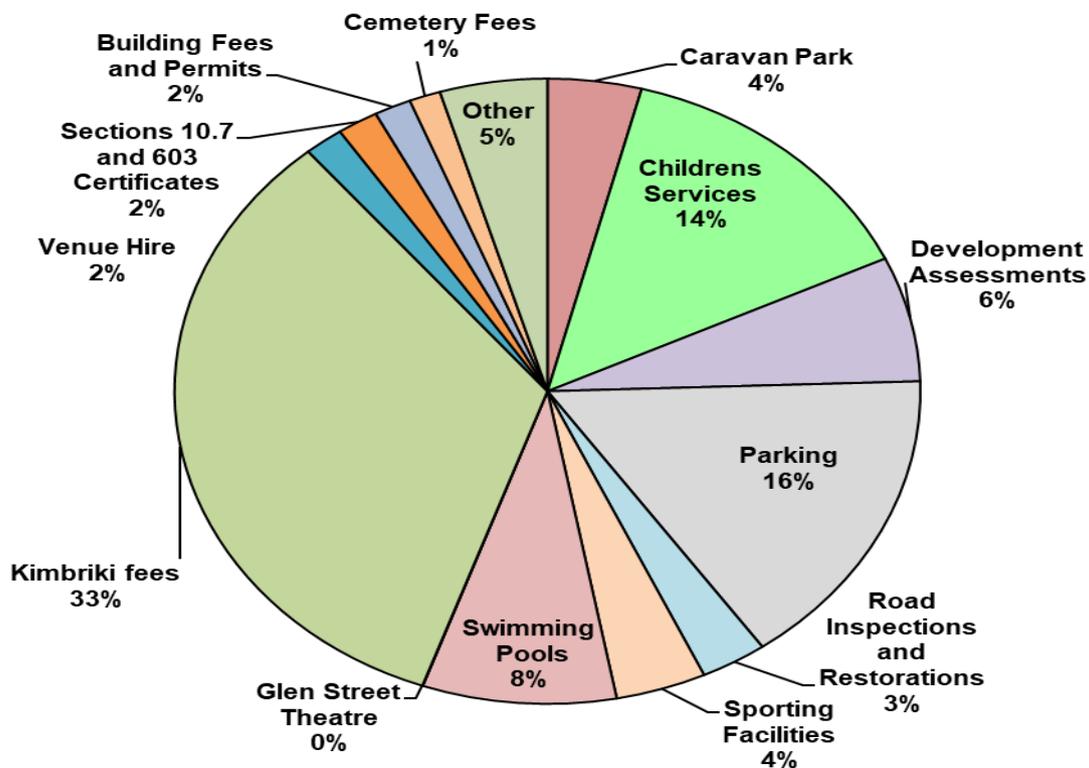
Income from Continuing Operations



Income Item	1 July 2020 - 30 September 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Rates and annual charges	217,431	217,124	307	0.1%
User charges and fees	19,087	12,000	7,088	59.1%
Investment fees and revenues	495	424	71	16.8%
Other revenues	4,281	5,274	(993)	(18.8)%
Grants and contributions - Operating	5,069	2,364	2,705	114.5%
Grants and contributions - Capital	6,882	6,754	128	1.9%
Gains on disposal of assets	161	216	(55)	(25.4)%
Total Income	253,407	244,155	9,251	3.8%

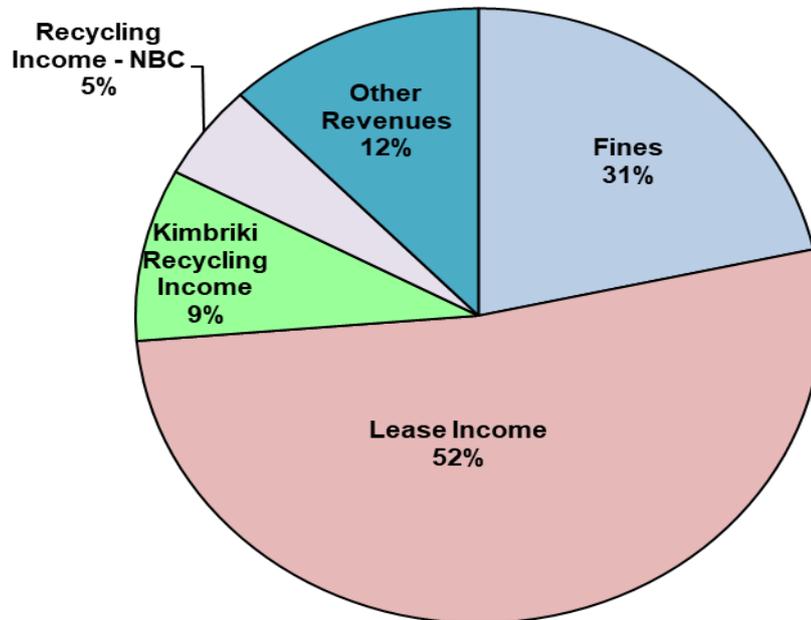
*Income graph incorporates gain on disposal of assets

User Charges and Fees



User Charges and Fees Item	1 July 2020 - 30 September 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Kimbriki fees	6,387	5,247	1,140	21.7%
Parking	3,003	1,169	1,835	157.0%
Childrens Services	2,665	2,933	(268)	(9.1)%
Swimming Pools	1,604	67	1,537	2290.0%
Caravan Park	776	60	715	1184.3%
Development Assessments	1,235	419	816	194.5%
Glen Street Theatre	3	49	(46)	(93.6)%
Road Inspections and Restorations	549	27	522	1915.3%
Venue Hire	324	141	182	129.3%
Sporting Facilities	749	300	449	149.5%
Sections 10.7 and 603 Certificates	339	269	70	26.0%
Building Fees and Permits	306	276	29	10.6%
Cemetery Fees	259	239	20	8.5%
Other	889	802	87	10.9%
Total User Charges & Fees	19,087	12,000	7,088	59.1%

Other Revenues



Other Revenues Item	1 July 2020 - 30 September 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Fines	922	1,320	(398)	(30.2)%
Lease Income	2,233	2,259	(26)	(1.1)%
Kimbriki Recycling Income	388	647	(259)	(40.0)%
Recycling income - NBC	215	215	0	-
Other Revenues	523	834	(310)	(37.2)%
Total Other Revenue	4,281	5,274	(993)	-18.8%

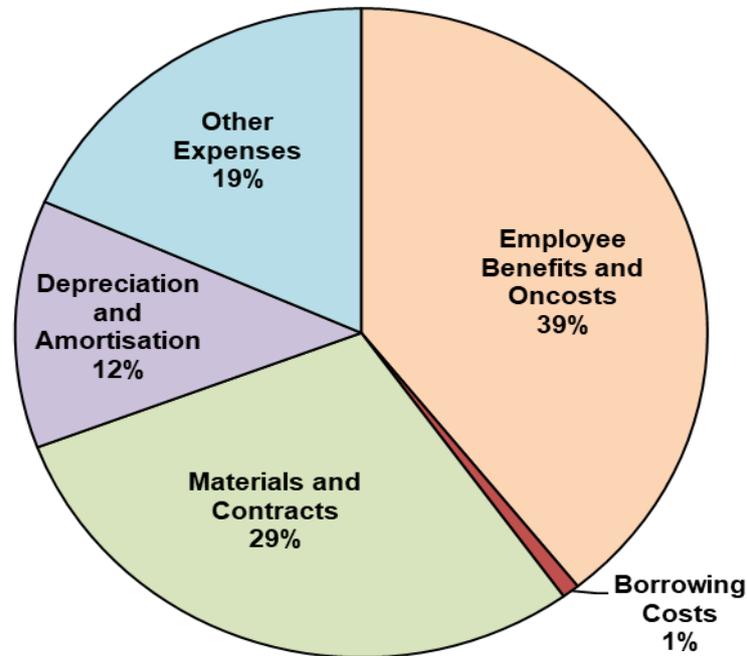
Operating expenses Year to Date (YTD) Analysis

Total operating expenses at the end of September 2020 is \$85 million, which is \$5.7 million under the forecast. The principal reasons for this variance are as follows:

Operating expenses as at 30 September 2020 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
726	Employee Benefits & Oncosts <ul style="list-style-type: none"> Salaries and superannuation \$0.706m primarily due to vacant positions
15	Borrowing Costs
1,626	Materials and Contracts <ul style="list-style-type: none"> Waste collection and disposal \$1.017m (timing) Waste collection lease \$0.305m (offset with amortisation)
(238)	Depreciation and Amortisation <ul style="list-style-type: none"> Amortisation of leases
3,642	Other Expenses <ul style="list-style-type: none"> Grants and subsidies primarily due to lower COVID-19 rental subsidies claims than anticipated \$1.198m Insurance \$0.398m (timing) Subscriptions, Stationery and Printing costs \$0.290m Utilities costs \$0.259m (timing) Information Technology costs \$0.210m (timing) Management Fees \$0.202m Advertising \$0.197m Department of Planning Levy \$0.167m (timing) Training costs \$0.164m
(55)	Gain / (Loss) on the Disposal of Assets <ul style="list-style-type: none"> Net loss on the disposal of plant and fleet
5,716	TOTAL OPERATING EXPENSES VARIANCE - YTD ACTUALS WITH YTD BUDGET

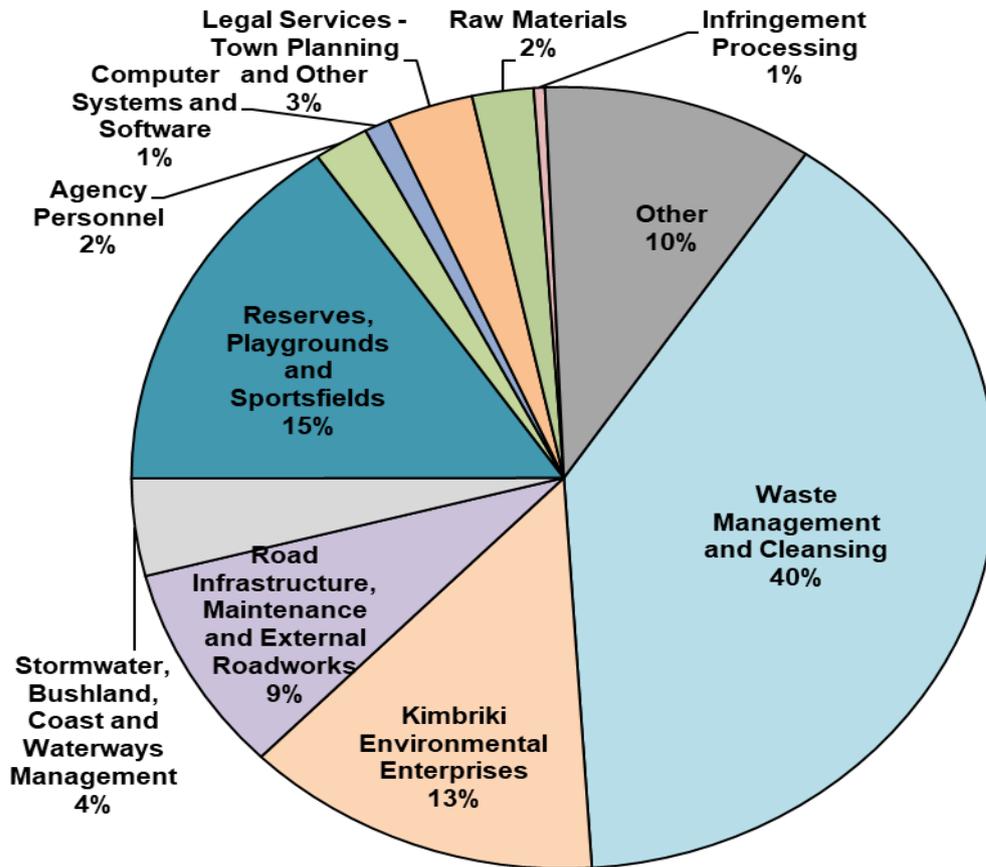
Expenses from Continuing Operations



Expense Item	1 July 2020 - 30 September 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Employee Benefits and Oncosts	33,525	34,251	726	2.1%
Borrowing Costs	694	710	15	2.1%
Materials and Contracts	24,940	26,566	1,626	6.1%
Depreciation and Amortisation	10,554	10,316	(238)	(2.3)%
Other Expenses	15,698	19,339	3,642	18.8%
Total Expense	85,411	91,182	5,771	6.3%

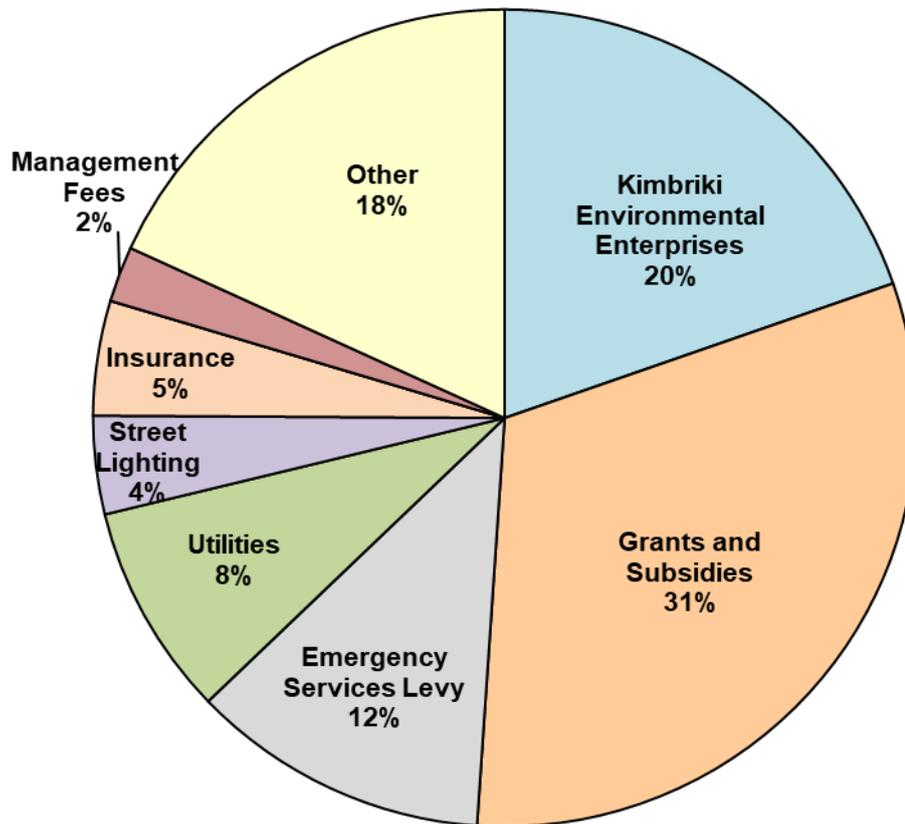
*Expenses graph does not include gain/(loss) on disposal of assets – refer to Income graph

Materials and Contracts



Materials & Contracts Item	1 July 2020 - 30 September 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Waste Management and Cleansing	9,857	11,632	1,775	15.3%
Kimbriki Environmental Enterprises	3,337	3,133	(204)	(6.5)%
Road Infrastructure, Maintenance and External Roadworks	2,147	2,381	235	9.9%
Stormwater, Bushland, Coast and Waterways Management	1,002	1,167	165	14.2%
Reserves, Playgrounds and Sportsfields	3,836	3,862	26	0.7%
Agency Personnel	514	524	10	2.0%
Computer Systems and Software	238	737	498	67.7%
Legal Services - Town Planning and Other	803	1,332	529	39.7%
Raw Materials	572	838	266	31.7%
Infringement Processing	104	189	84	44.6%
Other	2,529	771	(1,759)	(228.2)%
Total Materials & Contracts	24,940	26,566	1,626	6.1%

Other Expenses



Other Expenses Item	1 July 2020 - 30 September 2020			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Kimbriki Environmental	3,085	2,964	(121)	(4.1)%
Grants and Subsidies	4,932	6,129	1,198	19.5%
Emergency Services Levy	1,842	1,842	0	0.0%
Utilities	1,319	1,422	104	7.3%
Street Lighting	610	712	102	14.4%
Insurance	712	1,049	337	32.1%
Department of Planning Levy	0	167	167	100.0%
Management Fees	345	548	202	36.9%
Other	2,852	4,505	1,653	36.7%
Total Other Expenses	15,698	19,339	3,642	18.8%

Capital Budget Statement

Capital Expenditure is forecast to increase by \$7.5 million to \$122.1 million as detailed in the Capital Budget Statement within Attachment 1 – ‘Quarterly Budget Review Statement’. The increase is primarily funded by grants (\$3.7 million) and working capital (\$3.5 million) made available through dividends received from Kimbriki.

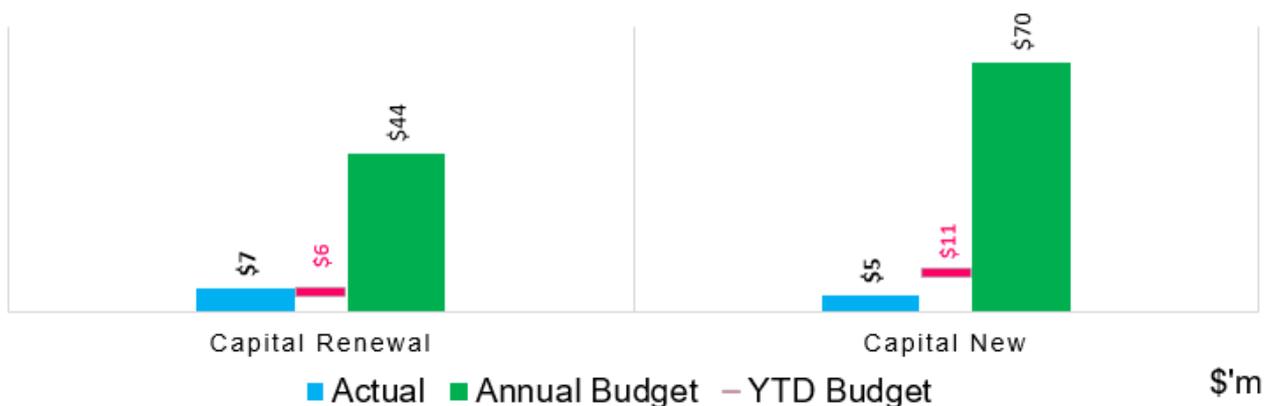
Proposed variations to the capital expenditure budget include:

- \$0.875m ‘Streets as Shared Spaces: Manly and Bilgola’ funded through a NSW Government grant for works on The Serpentine Bilgola Beach and a Darley Road-Corso-Whistler Street-Kangaroo Lane connection in Manly
- \$1.488m Additional ‘Road Resheeting’ works funded through the Regional Roads Repair Program grant and a contribution towards the repair of local roads impacted by the Hospital Road CaNe Project
- \$2.418m ‘People Central’ project to invest in the streamlining of payroll, time capture and rostering systems and processes across Council

Expenditure on Capital Works for the three months ended 30 September 2020 is \$12 million.

[Capital budget summary – as at 30 September 2020](#)

Budget performance as at 30 Sept 2020 \$'mil



Financial Performance Measures

The following financial performance measures indicate that Council’s financial results will be temporarily impacted by the COVID-19 pandemic and settlement of the Whistler Street Carpark dispute. With a \$14 million operating deficit (excluding capital grants and contributions) forecast, the Council is unlikely to meet the Operating Performance ratio benchmark of 0% at this time. The Council has previously adjusted capital expenditure to provide capacity to respond to the pandemic to retain our long term strong and sustainable position. Sufficient working capital is available to fund the \$6.75 million Whistler Street Carpark settlement.

\$ '000	Forecast result 30/6/2021	Forecast indicator 30/6/2021	Benchmark
1. Operating Performance			
Total continuing operating revenue ¹ excluding capital grants and contributions less operating expenses	(10,957)	(3.19%)	X
Total continuing operating revenue ¹ excluding capital grants and contributions	343,159		>0%
This ratio measures Council's achievement of containing operating expenditure within operating revenue. It is important to distinguish that this ratio is focusing on operating performance and hence capital grants and contributions, fair value adjustments, net gain on sale of assets and reversal of revaluation decrements are excluded.			
For the 2020-21 financial year, the forecast result will not meet the benchmark, primarily due to the impact of the COVID-19 pandemic and settlement of the Whistler Street Carpark dispute.			
2. Own Source Operating Revenue			
Total continuing operating revenue ¹ excluding all grants and contributions	323,813	84.22%	✓
Total continuing operating revenue ¹ inclusive of capital grants and contributions	384,492		>60%
This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. Council's financial flexibility improves the higher the level of its own source revenue.			
3. Unrestricted Current Ratio			
Current assets less all external restrictions	93,340	1.64x	✓
Current liabilities less specific purpose liabilities	56,882		>1.5x

The Unrestricted Current Ratio is specific to local government and is designed to represent a Council's ability to meet short term obligations as they fall due. Restrictions placed on various funding sources (e.g. developer contributions, unexpended grants and domestic waste income) complicate the traditional current ratio used to assess liquidity of businesses as cash allocated to specific projects is restricted and cannot be used to meet a Council's other operating and borrowing costs – these funding sources are removed from this ratio.

For the 2020-21 financial year, the forecast result will continue to meet the benchmark, but has been impacted by the COVID-19 pandemic, expenditure of dividends from Kimbriki and settlement of the Whistler Street Carpark dispute.

¹ Excludes fair value adjustments, reversal of revaluation decrements and net gain on sale of assets.

CONSULTATION

Where relevant, community feedback on activities or events is included in the attachment.

TIMING

The Quarterly Budget Review Statement meets the requirements of the Local Government Act 1993 (s404(5)) and Local Government (General) Regulation 2005 (Cl203), namely that Council report quarterly on a budget review statement, and at least every six months on the principal activities of its Operational Plan.

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 operating surplus (which includes capital grants and contributions) for the financial year is forecast to decrease by \$3.6 million to a surplus \$27.3 million. Excluding capital grants and contributions the result is forecast to decrease by \$7 million, from a deficit of \$7 million to a deficit of \$14 million. Capital Expenditure is forecast to increase by \$7.5 million to \$122 million.

Council's financial results will be temporarily impacted by the COVID-19 pandemic and settlement of the Whistler Street carpark dispute, 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. Sufficient working capital is available to fund the \$6.75 million Whistler Street Carpark settlement.

SOCIAL CONSIDERATIONS

The report discloses progress on implementing the operational plan 2020/21. This includes the continued delivery of capital works and services that support our community and economy. These initiatives will have a positive social and economic impact on the community.

ENVIRONMENTAL CONSIDERATIONS

The report provides progress on implementing the operational plan 2020/21 which includes a range of projects which will protect and enhance our natural environment through management of coast, bush and biodiversity; implementing catchment management initiatives; and comprehensive environmental works and education on our urban and natural settings.

GOVERNANCE AND RISK CONSIDERATIONS

The Quarterly Budget Review Statement meets the statutory reporting requirements for progress at the end of the quarter – i.e. implementation of the Operational Plan 2020/21 and Council's overall financial position. It is provided to enable informed decision making while also ensuring transparency on Council's governance, business assurance and financial sustainability.

ITEM 9.3	OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF THE ENTERPRISE RISK MANAGEMENT POLICY
REPORTING MANAGER	ACTING EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/659533
ATTACHMENTS	1 ↓ Draft Enterprise Risk Management Policy

BRIEF REPORT

PURPOSE

To report on the public exhibition and for Council to consider adoption of the Enterprise Risk Management Policy (Attachment 1).

EXECUTIVE SUMMARY

The Enterprise Risk Management Policy was adopted by Council on 27 November 2018 and its scheduled review falls due this month.

At its meeting on 25 August 2020 Council endorsed a draft revised Enterprise Risk Management Policy to be placed on public exhibition. The exhibition occurred for 28 days from 14 September to 11 October 2020 providing the community an opportunity for review and comment.

During this period no submissions were received. As a result, no further amendments have been made to the draft since it was last submitted to Council in August.

As reported in the August business papers, the Policy underwent a review by Council's senior executive and the Audit Risk and Improvement Committee (ARIC) (at its 9 June 2020 meeting).

The policy review took into consideration the international standard (ISO 31000:2018 Risk Management - Guidelines), and relevant guidance material and publications issued through the NSW Government.

The feedback provided by the executive and ARIC was incorporated into the draft which was placed on exhibition where no further feedback was provided.

The policy includes:

- An expansion of the policy's focus on risk to include opportunity (as upside risk) enabling Council to more clearly align its strategic and operational planning to the risk management framework.
- An update to the reference material which Council is applying to include updated internal guidance and wider reference to the best practices that Council is taking into account.
- A more succinct communication on Council's commitment to risk by referring procedural or operational elements previously included within the policy to be maintained through Council's associated risk and opportunity management guidance material.
- Standardising the policy to fit Council's policy template.

LINK TO COUNCIL STRATEGY

The report relates to the Community Strategic Plan Outcome of Good Governance Goal 19 - Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

There are no financial implications relating to the adoption of the Enterprise Risk Management Policy.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts associated with the policy.

SOCIAL CONSIDERATIONS

There are social benefits in ensuring Council continues to achieve value for the community by actively and appropriately managing the risks associated with achieving its objectives.

GOVERNANCE AND RISK CONSIDERATIONS

Council's commitment to identifying and managing its strategic and operational risks is outlined through the Enterprise Risk Management Policy. The policy is Council's pinnacle commitment statement towards Council's approach to risk. It guides the Enterprise Risk and Opportunity Management Framework of Council and the myriad associated activities of risk management undertaken and practiced throughout Council.

The Enterprise Risk and Opportunity Management Framework provides the basis for the assessment of risks across the Council and the appropriate identification of controls and/or risk treatment plans to respond accordingly. Council is committed to establishing an environment which takes into account the risks and opportunities associated with achieving its objectives. The policy provides commitment towards proactively assessing and building capabilities for risk management, risk controls and risk treatments.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Notes the outcome of the public exhibition of the draft Enterprise Risk Management Policy
 2. Adopts the Enterprise Risk Management Policy.
-

Council Policy

Enterprise Risk and Opportunity Management

Background

The purpose of the policy is to affirm Council's commitment to:

- use risk management as a tool to effectively manage risk and assess opportunities as an integral part of planning and decision making and in the pursuit of our organisational objectives
- manage identified risks and actively monitor the risk environment
- establish clear guidelines to ensure that councillors and staff at all levels are aware of potential risks and of their individual responsibility for the effective management of those risks.

Policy Statement

Council recognises the importance of risk management to strengthen its capacity to effectively identify, understand and capitalise on challenges and pursue opportunities.

Council recognises that unmitigated risks can adversely impact its ability to achieve strategic and operational objectives. Accordingly, Council is committed to a holistic, consistent and systematic approach to risk management to ensure that risks are identified, fully understood, adequately communicated, monitored and effective controls put in place to manage risks. Council adopts the approach that risk management must be aligned to a strong internal control environment.

Council's approach to Enterprise Risk and Opportunity Management (EROM) is consistent with the *Australian/New Zealand Risk Management Standard: AS/NZS ISO 31000:2018*; and aligns with *COSO Enterprise Risk Management – Strategy and Performance (2017)* and *COSO Internal Control – Integrated Framework (2013)*, and the directions under the Local Government Act 1993.

Principles

The guiding principles of this policy are:

- to promote sound decision making using the EROM Framework to ensure Council advances with increased confidence towards the achievement of our objectives
- to promote good governance by demonstrating transparent, accountable and responsible risk management processes aligned with accepted best practice standards and methods
- to promote a risk aware culture where all councillors and all staff assume accountability for managing risks
- to effectively integrate risk management into Council's executive planning activities to ensure the achievement of strategic objectives as identified in the Community Strategic Plan and related strategies and plans
- to embed a framework which provides staff with necessary tools to manage risks
- to provide an innovative, flexible and resilient framework through continuous refinement to ensure the consistent management and/or mitigation of risks which may impact on Council
- to provide an environment of greater certainty and confidence for councillors and Council staff, for our stakeholders and for our community about Council's ability to make sound decisions.

Risk Appetite Acknowledgement

Council acknowledges that at times it must undertake activities that inherently carry greater risks in pursuit of its vision and strategic objectives. This will necessitate that Council may accept risks that:

- facilitate change and improvement opportunities
- generate additional sources of income, improve efficiency and seek savings
- maintain and/or improve levels of services to the community
- are proportionate with the potential reward.

Council recognises that its acceptance of risk will always be subject to ensuring that potential benefits and risks are fully understood and that sensible measures to manage the risks are established. Council, senior management and staff will have regard for Council's stated risk appetite as detailed in the Risk Appetite Statement for both strategic and operational decision making.

Scope

The following is a broad overview of the roles and responsibilities for the management of risk within Council. Full roles and responsibilities are outlined in the EROM Framework.

Council is ultimately responsible for adopting and committing to the EROM Policy, monitoring the strategic risk environment and considering risk management issues affecting strategic and Council decisions.

Senior management is responsible for ensuring the EROM Policy and Framework are effectively implemented and monitored within their areas of responsibility.

All staff are responsible for adequately considering risks associated with decisions they make and to ensure they consistently apply the EROM Framework.

Audit, Risk and Improvement Committee is responsible for oversight of risk management in accordance with the Audit Risk and Improvement Committee Charter.

Application

Senior Management will be responsible for creating an environment where staff assume responsibility for consistent risk management practices as part of their everyday activities and decision making. Appropriate training and resources will be made available to assist staff in identifying, assessing and responding to risks.

References and Related Documents

This policy provides the over-arching commitment to Council's EROM Framework. It is supported by Council's:

- Audit Risk and Improvement Committee Charter
- Business Continuity Sub-Plans
- Enterprise Risk and Opportunity Management Framework
- Fraud and Corruption Control Plan
- Risk Appetite Statement
- Risk and Opportunity Management Assessment Guidelines

- Strategic, operational, functional and initiative-based risk registers.

Legislation and Other Guidance

- Australian Standard AS/NZS ISO 31000:2018 Risk Management Principles and Guidelines
- COSO Internal Control – Integrated Framework (2013)
- COSO Enterprise Risk Management – Integrating with Strategy and Performance (2017)
- Local Government Act 1993 (NSW)
- Local Government (General) Regulation 2005
- Office of Local Government (DRAFT) Internal Audit and Risk Management Framework.

Definitions

Residual risk: the remaining level of risk after risk treatment measures have been taken into account

Risk: the effect of uncertainty on objectives, where this effect can be positive or negative

Risk control: the policies, strategies, processes and procedures or other internal controls, and tasks or physical changes to eliminate or minimise risks

Risk acceptance: an informed decision to accept the likelihood of a particular risk and its consequences

Risk appetite: the level of risk that an organisation is prepared to accept before mitigation action is deemed to be necessary

Risk assessment: the overall process of risk analysis and risk evaluation

Risk management: the culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects

Risk tolerance: the readiness to bear the risk (after risk treatment) in order to achieve objectives

Risk treatment: Selection and implementation of appropriate options for dealing with risk

Senior management: refers to the CEO, Directors Executive Managers.

Responsible Officer

Executive Manager Governance and Risk

Review Date

The next review is due in November 2022.

Revision History

Revision	Date	Status	TRIM Ref
1	25/7/2017	Policy adopted by Council with no changes following exhibition	2017/136547
2	27/11/2018	Revised policy adopted by Council with minor amendments to ensure currency of policy	2017/136547
3	Xx/xx/2020	<2 yearly review - pending public exhibition and Council adoption>	2017/300338

ITEM 9.4**REPORTING MANAGER****TRIM FILE REF****ATTACHMENTS****REVOCATION OF VARIOUS POLICIES****ACTING EXECUTIVE MANAGER GOVERNANCE AND RISK****2020/519120**

- 1 [⇒](#) **Manly After Midnight Policy - former Manly Council (Included In Attachments Booklet)**
- 2 [⇒](#) **Public Art and Memorials Policy - former Manly Council (Included In Attachments Booklet)**
- 3 [⇒](#) **Builders' Rubbish Containers Policy - former Manly Council (Included In Attachments Booklet)**
- 4 [⇒](#) **Footpath Levels Policy - former Warringah Council (Included In Attachments Booklet)**
- 5 [⇒](#) **Placement of Building Waste Containers on Public Roads Policy - former Warringah Council (Included In Attachments Booklet)**
- 6 [⇒](#) **Vehicle Access to all Roadside Development Policy - former Warringah Council (Included In Attachments Booklet)**
- 7 [⇒](#) **Acquisition of Corner Splays Policy - former Manly Council (Included In Attachments Booklet)**
- 8 [⇒](#) **Road Signs Policy - former Manly Council (Included In Attachments Booklet)**
- 9 [⇒](#) **Special Events (Road Closures) Traffic and Transport Management Plan - former Manly Council (Included In Attachments Booklet)**
- 10 [⇒](#) **Speed Restrictions - Signs on Public Reserves and Carparks - former Pittwater Council (Included In Attachments Booklet)**
- 11 [⇒](#) **Events Management Policy - former Manly Council (Included In Attachments Booklet)**
- 12 [⇒](#) **Council Event Management Policy – Sustainability - former Pittwater Council (Included In Attachments Booklet)**
- 13 [⇒](#) **Sustainable Events Policy - former Warringah Council (Included In Attachments Booklet)**
- 14 [⇒](#) **Sport and Recreation Facilities in Manly - Guiding Principles Policy - former Manly Council (Included In Attachments Booklet)**
- 15 [⇒](#) **Unstructured Recreation Policy - former Manly Council (Included In Attachments Booklet)**
- 16 [⇒](#) **Development Assessment Management Policy - Northern Beaches Council (Included In Attachments Booklet)**

BRIEF REPORT

PURPOSE

To seek Council approval to revoke 15 policies of the former Manly, Warringah and Pittwater Councils and 1 Northern Beaches Council policy.

REPORT

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

Council's policy framework consists of a tiered approach as outlined below:



This report proposes to revoke 15 policies of the former councils and 1 Northern Beaches Council policy which have been identified as no longer required (attachments 1 – 16). The policies and rationale for revoking them is provided in the table below.

Policy	Reason for revoking
Manly After Midnight Policy (former Manly Council)	This policy has been identified as no longer required as it covers operational matters currently managed by various business units across Council.
Public Art and Memorials Policy (former Manly Council)	This policy has been identified as no longer required as Council adopted a new Public Art Policy in May 2019 and the Memorials, Plaques and Naming of Assets Policy in September 2019.
Builders' Rubbish Containers Policy (former Manly Council)	This policy has been identified as no longer required as this is covered under the provisions of the Road Act 1993.
Footpath Levels Policy (former Warringah Council)	This policy has been identified as no longer required as the technical specifications and standard for footpath construction are detailed in Council's Engineering Design Standard Drawings.
Placement of Building Waste Containers on Public Roads Policy (former Warringah Council)	This policy has been identified as no longer required as this is covered under the provisions of the Road Act 1993.
Vehicle Access to all Roadside Development Policy (former Warringah Council)	This policy has been identified as no longer required as this is covered under the provisions of the Road Act 1993 and detailed in Council's Engineering Design Standard Drawings.
Acquisition of Corner Splays Policy (former Manly Council)	This policy has been identified as no longer required as this is covered under the provisions of the Road Act 1993.

Policy	Reason for revoking
Road Signs Policy (former Manly Council)	This policy has been identified as no longer required as this is covered under Australian Standard 1742.
Special Events (Road Closures) Traffic and Transport Management Plan (former Manly Council)	This policy has been identified as no longer required as this is covered under the provisions of the Road Act 1993.
Speed Restrictions - Signs on Public Reserves and Carparks (former Pittwater Council)	This policy has been identified as no longer required as Northern Beaches Council is treating all carparks as shared zones and as such is applying a 10km/h speed limit.
Events Management Policy (former Manly Council)	This policy has been identified as no longer required as Council adopted the Northern Beaches Events Strategy 2018 – 2023 on 26 June 2018.
Council Event Management – Sustainability Policy (former Pittwater Council)	This policy has been identified as no longer required as Council adopted the Northern Beaches Events Strategy 2018 – 2023 on 26 June 2018.
Sustainable Events Policy (former Warringah Council)	This policy has been identified as no longer required as Council adopted the Northern Beaches Events Strategy 2018 – 2023 on 26 June 2018.
Sport and Recreation Facilities in Manly – Guiding Principles (former Manly Council)	This policy has been identified as no longer required as the guiding principles have now been incorporated into the following; Shape 2028 - Community Strategic Plan (primarily Places for People), the Asset Management Strategy 2018 – 2028, the Sportsgrounds Strategy 2017, Northern Beaches Transport Strategy, Northern Beaches Environment and Climate Change Strategy 2040 and the Asset Management Plans 18/19.
Unstructured Recreation Policy (former Manly Council)	This policy has been identified as no longer required as its contents have been covered in other Council documents, including Community Strategic Plan (primarily Places for People), the Asset Management Strategy 2018 – 2028, Northern Beaches Environment and Climate Change Strategy 2040 and relevant Plans of Management.
Development Assessment Management Policy (Northern Beaches Council)	This policy has been identified as no longer being required as it is covered by the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000, and there have been significant reforms to the management of development applications over the past 18 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 recommendations of this report pose no financial impact on Council.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts to consider in the revoking of the proposed policies as the policy impact areas will continue to be addressed through existing operational guidance or relevant legislation.

GOVERNANCE AND RISK CONSIDERATIONS

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

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council revoke the following policies:

1. Manly After Midnight Policy (former Manly Council)
 2. Public Art and Memorials Policy (former Manly Council)
 3. Builders' Rubbish Containers Policy (former Manly Council)
 4. Footpath Levels Policy (former Warringah Council)
 5. Placement of Building Waste Containers on Public Roads Policy (former Warringah Council)
 6. Vehicle Access to all Roadside Development Policy (former Warringah Council)
 7. Acquisition of Corner Splays Policy (former Manly Council)
 8. Road Signs Policy (former Manly Council)
 9. Special Events (Road Closures) Traffic and Transport Management Plan (former Manly Council)
 10. Speed Restrictions - Signs on Public Reserves and Carparks (former Pittwater Council)
 11. Events Management Policy (former Manly Council)
 12. Council Event Management – Sustainability Policy (former Pittwater Council)
 13. Sustainable Events Policy (former Warringah Council)
 14. Sport and Recreation Facilities in Manly – Guiding Principles (former Manly Council)
 15. Unstructured Recreation Policy (former Manly Council)
 16. Development Assessment Management Policy (Northern Beaches Council)
-

ITEM 9.5	RESPONSE TO NOTICE OF MOTION 48/2020 - REMOTE ATTENDANCE AT COUNCIL MEETINGS
REPORTING MANAGER	ACTING EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/690776
ATTACHMENTS	1 ↓ Response from the Minister for Local Government about remote attendance at council meetings

BRIEF REPORT

PURPOSE

To report back to Council on the status of Notice of Motion 48/2020 – Remote Attendance at Council Meetings.

REPORT

At the Council meeting of 27 October 2020, it was resolved (290/20):

That Council:

- 1. Write to the Minister for Local Government in NSW, the Hon Shelley Hancock MP, and request that the NSW Government amend the NSW Local Government Act 1993 to permanently allow Councillors to speak and vote at Council meetings by audio-visual conferencing facilities with the aim of increasing participation in local government.*
- 2. Permanently extend the right of residents to be represented by Council staff at Council meetings, rather than have to attend in person.*
- 3. Staff investigate the appropriate audio-visual technology and costs to support its installation, and report back to the next Council meeting.*

The Local Government Act 1993 (LGA) was amended to include Part 1A COVID19 pandemic—special provisions. This included section 747A COVID19 pandemic meetings, in part, as below:

- (1) *For the prescribed period*
- (a) a requirement in the Act or the regulations that members of a council or other persons attend a meeting is satisfied if the meeting is held in whole or in part—*
 - (i) remotely using audio visual links, or*
 - (ii) in any other manner approved by the Minister but only if audio visual links are not reasonably available.*

Allowing attendance at a council meeting remotely via audio visual links suspends clause 5.2 of the Code of Meeting Practice for the prescribed period:

A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.

The end of the prescribed period is 'not later than 26 March 2021' (section 474AA of the LGA). There has been no indication that this will be extended but this is dependent on the COVID-19 pandemic situation. Notice of Motion 48/2020 sought to extend this temporary measure permanently.

Council wrote to the Hon Shelley Hancock MP on 30 October 2020 advising of the above Council resolution.

The Minister replied on 17 November 2020 as follows:

'The Government recognises that most council have been able to successfully hold remote meetings during the COVID-19 pandemic. The Government also recognises that allowing remote attendance by councillors at meetings may serve to remove some of the impediments that currently prevent underrepresented group from serving on their local councils.

In view of this, I am pleased to advise that the Government is currently considering whether to alter the meeting rules prescribed under the Model Code of Meeting Practice for Local Councils in NSW to allow councillors to attend meetings remotely in certain circumstances. The Government will be consulting with the local government sector on any proposed changes to these rules.

I would note that it is currently open to the Council to amend its code of meeting practice to allow residents to be represented by staff at meetings instead of having to attend in person. The Council may therefore wish to consider consulting with its community on whether to make such a change.'

In relation to point 2 of the resolution, as Council has resolved to extend the rights of residents to be represented by Council staff at meetings, this practice will continue.

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

Remote attendance at meetings held in Chambers requires a software licensing investment of \$23,000 (regardless of the number of remote users). In addition, Council would need to expedite the upgrade of end of support life audio-visual equipment. This would require an investment in the current financial year of \$209,000. This spend was to be budgeted in 2021/22 financial period.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts to consider with this matter.

SOCIAL CONSIDERATIONS

Council's experience of holding remote meetings during the COVID-19 restrictions has demonstrated that this method provides an option for greater flexibility for councillors to participate in the Council process, including councillors who have work or carer commitments, and those have health or mobility issues.

Extending the right of residents to be represented by Council staff at Council meetings will also increase equity and opportunities to participate across the community for similar reasons.

GOVERNANCE AND RISK CONSIDERATIONS

Council meetings would continue to be live-streamed and recorded. Council meeting processes would be reviewed to ensure Code of Meeting practice requirements and equitable participation can be assured.

This process would increase equity for those members of the community who might wish to stand as candidates at council elections but would find the situations mentioned above a barrier to undertaking such a role. It would also increase the likelihood that the composition of Council will better represent and reflect the interests and demography of the Northern Beaches Council area.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note this information.



The Hon. Shelley Hancock MP
Minister for Local Government

Ref: A743881

Mr Ray Brownlee PSM
General Manager
Northern Beaches Council
PO Box 82
MANLY NSW 1655

By email: Liz.Reeves@northernbeaches.nsw.gov.au

Dear Mr Brownlee *Ray,*

Thank you for your correspondence of 30 October 2020, informing me of Northern Beaches Council's resolution of 27 October 2020 requesting permanent amendments to allow councillors to remotely attend meetings by audio-visual link.

The Government recognises that most councils have been able to successfully hold remote meetings during the COVID-19 pandemic. The Government also recognises that allowing remote attendance by councillors at meetings may serve to remove some of the impediments that currently prevent underrepresented groups from serving on their local councils.

In view of this, I am pleased to advise that the Government is currently considering whether to alter the meeting rules prescribed under the *Model Code of Meeting Practice for Local Councils in NSW* to allow councillors to attend meetings remotely in certain circumstances. The Government will be consulting with the local government sector on any proposed changes to these rules.

I would note that it is currently open to the Council to amend its code of meeting practice to allow residents to be represented by staff at meetings instead of having to attend in person. The Council may therefore wish to consider consulting with its community on whether to make such a change.

Thank you for taking the time to bring this matter to the Government's attention.

Yours sincerely



The Hon. Shelley Hancock MP
Minister for Local Government

17 NOV 2020

ITEM 9.6	CHRISTMAS AND NEW YEAR RECESS 2020-21 - OPERATING HOURS AND COUNCIL DELEGATED AUTHORITY
REPORTING MANAGER	ACTING EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2020/714426
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To consider the arrangements for delegated authority of the Council and operating hours over the 2020-2021 Christmas and New Year recess.

EXECUTIVE SUMMARY

Council may consider granting a delegated authority over the Christmas and New Year recess in order to facilitate decisions of a critical or urgent nature in the Council's absence where required.

It is proposed that this delegation be granted to the Mayor for the 2020-21 recess from 16 December 2020 to 31 January 2021 inclusive. A report outlining how the delegated authority was exercised during the period will be provided to Council at the 23 February 2020 ordinary Council meeting.

Council will be operating with some reduced hours over this period to accommodate public holidays and align with demand for services during this time of year. Essential operational services will continue as per business as usual including waste services, rangers and cleansing/maintenance crews.

It is intended that most operations, including customer service centres, will close from midday on 23 December 2020, except those service areas where skeleton staff will be required.

Council's after hours call centre service will continue to operate at all times including weekends and public holidays to deal with emergency matters.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That:

1. Council, pursuant and subject to the limitations of section 377 of the Local Government Act 1993, grant authority to the Mayor to make provision for decisions to be made on critical or urgent Council matters during the 2020-21 Christmas and New Year recess being 16 December 2020 to 31 January 2021 inclusive.
2. A report be provided to the 23 February 2021 Council meeting outlining how the delegated authority was exercised.
3. Council approve the operating hours outlined in the table below:

Administration buildings and customer service centres	
Wednesday 23 December	8.30am – 12pm (normal operations to close from midday)
Thursday 24 December	Closed (staff concessional leave day)
Friday 25 December (Public holiday)	Closed
Monday 28 December (Public holiday)	Closed
Tuesday 29 December – Thursday 31 December	Normal operating hours
Friday 1 January (Public holiday)	Closed
Monday 4 January	Normal operating hours resume
Aquatic Centres (Warringah and Manly Andrew Boy Charlton)	
Thursday 24 December	5.30am – 6pm
Friday 25 December (Public holiday)	Closed
Saturday 26 – Sunday 27 December	Warringah: 7am – 6pm Manly: 6am – 6pm
Monday 28 December (Public holiday)	Warringah: 7am – 6pm Manly: 6am – 6pm
Tuesday 29 December – Wednesday 30 December	5.30am – 9pm
Thursday 31 December	5.30am – 6pm
Friday 1 January (Public holiday)	Warringah: 7am – 6pm Manly: 6am – 6pm
Saturday 2 January	Normal operating hours resume
Library Services	
Wednesday 23 December	9am – 12.30pm
Thursday 24 December	Closed

Friday 25 December (Public holiday)	Closed
Saturday 26 – Sunday 27 December	Closed
Monday 28 December (Public holiday)	Closed
Tuesday 29 December – Wednesday 30 December	9am – 5pm: Manly, Mona Vale, Dee Why Closed: Forestville, Glen Street, Warringah Mall
Thursday 31 December	9am – 12.30pm: Manly, Mona Vale, Dee Why Closed: Forestville, Glen Street, Warringah Mall
Friday 1 January (Public holiday)	Closed
Saturday 2 – Sunday 3 January	Closed
Monday 4 January	Normal operating hours resume
Other services	
All long day care operations	Closed 22 December 2020 to 6 January 2021 inclusive.
Kangaroo Street Pre-school	Closed 19 December to 26 January inclusive
Manly Art Gallery and Museum	Open: Tuesdays to Sundays 10am – 4pm. Closed: Mondays and Public Holidays

REPORT

BACKGROUND

Over the Christmas and New Year recess period an arrangement may be put in place for decisions of a critical or urgent nature to be made under a delegated authority of the Council. For reasons of practicality, in the absence of the Council's availability to exercise its delegated authority over the 2020-21 recess, and in the event of a critical or urgent matter arising, a delegated authority may be granted to the Mayor (or the Deputy Mayor in the Mayor's absence) during this period.

The proposed delegation is consistent with the provisions of section 226 of the Local Government Act 1993 which provides that the role of the Mayor is '*to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council*'.

Under section 377 of the Local Government Act 1993 the following powers, duties or functions of the Council cannot be delegated and can only be exercised by resolution of the Council:

- the appointment of a general manager
- the making of a rate
- a determination under section 549 as to the levying of a rate
- the making of a charge
- the fixing of a fee
- the borrowing of money
- the voting of money for expenditure on its works, services or operations
- the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)
- the acceptance of tenders to provide services currently provided by members of staff of the council
- the adoption of an operational plan under section 405
- the adoption of a financial statement included in an annual financial report
- a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6
- the fixing of an amount or rate for the carrying out by the council of work on private land
- the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work
- the review of a determination made by the council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979
- the power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194
- a decision under section 356 to contribute money or otherwise grant financial assistance to persons
- a decision under section 234 to grant leave of absence to the holder of a civic office

- the making of an application, or the giving of a notice, to the Governor or Minister
- this power of delegation
- any function under this or any other Act that is expressly required to be exercised by resolution of the council.

Some functions of Council will be operating with amended hours over the Christmas period to take into consideration a reduced demand for services and the scheduled public holidays. The below outlines the areas where some changes apply.

Administration buildings and customer service centres	
Wednesday 23 December	8.30am – 12pm (normal operations to close from midday)
Thursday 24 December	Closed (staff concessional leave day)
Friday 25 December (Public holiday)	Closed
Monday 28 December (Public holiday)	Closed
Tuesday 29 December – Thursday 31 December	Normal operating hours
Friday 1 January (Public holiday)	Closed
Monday 4 January	Normal operating hours resume
Aquatic Centres (Warringah and Manly Andrew Boy Charlton)	
Thursday 24 December	5.30am – 6pm
Friday 25 December (Public holiday)	Closed
Saturday 26 – Sunday 27 December	Warringah: 7am – 6pm Manly: 6am – 6pm
Monday 28 December (Public holiday)	Warringah: 7am – 6pm Manly: 6am – 6pm
Tuesday 29 December – Wednesday 30 December	5.30am – 9pm
Thursday 31 December	5.30am – 6pm
Friday 1 January (Public holiday)	Warringah: 7am – 6pm Manly: 6am – 6pm
Saturday 2 January	Normal operating hours resume
Library Services	
Wednesday 23 December	9am – 12.30pm
Thursday 24 December	Closed
Friday 25 December (Public holiday)	Closed
Saturday 26 – Sunday 27 December	Closed
Monday 28 December (Public holiday)	Closed
Tuesday 29 December – Wednesday 30 December	9am – 5pm: Manly, Mona Vale, Dee Why Closed: Forestville, Glen Street, Warringah Mall
Thursday 31 December	9am – 12.30pm: Manly, Mona Vale, Dee Why Closed: Forestville, Glen Street, Warringah Mall
Friday 1 January (Public holiday)	Closed
Saturday 2 – Sunday 3 January	Closed

Monday 4 January	Normal operating hours resume
Other services	
All long day care operations	Closed 22 December 2020 to 6 January 2021 inclusive.
Kangaroo Street Pre-school	Closed 19 December to 26 January inclusive
Manly Art Gallery and Museum	Open: Tuesdays to Sundays 10am – 4pm. Closed: Mondays and Public Holidays

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

Decisions which are made under a delegated authority of the Council during this period may have financial considerations and will be considered on an individual basis as appropriate.

Financial considerations will be advised in the report to Council (in February 2021) outlining the exercising of the delegated authority during the period.

There are no financial impacts as accommodating the proposed operational hours, incorporating public holidays, as outlined in this report is included in existing budgets.

SOCIAL CONSIDERATIONS

Decisions made under a delegated authority of the Council during this period may have social considerations and will be considered on an individual basis. Social considerations will be advised in the report to Council (in February 2021) outlining the exercising of the delegated authority during the period.

ENVIRONMENTAL CONSIDERATIONS

Decisions made under a delegated authority of the Council during this period may have environmental considerations and will be considered on an individual basis. Environmental considerations will be advised in the report to Council (in February 2021) outlining the exercising of the delegated authority during the period.

GOVERNANCE AND RISK CONSIDERATIONS

It is considered a prudent practice in the absence of the Council for delegated authority to be granted over the Christmas and New Year recess in the event of a critical or urgent matter arising.

Decisions which are made by the holder of the delegated authority (ie Mayor or the Deputy Mayor in the Mayor's absence) during this period may have governance and risk considerations and will be considered on an individual basis. Governance and risk considerations will be advised in the report to Council (in February 2021) outlining the exercising of the delegated authority during the period.

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	COMMUNITY HIRE OF MANLY TOWN HALL MEETING ROOMS (RESPONSE TO NOTICE OF MOTION 16/2019)
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2020/648991
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To report to Council on the community use of the meeting rooms at Manly Town Hall, as per the Council resolution of 26 November 2019.

REPORT

At its meeting on 28 May 2019, Council adopted a Notice of Motion to investigate whether the meetings rooms of the former Manly Council Chambers, upstairs in the Manly Town Hall, could be used as halls for public hire for events, meetings, performances and other suitable uses.

A report was presented at the Council meeting of 26 November 2019, where Council resolved:

That:

- 1. Council note the submissions received during the public exhibition process.*
- 2. Council adopt the proposed fees and charges for the community to hire the meeting rooms at Manly Town Hall, including the additional security/staff charges.*
- 3. Council allow the public to hire the meeting rooms, subject to Terms and Conditions of Hire, which outline the types of suitable uses.*
- 4. The usage of the rooms be monitored and reported back to Council after twelve months.*
- 5. Council note that this public use is a short-term offering and that Council will embark on the process of the future community use of the Manly Town Hall building shortly.*

The hire of the Manly Town Hall meeting rooms was advertised from December 2019. Two community groups hired the facility, one in January and the other in February 2020. There have been no bookings of the meeting rooms since that time, due to the NSW Health Orders in response to COVID-19.

As a impact of the COVID-19 pandemic, Manly Town Hall meeting rooms have not been advertised or available for community hire since March 2020. As such it is recommended that the report on the usage of the meeting rooms be delayed for twelve months, until October 2021. The additional twelve months will allow for the impact of any upcoming amendments to NSW Health Orders to be realised and provide time for additional community hire to occur.

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 12: 'Our community is friendly and supportive'

FINANCIAL CONSIDERATIONS

The closure of Manly Town Hall meeting rooms has had a minor negative financial impact, with the budget forecast to be amended accordingly in the September Quarterly budget review.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts.

SOCIAL CONSIDERATIONS

The hire of additional community space in central Manly will enable communities to connect, meet for a common purpose and socialise.

GOVERNANCE AND RISK CONSIDERATIONS

There are no governance considerations.

The re-opening of Manly Town Hall meeting rooms will be in accordance with NSW Health Orders, with appropriate risk and COVID-19 Safe Plans implemented.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council extend the review of the community usage of the Manly Town Hall meeting rooms for a further twelve months, to be reported back to Council in November 2021.

ITEM 10.2	MONA VALE PERFORMANCE SPACE - STRONGER COMMUNITIES FUNDING
REPORTING MANAGER	DIRECTOR COMMUNITY AND BELONGING
TRIM FILE REF	2020/677947
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek endorsement for release of Stronger Communities grant funding to Schools Infrastructure NSW for the commissioning of a performance space in the grounds of the Mona Vale Public School

EXECUTIVE SUMMARY

In August 2017, Council resolved to commence planning for a Performance Space in Mona Vale. Funding was allocated from the NSW Government's Stronger Communities Program for the project to the value of \$2.5M.

Following community consultation and a feasibility assessment, Council resolved in February 2019 to support the NSW Department of Education's delivery of the project. Council's consultant recommended that a 600-1000 seat space was not feasible without either philanthropic support or a significant capital injection.

School Infrastructure NSW have recently requested that Council release the grant funding (prior to any construction works) to enable a scaled down version of the original concept to be delivered. The project is nearing final design stage and Council officers have been engaged in the design process and provided advice on a proposed performance space with seating for up to 140 patrons.

To ensure the delivery of the expected outcome from the grant, it is recommended that funds held in reserve be released to Schools Infrastructure consistent with a funding agreement and community access agreement.

It is also noted that as the scale of the project has been reduced and the previously resolved need to establish a charitable trust to accept philanthropic support would no longer be required.

If agreed, School's Infrastructure would deliver the project within an agreed timeframe and future community access (for hire) would be locked in through an agreement.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That:

1. Council endorse the payment of \$2,377,512 (being all remaining funds held in reserve) to the NSW Department of Education, School Infrastructure Division to facilitate the delivery of a performance space in the grounds of the Mona Vale Public School subject to;
 - A. A funding agreement being entered into by the Department of Education, that includes appropriate supervision of progress by Council and milestones to be met by Schools Infrastructure, including endorsement of the final design prior to any tender process.
 - B. A community use and access agreement being entered into by Council and the Department of Education, that provides for out of school hours and school holiday access to community hirers.
 2. Council not progress with the establishment of a Charitable Trust for the Mona Vale Performance Space.
-

REPORT

BACKGROUND

The concept of a Performance Space in Mona Vale was first raised in 2014 where initial discussions took place between Council and the Department of Education regarding the parcel of land at the corner of Bungan and Waratah Streets, Mona Vale as an appropriate site.

In August 2017, Council resolved to commence the project and put in place a Governance structure to undertake feasibility studies. The Mona Vale Performance Space Advisory committee was formed shortly after that time. This committee consisted of Councillors, community members, Department of Education and Council staff.

In 2017, the NSW State Government allocated funds to Council through the Stronger Communities Program for the purposes of providing additional community infrastructure. One of the projects identified was the creation of a performance space within the grounds of the Mona Vale Public School, to be allocated for community uses outside of school hours.

In 2017 and 2018, Council commissioned a consultant to undertake a feasibility assessment on a series of proposed performance spaces that could seat 600, 800 and 1000 patrons, noting this was the concept endorsed by the advisory committee. The subsequent assessment found a funding shortfall to deliver this scale of project. The details of the process undertaken and all feasibility reports were presented to Council on 26 February 2019 and Council resolved as follows:

- A. *Council note the NSW Education Minister's request to release the funds allocated to the Mona Vale performance space from the Stronger Community Fund.*
- B. *Council release the funds and continues to support the concept in principle, ensuring the general community has access to the proposed facility.*

Since that time the Department of Education, School's Infrastructure team have been working on a design for a performance space at the same site, albeit in a much scaled down version to deliver an outcome within the remaining funds allocated from the Stronger Communities grant.

DESIGN PROPOSAL

The current proposal is in final design stage and is proposed to incorporate seating for up to 140 persons. The design incorporates direct access from Bungan Street (via a pathway) and vehicle access to the stage from within the school grounds. There is no parking directly related to the proposed performance space on site, however it is noted that parking associated with the Mona Vale Public school could be utilised as the facility is proposed to operate out of school hours. In addition public parking is available at Council's Bungan Lane carpark some 100m away.

The facility is wholly located in the school grounds and as such access for the general public would be restricted during school hours. The design has also been adapted to the needs of the school for things such as Band, Orchestra, Dance Group and Plays during the day.

The proposed design has significantly changed from that which was earlier envisaged and consulted with the broader community. Principally the building has been reduced in size with a capacity of up to 140 seats. In addition the location of the space has shifted to the west away from the corner of Bungan and Waratah Streets. School Infrastructure NSW have engaged an architectural firm to ensure the design considerations raised by Council have been addressed in the final concept.

The design issues raised by Council officers during the process include:

- Access, Parking and deliveries to the proposed space including loading of props, instruments and the like.

- Connectivity to Bungan Street including access for people with a disability.
- Internal configuration of backstage areas and lighting.
- Access to toilets.

As a result of these matters being raised, the proposed design has been revised to address some of the concerns raised. Other measures will need to be included in the Community Access agreement (such as access to toilets) to ensure the effective functioning of the space both in and out of school hours.

In addition to these matters Council staff also provided advice that raised concerns over the likely use of the facility by commercial hirers due to the capacity. In terms of community use, it is also noted that clear hours and terms of access outside of school hours will be required for the effective functioning of the space and to add community value to the outcome.

Funding Agreement

At present Council holds \$2,377,512 in a restricted reserve that is allocated to this project. Initially \$2.5M was allocated and it is noted that \$122,488 has been expended on the feasibility assessment and community consultation for previous designs.

In terms of the release of funds, Council would normally seek to release progress payments upon the completion of milestones during construction of any capital works. In this case the Department of Education (through Schools Infrastructure NSW) have requested that all funds be released prior to any construction works commencing. This approach carries some risk to Council should the Department of Education be unable to deliver the proposed performance space in the agreed form.

The Department of Education have identified that the creation of a trust (by them) would provide Council with sufficient comfort and certainty that the funds would be allocated to the provision of a performance space and not spent on other works.

Council's resolution of February 2019 does not provide guidance in respect of the timing of the release of funds, rather it authorises that process to occur. The Department of Education have now sought to have funds transferred prior to the commencement of tender and construction.

In order to protect Council's position and ensure the funding purpose can be realised, it is recommended that an agreement be negotiated with the Department of Education that provides certainty that funds will be released, but only when agreed milestones are reached in the delivery of the project. To release all funds prior to any works taking place is considered to add unnecessary risk to the project.

Community Access Agreement

The NSW Department of Education since 2014 have identified potential for a performance space on this site in Mona Vale. The local Primary and High School's have strong music programs and would significantly benefit from the creation of this space. The Stronger Communities funding was provided to Council to increase the amount of community accessible space in Mona Vale. The original funding was always provided on the basis that the space would be located in the Mona Vale Public School and would be available to the wider community outside of school hours. In order to meet the conditions of the grant and provide ongoing access for the wider community (for hire), a Community Access Agreement is required. Examples of what a community access agreement would cover are as follows:

- Access times
- Access to other facilities on the school grounds (Parking, Toilets)
- Usage during weekends and public holidays

- Usage during school holidays
- Management model
- Hirers responsibilities
- Maintenance

Given the site is owned and controlled by the Department of Education, it is considered appropriate that the management of the use outside of school hours rests with the Department. This would allow coordination with other school activities and also provide a direct link to hirers who may experience issues such as power outages, building damage and the like.

Charitable Trust

Council resolved on 8 August 2017 as follows:

- B. Establish a Charitable Trust for the purpose of receiving funds toward the construction and operation of a Mona Vale Performance space.*

Council staff investigated the establishment of a charitable trust as part of the feasibility study for a much larger facility, noting that the allocated funds were unlikely to meet the estimated costs of the building and other funding sources would be required.

The original concept was also assessed on the basis that Council may have received financial assistance in the form of a donation from a philanthropic source. At the scale and cost originally proposed additional funding would have assisted in the feasibility assessment. However the current proposal from School Infrastructure NSW is seeking only to use the funds allocated by the Stronger Communities Fund. As such it is considered that any further work on the establishment of a charitable trust for this particular project is no longer required.

CONSULTATION

Broad Community Consultation on the need for additional performance space in Mona Vale was undertaken as part of the original feasibility assessment in 2018. Whilst the scale of that initial project was larger than what is now proposed, it was clear that strong community desire for a performance space exists in Mona Vale.

Council has not undertaken any consultation with the community on the revised 140 seat design. It is expected that Schools Infrastructure NSW will be responsible for community engagement on the specifics of the design and any other statutory consultation processes.

TIMING

NSW Schools Infrastructure have indicated that the release of funds is required in the short term in order to progress the performance space project to tender.

The Stronger Communities Fund grant conditions indicate Council has until September 2022 to complete projects funded by the grant. The grant conditions also have a provision for extension to complete projects. The completion of this project will be a matter for NSW School Infrastructure NSW to take responsibility for including any extensions that may be sought should there be unforeseen delays.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and Belonging - Goal 10: Our community is stimulated through a diverse range of cultural, creative activities and events.

FINANCIAL CONSIDERATIONS

The Stronger Communities Fund has allocated a maximum of \$2.5M to this project. The remaining funds to the value of \$2,377,612 are presently held in reserve by Council. The expenditure of funds is anticipated to be chiefly in 2021/22 financial year.

SOCIAL CONSIDERATIONS

The establishment of additional facilities at the Mona Vale Public School for broad community use will provide a positive social benefit.

ENVIRONMENTAL CONSIDERATIONS

The environmental impacts of a performance space at the Mona Vale Public School will be considered during the assessment of the proposed development. The allocation of funds from Council to School Infrastructure NSW will have no environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

The funds for the Mona Vale Performance Space was part of the \$21.1 million Stronger Communities Fund allocation accepted by Council on 24 October 2017. This funding was tied to the delivery of 11 projects. The expenditure of funds is in line with Council's commitment to the Office of Local Government (OLG). Under the terms of the funding agreement Council has until September 2022 to complete the projects.

Once the timing of the works at Mona Vale Public School is confirmed, an application to the Office of Local Government for an extension of time to complete will be made. The agreement with the NSW Department of Education will mirror the original funding agreement Council entered into.

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1	COMMERCIAL FEASIBILITY OF THE PROVISION OF WATER AND WASTEWATER SERVICES FOR SCOTLAND ISLAND
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2020/511704
ATTACHMENTS	<ol style="list-style-type: none"> 1 ⇒Review of Social and Environmental Factors - REF - Stage 1a - Final Draft 200826 (Report 1) (Included In Attachments Booklet) 2 ⇒Options Report - Stage 1b - Final Draft 200825 (Report 2) (Included In Attachments Booklet) 3 ⇒Options Report - Stage 1b - Attachment C Soil Tests - Final Draft (Included In Attachments Booklet) 4 ⇒Options Report - Stage 1b - Attachment D Costings - Final Draft (Included In Attachments Booklet) 5 ⇒Options Report - Stage 1b - Attachment E Concept Drawings - Final Draft (Included In Attachments Booklet) 6 ⇒Options Report - Stage 1b - Attachment F Workshop Notes - Final Draft (Included In Attachments Booklet) 7 ⇒Options Report - Stage 1b - Attachment G - Island Description - Final Draft (Included In Attachments Booklet) 8 ⇒Commercial Assessment - Stage 2 - Final Draft - 200825 (Report 3) (Included In Attachments Booklet) 9 ⇒Case for Investment - Stage 2 - Final Draft 200826 (Report 4) (Included In Attachments Booklet) 10 ⇒Community Engagement Report (Included In Attachments Booklet)

SUMMARY

PURPOSE

To update Council on the outcomes of the feasibility study of the provision of water and wastewater services for Scotland Island.

EXECUTIVE SUMMARY

In 2017 Northern Beaches Council received \$300,000 from the NSW State Government's Stronger Communities Fund to investigate the commercial feasibility of the provision of water and wastewater services for Scotland Island. Council staff engaged consultants to undertake the commercial feasibility assessment and supporting documents. These reports were completed in August this year and the grant fully expended.

The final draft Case for Investment report (Attachment 9) recommends implementation of a fully reticulated, system for both water and wastewater, without which:

- water quality impacts to the island and the Pittwater waterway are likely to continue
- public health risks are likely to continue

- Northern Beaches Council will continue to maintain the subterranean emergency water supply pipe under Pittwater
- Scotland Island Resident Association (SIRA) will continue to maintain the temporary pipe network on the island
- residents will continue to campaign for these services consistent with other residents of the Northern Beaches and metropolitan Sydney.

The preliminary cost estimate for construction is \$68.4 million (ex GST) equating to approximately \$185,000 (ex GST) per lot in 2019 prices.

This cost estimate is significantly less than Sydney Water's previous investigation for the feasibility of a wastewater-only scheme undertaken in 2018. Sydney Water's study at that time found the cost for wastewater-only to be \$260,000 per lot in 2019 prices. The feasibility study identified NSW State Government or Sydney Water to fund the capital cost.

Under the proposal it is expected that residents of Scotland Island would bear the cost of upgrading their household plumbing, which is estimated at \$12,500 per dwelling. Scheme costings were calculated on the assumption that there would be an initial period of subsidies that would cover the cost of the pressure sewer tanks and installation on individual properties, such as was the case with other Sydney Water Priority Sewerage Program locations. If residents do not connect during the subsidised period (typically 1-2 years), they could expect to pay approximately \$39,500 to upgrade their household plumbing and purchase and install the pressure tank. A minimum of 50% of resident connections is required to ensure an effective water supply and waste water system.

There are several other unsewered areas in the Northern Beaches including Ingleside, Duffys Forest, parts of Bayview and Church Point, and the Western Foreshores of Pittwater. Many of these areas don't have a reticulated water supply. Scotland Island has the greatest density of development and smallest lots of all these areas.

Council placed all reports on public exhibition through Council's "Your Say" web page for a period of one month from 30 September to 28 October 2020, and received over 300 submissions. Of the submissions received, the majority were supportive of Council lobbying the State Government to provide water and wastewater services to Scotland Island.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council:

1. Endorse outcomes of the Scotland Island Water and Wastewater investigations and associated reports.
 2. Writes to the Hon. Rob Stokes, MP, Minister for Planning and Member for Pittwater, the Hon. Melinda Pavey, MP, Minister for Water, Property and Housing, and Roch Cheroux, Managing Director, Sydney Water, providing copies of reports and requesting the Scotland Island water and wastewater project be programmed for implementation.
-

REPORT

BACKGROUND

There are 377 lots (358 dwellings) on Scotland Island (the Island) and only a small number are vacant lots. The Scotland Island community has been actively pursuing the provision of a reticulated water supply and wastewater system for over 30 years. The Island was identified under Sydney Water's Priority Sewerage Program as a priority for sewerage infrastructure provision due to the sensitivity of the receiving catchment, Pittwater.

Sydney Water's Operating Licence 30/11/2019 - 29/11/2023 specifies that Sydney Water must comply with a Ministerial Order to review the Priority Sewerage Program and must comply with the outcomes of that review.

The Island's existing drinking water supply is from domestic rainwater tanks that are often insufficiently sized to supply residents with a constant source of water. The Island has an emergency water supply that was originally set up as a fire-fighting supply and was later used as an emergency supply during drought. The emergency water is supplied by Sydney Water's main at Church Point via a pipeline across Pittwater to large tanks on the Island.

The pipeline from Church Point is owned and maintained by Northern Beaches Council. The supply is identified as non-potable. From the tanks the emergency non-potable water supply is distributed by Scotland Island Residents Association (SIRA) to residents via a booking system and connection points around the Island. Residents must be a member of SIRA and sign an agreement for the sale of non-potable water before being allowed to access the water.

Sydney Water invoices Council for water use and this is passed on to SIRA. SIRA in turn charges members water fees to pay the water bill, with an additional charge to cover the maintenance of the above-ground pipe network on the island. The ownership and responsibilities are outlined in Council's Scotland Island Emergency Water Pipeline and Non-Potable Water Supply Policy 2017.

Not all residents on the Island are members of SIRA nor use the emergency water supply. Some residents rely on tank water or purchase water delivered by barge.

Wastewater on the Island is collected and treated in on-site wastewater management systems such as septic tanks and aerated treatment with local on-lot effluent disposal.

Preferred Options

The final draft Case for Investment report recommends implementation of a fully reticulated, Sydney Water funded, operated and maintained system for both water and wastewater. Based on detailed analysis, the study identifies preferred options for both water and wastewater provision that are the most efficient and cost-effective in the long term.

Water supply preferred option:

- Fully reticulated water supply from existing Sydney Water main at Church Point.
- New pipe bore to Harold Reserve on the Island.
- Possible pressure booster pump in Harold Reserve to pump water to upper island.
- Pipe network to all properties on the Island.
- Dwellings connect household plumbing to new boundary connection point.

Wastewater/sewerage preferred option:

- Dwellings connect household plumbing to a new pressure tank with pump located on each property.
- This tank and pump is typically owned and maintained by Sydney Water.
- The pump discharges sewage via an island network of pipes to Harold Reserve then to a new pipe bored under Pittwater and the existing Sydney Water infrastructure at Church Point.
- An alarm system is located on the exterior of the house that sounds if the system malfunctions.

This proposed system is similar to the wastewater scheme completed by Sydney Water for Dangar Island on the Hawkesbury River in 2008.

Sydney Water has confirmed there is existing capacity in both the water and wastewater systems (including Warriewood Wastewater Treatment Plant) for Scotland Island connections.

Project and Community Costs

The preliminary cost estimate for the construction of the preferred water and wastewater system is \$68.4 million (exc GST) equating to approximately \$185,000 per lot in 2019 prices. This is significantly less than Sydney Water's investigation for the feasibility of a wastewater scheme only. Sydney Water's 2018 investigation found the cost for wastewater to be \$260,000 per lot in 2019 prices. The feasibility study identified NSW State Government or Sydney Water to be most appropriate organisation to fund the capital cost.

Project cost estimates do not include the potential costs of acquiring Council land on the Island or at Church Point.

Residents of the Island would bear the cost of upgrading their household plumbing which is estimated at \$12,500 per dwelling for water and wastewater connection. Scheme costings were calculated on the basis there will be an initial period of subsidies which would cover the cost of the pressure sewer tanks and installation on individual properties, such as was the case with other Sydney Water Priority Sewerage Program locations. If residents do not connect during the offered subsidised period (typically 1-2 years), they could expect to pay approximately \$39,500 to upgrade their household plumbing and purchase and install the pressure tank. An initial period of subsidies is expected to encourage early connections to the new system. Sydney Water bears the cost of energy for the water pump pressure booster, and residents would be required to pay about \$40 a year for energy for the alarm system for their tanks. Whilst an offered subsidy period would be consistent with Sydney Water's Priority Sewerage Program locations, no such commitments have been made for Scotland Island to date.

Old wastewater systems would need to be emptied and cleaned and potentially removed. These costs would be borne by residents. Residents could keep and continue to use rainwater tanks.

A minimum of 50% connection rate is required and needs to be an evenly spread distribution across the Island (185 lots). Generally, for suitable performance the target is two-thirds of properties (244 lots evenly distributed) to ensure self-cleansing flows for the wastewater system.

Council can require residents to connect if their onsite sewer systems are failing. Councils in other Priority Sewerage Program areas, such as Hornsby and Hawkesbury, have implemented policies requiring residents to connect to a new system if onsite wastewater systems are failing.

CONSULTATION

The Scotland Island Working Group was established in 2018 for the project and included residents and representatives from SIRA. The working group met on 1 July 2018, 11 December 2018 and 25 May 2019. Meeting records and community updates were provided on Council's Your Say page with the most recent updates being March and June 2020:

<https://yoursay.northernbeaches.nsw.gov.au/scotlandislandwater>

Council was briefed on the draft final reports at the Councillor Briefing of 15 September 2020. The reports were placed on public exhibition for a period of one month from 30 September to 28 October 2020. Community and stakeholder input was obtained through a range of online and face-to-face methods as detailed in the attached engagement report.

A total of 317 submissions were received, with 313 submitted via Council's Your Say page and ten submitted via email. Some stakeholders used both means of communication and this has been counted as one submission. Of the submissions received, the majority are supportive of Council lobbying the State Government to provide water and wastewater services to Scotland Island and are willing to pay connection costs. A minority expressed concern about the affordability of connection costs or were not sure. Most of those who were not supportive either had a new on-site wastewater system and/or rainwater tanks, or believed that existing systems could be improved to be compliant with Australian Standards. Table 1 provides a summary of the key themes and comments received during the public exhibition process.

Sydney Water also made a submission. In relation to commercial viability they stated

Based on our estimates, both Sydney Water and IPART have considered servicing of the area to be financially unviable. Even at Council's reduced estimate, Sydney Water does not consider this to be an investment our broader customer base should pay for.

Table 1. Summary of public exhibition outcomes

Theme	Commentary	Response
Public health	The current water and wastewater provision significantly impacts public health, directly through poor drinking water quality; secondarily through pollution of soils and waterways on the island, pollution of Pittwater and aquatic species, odour, and mosquitoes. Clean drinking water and an environment that doesn't impact health is a basic right.	Noted. The proposed solution will address these concerns. Council's Environmental Health team has a dedicated officer to regulate wastewater systems on the island. These comments have been forwarded to Council's Environmental Health and will be provided to Sydney Water and NSW Health.
Need	Reticulated water and wastewater is needed on the Island now. A reticulated water supply is necessary as the current emergency water supply is inadequate for fire protection. The Island is unable to support on-site wastewater systems.	Noted. The proposed solution will address these concerns. These comments have been forwarded to the relevant staff in Council and will be provided to Rural Fire Service, Sydney Water and NSW Health.
Equity	Residents of Scotland Island deserve the same quality of life and services as the rest of Sydney and similar areas such as Dangar Island.	The proposed solution will address these concerns. These comments will be forwarded to

Theme	Commentary	Response
	<p>Obligation under priority sewage program.</p> <p>Difficult and stressful to arrange drinking water and manage on-site wastewater system.</p> <p>Council and the State Government are in breach of their duty of care to Scotland Island residents.</p>	<p>Sydney Water and NSW Health.</p> <p>Council and the State Government work within relevant legislation and guidelines for the supply and management of water and wastewater. Under the Local Government Act, on site sewerage management is the responsibility of single lot property owners.</p>
Environment	<p>Replacing on-site wastewater systems with a reticulated system is necessary to reduce the current impact on native vegetation on the Island, especially the Spotted Gum population, and the receiving waters.</p>	<p>Noted. The proposed solution will address these concerns.</p> <p>These comments have been forwarded to the relevant staff in Council and will be forwarded to Sydney Water.</p>
Cost	<p>Concerned about the ability to pay for upgrades to household plumbing of \$12,500.</p> <p>Shouldn't have to pay.</p> <p>It would be necessary to provide assistance/payment plans for those able to demonstrate hardship</p> <p>Would only connect if costs were reasonable.</p> <p>Existing water is expensive.</p> <p>Project calculated to be financially unviable (Sydney Water).</p> <p>Flow rate calculations require clarification (Sydney Water).</p>	<p>Noted. Council acknowledges the estimated connection costs are not supported by some residents. This is the funding model currently in place by Sydney Water. These comments will be provided to Sydney Water.</p> <p>Noted. Council acknowledges the project delivery costs are not financially viable for Sydney Water.</p> <p>Noted. This information will be provided to the consultant.</p>
Benefits and impacts if a scheme went ahead	<p>Good local employment opportunities.</p> <p>The scheme should use renewable energy.</p> <p>Concerns about impacts to parking at Church Point.</p> <p>Public toilets should be provided on the Island.</p> <p>Council would need to address the condition of the Island roads and storm water drainage.</p> <p>Connection needs to be forced.</p>	<p>Noted. These comments have been forwarded to the relevant staff in Council and will be provided to Sydney Water.</p>
Unnecessary	<p>New systems would be a waste of money as the current systems are suitable if they are made compliant.</p>	<p>Noted. These comments will be provided to Sydney Water.</p>

Theme	Commentary	Response
	Not concerned about current water supply. Want to retain existing tanks.	
Western Foreshores	The Western Foreshores of Pittwater should be included in any scheme to provide water and wastewater services to Scotland Island	Noted. These comments will be provided to Sydney Water.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome 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.
- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no immediate financial impact on Council. Should the project go ahead, Sydney Water may require the use of Council reserves such as Harold Reserve on Scotland Island. With the removal of on-site wastewater systems, it is anticipated minor Council savings would be seen in the long term with a reduction in environmental health regulation associated with the Island.

SOCIAL CONSIDERATIONS

The residents of Scotland Island currently lack equity with other residents in areas of similar density in Sydney such as Dangar Island. Should the project go ahead, environmental health issues on Scotland Island associated with both water use and wastewater disposal would be reduced.

If the scheme were to be built, residents of Scotland Island and Church Point would experience construction impacts including noise, access to properties or wharves and short term power shut-downs.

ENVIRONMENTAL CONSIDERATIONS

The scheme would improve soil quality and waterway health in the long term due to the removal of on-site wastewater systems. Environmental impacts during construction would need to be managed and could include noise, sedimentation and some removal of vegetation.

GOVERNANCE AND RISK CONSIDERATIONS

Council engaged the Institute of Sustainable Futures at the University of Technology, Sydney to undertake a peer review, which found the study was transparent and robust.

There are several other unsewered areas in the Northern Beaches including Ingleside, Duffys Forest, parts of Bayview and Church Point and the Western Foreshores of Pittwater. Many of these areas also don't have a reticulated water supply or connected sewer. Scotland Island has the greatest density of development and the smallest lots of all these areas.

ITEM 11.2	REVISED CONSTITUTION - PITTWATER ENVIRONMENTAL FOUNDATION
REPORTING MANAGER	DIRECTOR ENVIRONMENT AND SUSTAINABILITY
TRIM FILE REF	2020/702202
ATTACHMENTS	1 ⇒ Revised Constitution - Pittwater Environmental Foundation - October 2020 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To recommend proposed amendments to the Constitution of Pittwater Environmental Foundation (PEF) to improve its governance and incorporate relevant updates.

EXECUTIVE SUMMARY

Council has two environmental Trusts that it has a level of responsibility for. The Warringah Trust for the Acquisition of Environmentally Sensitive Lands (the Warringah Trust), and the Pittwater Environmental Trust. These two Trusts were established by former Councils, have different purposes, and different relationships with Council. Pittwater Environmental Trust has a significant financial balance and there is a view that a greater level of oversight is required over how that Trust is administered. The Warringah Trust has a very small financial balance, has an appropriate level of oversight by Council and auditors, and there are no plans to invest any of its monies. Accordingly, no changes are proposed to the Warringah Trust at this time.

Pittwater Environmental Foundation (the Foundation) was established in 2006 by the former Pittwater Council who also appointed its original Directors. Its principal purpose was to administer the Pittwater Environmental Trust (the Trust) which was also established in 2006 by Pittwater Council. The Foundation, operating with the Constitution created by Pittwater Council, has been effective at attracting funds and re-distributing them to a variety of environmental projects across the former Pittwater Council local government area.

With the creation of Northern Beaches Council, there is an obvious need to update the references in the Constitution, and create more clarity about how funds will be administered in the future. Additionally, a number of governance issues have come to light since amalgamation including those raised by the Foundation Directors themselves that also need to be addressed in the Constitution. These include the recruitment process for the Foundation Directors, the level of oversight over and reporting in respect of the Trust, and how the Trust and Foundation will operate in the future in a changing tax environment.

Council has obtained external legal support to prepare a number of amendments to deal with the above issues, which are included in the attached amended Constitution. The amended Constitution has been discussed with PEF Directors and in accordance with the requirement that the elected Council adopt amendments to the Constitution, is recommended for approval.

This matter was previously considered at the Council meeting of 27 October 2020. At that meeting Council resolved (279/20):

That the item be deferred to a Councillor briefing regarding the objects of the foundation relating to the area in which funds may be spent, with the item to be brought back to the November Council meeting.

The matter was subsequently reported to a Councillor Briefing on 17 November 2020 before being reported back to this meeting.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That the revised Constitution of the Pittwater Environmental Foundation be approved.

REPORT

BACKGROUND

Council has two environmental Trusts that it has a level of responsibility for. The Warringah Trust for the Acquisition of Environmentally Sensitive Lands (the Warringah Trust), and the Pittwater Environmental Trust. These two Trusts were established by former Councils, have different purposes, and different relationships with Council. Pittwater Environmental Trust has a significant financial balance and there is a view that there needs to be a greater level of oversight over how that Trust is administered. The Warringah Trust has a very small financial balance, has close oversight by Council and auditors, and there are no plans to invest any of its funds. Accordingly, no changes are proposed to the Warringah Trust at this time.

The Pittwater Environmental Foundation (the Foundation) was established by the former Pittwater Council in 2006. The purpose of the Foundation was to create an organisation, separate to Council, that could administer the Pittwater Environmental Trust (the Trust) which was also created in 2006. The Trust is registered as a charity and its primary fund, the Pittwater Environmental Fund (the Fund) has deductible gift recipient status. Over the years, the Trust has accumulated significant donations and has used these donations to fund a range of local environmental improvements in the former Pittwater Local Government Area (LGA).

Given the Foundation has been in existence for almost 20 years, it is time that a review was conducted of its Constitution to update it and reflect changing circumstances (such as the amalgamation of Councils on the Northern Beaches). This review has been completed in consultation with the Directors of the Foundation and with external legal review. The Constitution requires that amendments to it be made with the approval of the elected Council.

Collection and Allocation of Funds

Given the creation of Northern Beaches Council, there was significant discussion with the Directors about the need to update the area over which the Foundation could operate; from the former Pittwater LGA, to the Northern Beaches LGA. It is important to note that the ability to operate at this broader scale, doesn't mean the Foundation is compelled to operate at that scale.

Further, the primary task of the Foundation is to act as Trustee of the Trust. The Trust only collects and disperses monies from within the former Pittwater LGA in accordance with one of its primary objects, and this is not proposed to change. All funds collected to date by the Trust will continue to be spent within the former Pittwater LGA. However, the amendments to the Constitution allows the Foundation to create other programs across the Northern Beaches should it choose to do so, with separate funding programs etc. This would be a decision for the Foundation and its Directors and does not change the existing Trust or its Fund.

Recruitment Process and Eligible Pool

One of the other issues that arises from time to time is the recruitment, rotation and retirement of Directors. Council is the Settlor of the Trust. Under the Foundation Constitution, Council is the only entity that can appoint Directors. There was a disconnect in the Constitution that meant that if any one Director wished to retire at an Annual General Meeting, the elected Council would have to formally appoint a new Director which makes the process of rotating Directors as anticipated in the Constitution impractical.

The proposal in the revised Constitution is that the elected Council maintain a pool of eligible persons to be Directors, and that the Foundation can then appoint anyone from that list to be a Director to fill a vacancy, or for rotation or retirement purposes. This allows the Foundation to have reasonable continuity of service in its Board.

Oversight and Reporting

Despite Council establishing the Foundation and Trust, and Council having sole responsibility for appointing Directors, there was no requirement for the Foundation to routinely report to Council on its achievements or its financial position. This has been changed in the Constitution so that the Foundation will provide annual reports to Council. This enables Council to maintain a level of oversight and some insight into whether the Directors are operating effectively.

Director Liability

The Directors of the Foundation raised concerns regarding their exposure to liability and their need for appropriate insurance cover. Staff sought this cover from Council's insurer Statewide Mutual, who confirmed that the Directors could be covered by Northern Beaches' Councillors and Officers (CAO) policy. Given these are voluntary positions in an organization established by Council, this is considered appropriate. This is reflected in an update to Constitution and each Director has been advised in writing of their cover.

Housekeeping Updates

A number of housekeeping updates have been made to the Constitution. The Objects of the Constitution have been updated to ensure that they remain consistent with the Commonwealth Government's requirements for the Register of Environmental Organisations (which the Trust is listed on). The Register of Environmental Organisations is a Commonwealth tax deductibility scheme for environmental organisations under the Income Tax Assessment Act 1997. It allows eligible funds to be endorsed as Deductible Gift Recipients by the Australian Taxation Office. By ensuring the Objects remain current, the Foundation is operating consistent with the Trust which in turn assists it in retaining the deductible gift recipient status of its Fund.

A number of minor amendments have been made regarding the meeting requirements of the Foundation, such as clarifying whether meetings and notices can be served electronically (reflecting the changing times), quorum requirements, and a process for Council to appoint replacements in the event that all Director positions are vacant at the same time.

Other Matters

Pittwater Environmental Foundation was bequeathed a sum of money from a then member of the Friends of Currawong. Council intends to make an application for funding support from the Foundation to undertake a range of environmental improvements at Currawong following consultation with the Currawong State Park Advisory Board. Updating the Constitution was seen as an important step in this process, so that all organisations have a level of comfort around the governance of the Foundation.

CONSULTATION

The revisions to the Constitution have been developed in consultation with the current Directors of the Foundation and has been prepared by external legal counsel.

This matter was previously considered at the Council meeting of 27 October 2020. At that meeting Council resolved (279/20):

That the item be deferred to a Councillor briefing regarding the objects of the foundation relating to the area in which funds may be spent, with the item to be brought back to the November Council meeting.

The matter was subsequently reported to a Councillor Briefing on 17 November 2020 before being reported back to this meeting.

TIMING

Following approval by Council, the revised Constitution will be provided to the Directors of the Pittwater Environmental Foundation for its enactment.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council but do provide more oversight of the Pittwater Environmental Foundation including its financial position

SOCIAL CONSIDERATIONS

An effectively governed Foundation and Trust should provide confidence to those in the community who have donated to the Trust and/or who have benefited from its funding. This assists the longer term sustainability of both entities.

ENVIRONMENTAL CONSIDERATIONS

The Foundation provides ongoing funding support to a range of environmental project in the former Pittwater LGA. The updates to the Constitution support this work and allow for it to be extended across the Northern Beaches.

GOVERNANCE AND RISK CONSIDERATIONS

The amendments to the Constitution contain a number of measures that improve the governance of the Foundation and increase its oversight by Council. In doing so, this assists in mitigating potential reputational risks to Council by providing for an appropriate level of review of Foundation activities.

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS
REPORTING MANAGER	EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT
TRIM FILE REF	2020/649509
ATTACHMENTS	NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

During the period 1 July 2020 to 30 September 2020, the following variations were granted:

- 6 variations under Clause 4.6 of Pittwater Local Environmental Plan 2014.
- 18 variations under Clause 4.6 of Manly Local Environmental Plan 2013.
- 15 variations under Clause 4.6 of Warringah Local Environmental Plan 2011.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

The Council note the Development Applications approved with variations to development standards during the period of 1 July 2020 to 30 September 2020.

REPORT

BACKGROUND

The following tables show all variations to development standards approved during the period 1 July 2020 to 30 September 2020 for each of the LEPs in the Northern Beaches LGA, and whether the determination was made by staff under delegated authority or a determination panel. Northern Beaches Council has two external panels, being the Northern Beaches Local Planning Panel (NBLPP) and the Sydney North Planning Panel (SNPP). The internal determination panel is known as the Development Determination Panel (DDP).

Clause 4.6 variations granted under Pittwater LEP2014

The following applications had a Clause 4.6 variation granted during the period of 1 July 2020 to 30 September 2020.

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2020/0309	62 Riviera Avenue AVALON BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.5% Control: 8.5m Approved: 8.80m	Delegated Authority
DA2020/0318	48 The Serpentine BILGOLA BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.6% Control: 8.0m Approved: 8.45m	NBLPP
DA2020/0448	25 Richard Road SCOTLAND ISLAND NSW 2105	Residential - Alterations and additions	4.3 Height of buildings	Variation: 27.5% Control: 4m Approved: 5.1m	NBLPP
DA2020/0509	10 Warringulla Avenue ELVINA BAY NSW 2105	Residential - Alterations and additions	4.3 Height of buildings	Variation: 23.75% Control: 4m Approved: 4.98m	NBLPP
DA2020/0590	6 Riverview Road AVALON BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 1.8% Control: 8.5m Approved: 8.65m	Delegated Authority
DA2020/0133	121 Pacific Road PALM BEACH NSW 2108	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 6.35% Control: 8.5m Approved: 9.042m	Delegated Authority

Clause 4.6 variations granted under Manly LEP 2013

The following applications had a Clause 4.6 variation granted during the period of 1 July 2020 to 30 September 2020.

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2019/1463	95 Gurney Crescent SEAFORTH NSW 2092	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor Space Ratio	Variation: 40.2% Control: 8.5m Proposal: 11.92m Variation: 59.4% Control: 0.4:1 (237.8sqm) Approved: 0.63:1 (379.1sqm)	DDP
DA2019/1539	165 & 165A Seaforth Crescent SEAFORTH NSW 2092	Residential - Alterations and additions	4.1 Minimum subdivision lot size	Variation: Lot 1 (100) – 22.3% Lot 2 (101) – 33.9% Control: 1,150m2 Approved: Lot 1 (100) – 983.4m Lot 2 (101) 760.0m	NBLPP
DA2020/0061	59 Cutler Road CLONTARF NSW 2093	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	Variation: 7% Control: 8.5m Approved: 9.1m Variation: 6.7% Control: 0.4:1 (240.44sqm) Approved: 0.43:1 (256.5sqm)	Delegated Authority
DA2020/0211	82 - 84 Bower Street MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor Space ratio	Variation: 31.7% Control: 8.5m Approved: 11.2m Variation: 55.1% Control: 0.45:1 (314.28sqm) Approved: 0.7:1 (487.5sqm)	NBLPP
DA2020/0462	27 Quinton Road MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 10.9% Control: 0.6:1 (176.4sqm) Approved: 0.665:1 (195.6sqm)	DDP
DA2020/0491	3 Alma Street CLONTARF NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 29% Control: 8.5m Approved: 10.98m	DDP
DA2020/0508	122 Pittwater Road MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 18.44% Control: 0.6:1 (129.18sqm) Approved: 0.711:1 (152.4sqm)	DDP
DA2020/0525	12 Nolan Place BALGOWLAH HEIGHTS NSW 2093	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 23.8% Control: 0.45:1 (269.37sqm) Approved: 0.557:1 (333.4sqm)	DDP
DA2020/0586	4 Laura Street	Residential -	4.3 Height of	Variation: 20%	DDP

	SEAFORTH NSW 2092	Alterations and additions	buildings	Control: 8.5m Approved: 10.2m	
DA2020/0612	19 Sandy Bay Road CLONTARF NSW 2093	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 80% Control: 0.4:1 (111.6sqm) Approved: 0.72:1 (201sqm)	DDP
DA2020/0921	7 Bower Street MANLY NSW 2095	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 4.2% Control: 8.5m Approved: 8.86m	Delegated Authority
DA2020/0319	44 Bower Street MANLY NSW 2095	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 2.5% Control: 8.5m Approved: 8.7m	Delegated Authority
DA2020/0382	11 West Street BALGOWLAH NSW 2093	Residential - Other	4.4 Floor space ratio	Variation: 3.3% Control: 0.45:1 (481.05sqm) Approved: 0.46:1 (497.77sqm)	DDP
DA2019/1398	3/63 - 67 The Corso MANLY NSW 2095	Mixed	4.3 Height of buildings 4.4 Floor space ratio	Variation: 51% Control: 10m Approved: 15.1m Variation: 1.70% Control: 2.5:1 (1,255.7sqm) Approved: 2.6:1 (1,277sqm)	NBLPP

Clause 4.6 variations granted under Warringah LEP 2011

The following applications had a Clause 4.6 variation granted during the period of 1 July 2020 to 30 September 2020.

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2019/120 2	9 Lolita Avenue FORESTVILLE NSW 2087	Residential - Alterations and additions	4.3 Height of buildings	Variation: 28% Control: 8.5m Approved: 10.9m	DDP
DA2020/043 4	62 Mactier Street NARRABEEN NSW 2101	Residential - Alterations and additions	4.3 Height of buildings	Variation: 1.7% Control: 8.5m Approved: 8.65m	Delegated Authority
DA2020/048 5	114 Headland Road NORTH CURL CURL NSW 2099	Residential - Alterations and additions	4.3 Height of buildings	Variation: 7.2% Control: 8.5m Approved: 9.1m	Delegated Authority
DA2020/050 5	35 Cumberland Avenue COLLARROY NSW 2097	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.5% Control: 8.5m Approved: 8.8m	Delegated Authority
DA2020/053 4	5 Duneba Place FRENCHS FOREST NSW 2086	Residential - Alterations and additions	4.3 Height of buildings	Variation: 49.4% Control: 8.5m Approved: 12.7m	DDP

DA2020/059 6	52 Smith Avenue ALLAMBIE HEIGHTS NSW 2100	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.88% Control: 8.5m Approved: 9m	Delegated Authority
DA2020/062 9	1 & 2 /2 Worrobil Street NORTH BALGOWLAH NSW 2093	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.9% Control: 8.5m Approved: 9.0m	Delegated Authority
DA2020/033 4	9 Nenagh Street NORTH MANLY NSW 2100	Residential - Alterations and additions	4.3 Height of buildings	Variation: 1.17% Control: 8.5m Approved: 8.6m	Delegated Authority
DA2020/055 0	21 The Drive FRESHWATER NSW 2096	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 3.3% Control: 8.5m Approved: 8.78m	Delegated Authority
DA2020/050 0	14 Parkes Road COLLARROY NSW 2097	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 7% Control: 8.5m Approved: 9.1m	Delegated Authority
DA2020/011 2	602 Warringah Road FORESTVILLE NSW 2087	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 7% Control: 8.5m Approved: 9.1m	Delegated Authority
DA2019/152 2	41 & 43 Beach Road COLLARROY NSW 2097	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 1.1% Control: 8.5m Approved: 8.6m	NBLPP
DA2019/130 0	39 Park Street NARRABEEN NSW 2101	Residential - New multi unit	4.3 Height of buildings	Variation: 3.1% Control: 11m Approved: 11.35m	NBLPP
DA2020/043 3	4 Cross Street BROOKVALE NSW 2100	Commercial/Ret ail/Office	4.3 Height of buildings	Variation: 27% Control: 11m Approved: 14.04m	NBLPP
DA2019/134 6	4 - 10 Inman Road CROMER NSW 2099	Industrial	4.3 Height of buildings	Variation: 25.7% Control: 11m Approved: 13.83m	SNPP

CONSULTATION

Variations to development standards lodged as part of a Development Application are made available to the community for comment on Council's Application Search, during the prescribed exhibition period and are available for viewing at all other times.

TIMING

Not applicable.

LINK TO STRATEGY

This report relates to the outcome in the Community Strategic Plan: Environmental Sustainability: Goal 5 - Our built environment is developed in line with best practice sustainability principles. Strategy (a): "ensure integrated land use planning balances the environmental, social and economic needs of present and future generations".

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

ITEM 12.2	PLANNING PROPOSAL - 4 BELLARA AVENUE, NORTH NARRABEEN (PEX2020/0007)
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2020/659909
ATTACHMENTS	1 ⇒ Planning Proposal 4 Berrara Avenue North Narrabeen (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report the assessment of a Planning Proposal lodged by Sydney Water for 4 Bellara Avenue, North Narrabeen and recommend that Council progress the Planning Proposal to a Gateway Determination.

EXECUTIVE SUMMARY

On 24 August 2020, Northern Beaches Council (Council) received a Planning Proposal (PEX2020/0007) for 4 Bellara Avenue, North Narrabeen (Lot 26 DP 236548) (the subject site) that seeks to amend Pittwater Local Environmental Plan 2014 (Pittwater LEP 2014) to rezone the subject site from SP2 Infrastructure (Water Supply System) to R2 Low Density Residential and to apply a 550sqm minimum lot size.

The site has an area of 562sqm and is surrounded by residential development zoned R2 Low Density Residential to the east, south and west, and E4 Environmental Living to the north (see Figure 1 & 2 below).

The site has no surface improvements and has been deemed surplus to Sydney Water's requirements. However, it is noted that the site is traversed by two sewer lines and includes a large concrete chamber with manholes. The subject site also contains sixteen (16) existing trees. The Proposal is supported by a concept architectural design and arborist report that identifies a compliant dwelling can be located on the site that avoids the existing sewer lines and concrete chamber and retains all but two trees.

The Planning Proposal is also accompanied by a Flood Risk Management Report, Geotechnical Report and Survey Plan.

The Planning Proposal was placed on non-statutory exhibition in accordance with the Northern Beaches Community Participation Plan from 2 September to 16 September 2020. During the non-statutory exhibition one submission was received which raised concerns relating to access arrangements to 47 Tatiara Crescent, which contains Sydney Water infrastructure.

The proposal is consistent with the relevant priorities of Northern Beaches Local Strategic Planning Statement (LSPS) and considered appropriate in its context.

The Northern Beaches Local Planning Panel considered the Planning Proposal at its meeting on 21 October 2020 and advised Council it supported the Planning Proposal progressing to a Gateway determination.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Endorse the Planning Proposal, lodged for 4 Bellara Ave, North Narrabeen, to be submitted to the Department of Planning, Infrastructure and Environment to seek a Gateway Determination.
 2. Request the applicant prepare and provide a preliminary contamination report prior to formal statutory exhibition
-

REPORT

BACKGROUND

On 24 August 2020, a Planning Proposal (PEX2020/0007) was submitted to Council on behalf of Sydney Water in relation to their property at 4 Bellara Avenue, North Narrabeen (Lot 26 DP 236548) (the subject site) to seek amendments to the Pittwater Local Environmental Plan 2014 (Pittwater LEP 2014). The amendments sought include a change to the zone of the subject site from SP2 Infrastructure (Water Supply System) to R2 Low Density Residential and to apply a 550sqm minimum lot size.

The site has an area of 562sqm and is surrounded by residential development zoned R2 Low Density Residential to the east, south and west, and E4 Environmental Living to the north (see Figure 1 & 2 below).

The site has no surface improvements and has been deemed surplus to Sydney Water's requirements. However, it is noted that the site is traversed by two sewer lines and includes a large concrete chamber with manholes. The subject site also contains sixteen(16) existing trees. The Proposal is supported by a concept architectural design and arborist report that identifies a compliant dwelling can be located on the site that avoids the existing sewer lines and concrete chamber and retains all but two trees.

The Planning Proposal is also accompanied by a Flood Risk Management Report, Geotechnical Report and Survey Plan.

On 21 October 2020, an assessment of the Planning Proposal was reported to the Northern Beaches Local Planning Panel and the LPP provided the following advice in relation to the Planning Proposal:

The Panel:

- A. Recommends that Council endorse the Planning Proposal, lodged for 4 Bellara Avenue, North Narrabeen, to be submitted to the Department of Planning, Infrastructure and Environment to seek a Gateway Determination.
- B. Recommends Council request the applicant prepare and provide a preliminary contamination report prior to formal statutory exhibition

Site Description

The subject site is undeveloped and contains 16 established and mature trees. The property is identified in the outlined area at Figure 1.

The subject site has an area of approximately 562m² with a frontage of approximately 16.7m to Bellara Avenue. The subject site adjoins land developed for residential purposes to the north, east and west. The properties to the north are zoned E4 Environmental Living. The properties to the east, west and on the opposite side of Bellara Avenue are zoned R2 Low Density Residential.

The subject site is currently only fenced on the common boundary with 5 Tatiara Crescent with a small partial fence existing in the rear portion of the site adjoining 6 Bellara Avenue. A low timber retaining wall appears to form the northern boundary of the site. The site has a moderate North-South slope down to Bellara Avenue of approximately 6m. A small drainage system appears to have been constructed along the boundary with 5 Tatiara Crescent.



Figure 1 – Aerial Photo

Current zoning

The site is zoned SP2 Infrastructure (Water Supply System) under Pittwater LEP 2014. Properties adjoining the site consist of a range of zonings, including zone E4 Environmental Living to the north and zone R2 Low Density Residential to the east, west and on the opposite side of Bellara Avenue.

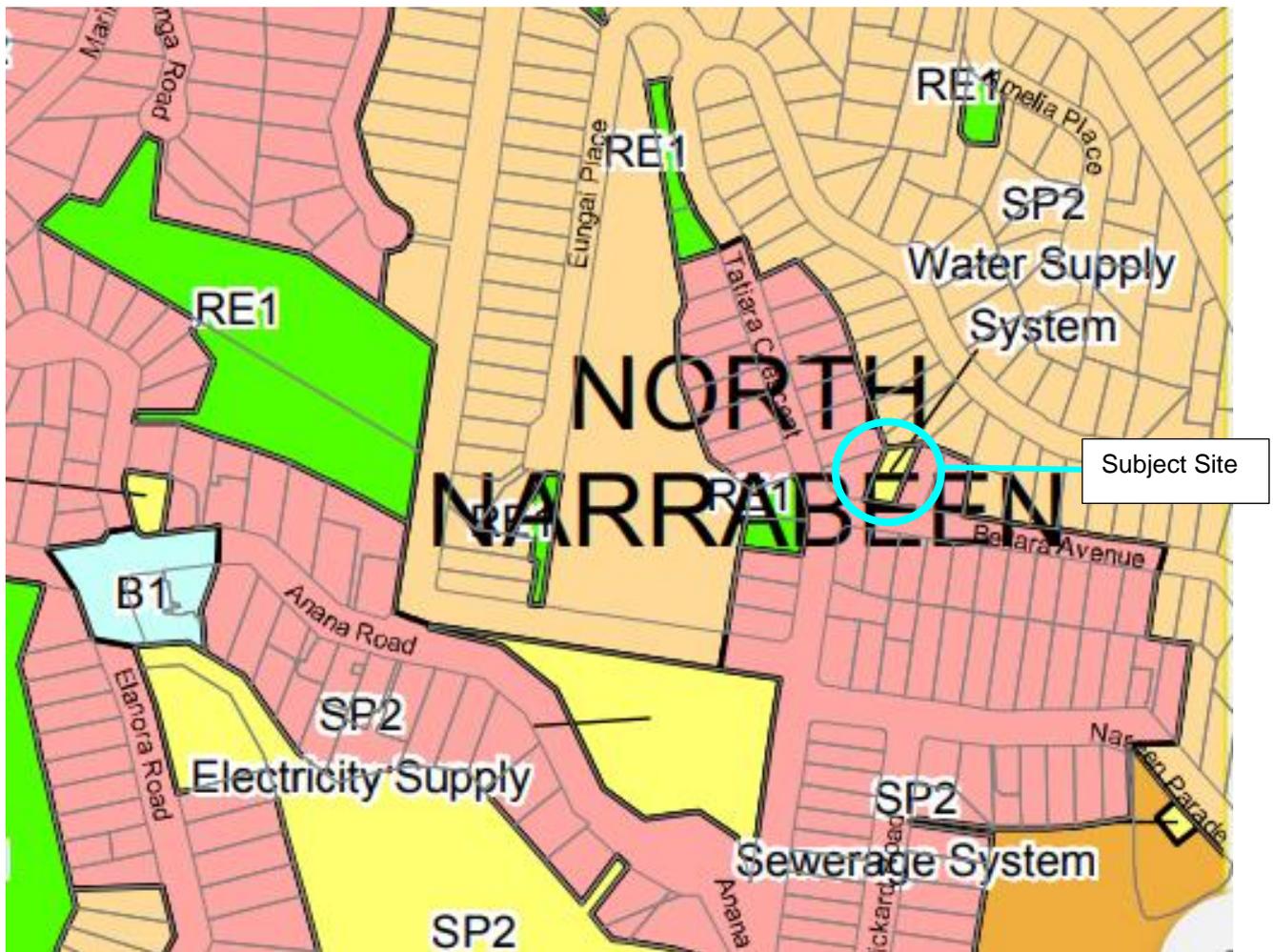


Figure 2 – Existing Zoning Map

The objectives of the SP2 Infrastructure zone are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

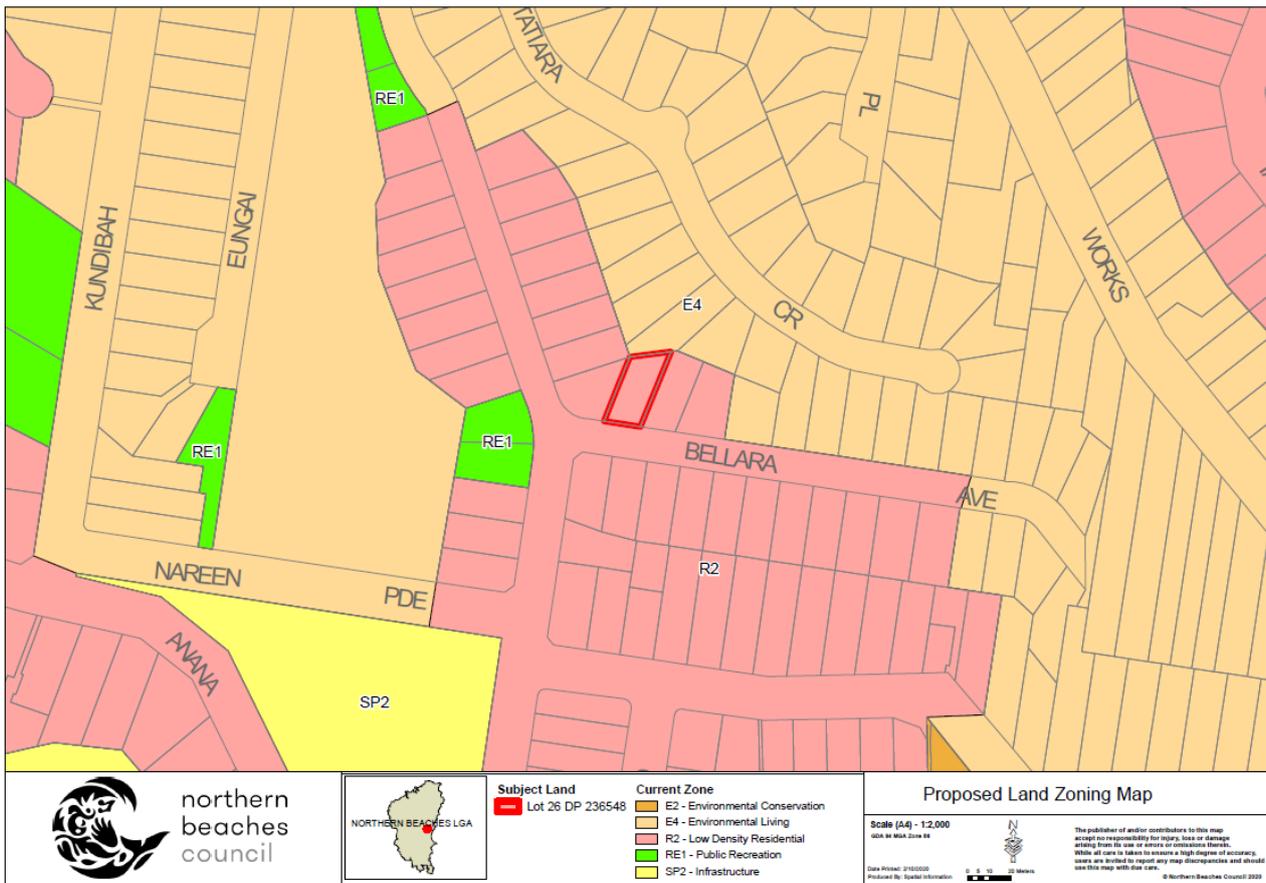


Figure 3 – Proposed Zoning Map

The Proposal

The Planning Proposal seeks to amend the planning controls within Pittwater LEP 2014 to rezone the site to enable development of this land for residential land uses. Specifically, the Planning Proposal seeks to:

- Change the zoning of the site from SP2 Infrastructure to R2 Low Density Residential.
- Apply a 550sqm minimum lot size to the site.

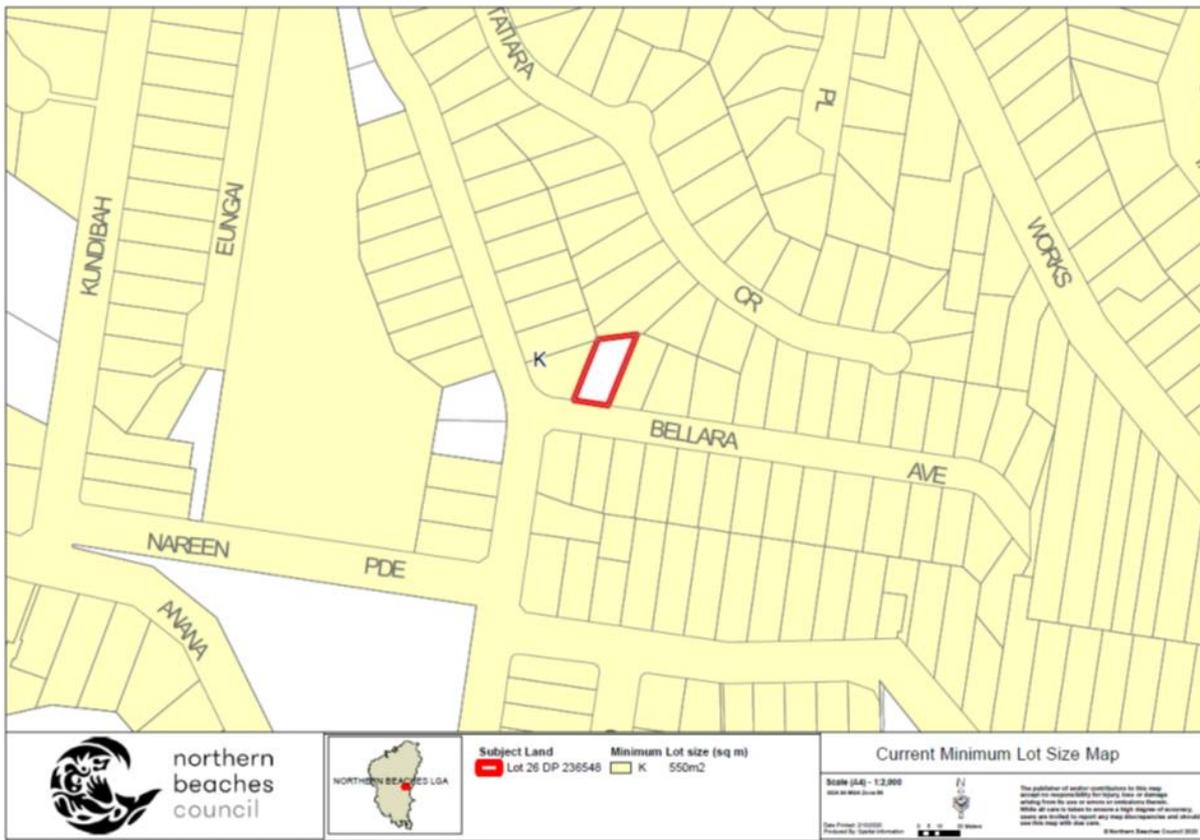


Figure 4 - Current Minimum Lot Size Map

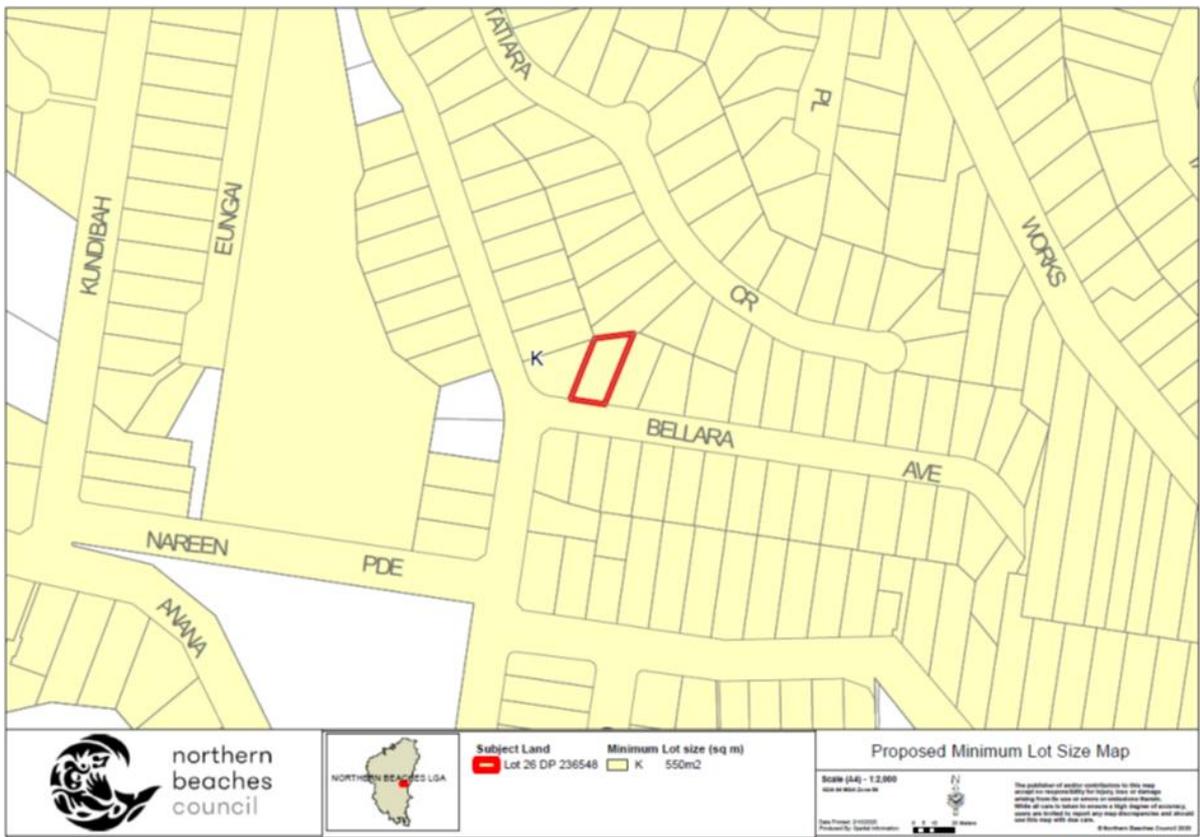


Figure 5 – Proposed Minimum Lot Size Map

Assessment of Planning Proposal

The following assessment is undertaken in accordance with the NSW Department of Planning, Industry and Environment's 'Planning Proposals: A Guide to Preparing Planning Proposals'.

Part 1 – Objectives or Intended Outcomes

The Planning Proposal seeks to amend the Pittwater LEP 2014 to change the zone of the subject site from SP2 Infrastructure to R2 Low Density Residential and to apply a 550sqm minimum lot size.

Part 2 – Explanation of Provisions

The following amendments to Pittwater LEP 2014 are proposed by the applicant:

1. Update Land Zoning Map (Sheet 013) to rezone the site from SP2 Infrastructure (Water Supply System) to R2 Low Density Residential to allow for the future residential development of the site.
2. Update Minimum Lot Size Map (Sheet 013) to apply a minimum lot size of 550sqm to the site.

Part 3 – Justification

Section A – Need for the Planning Proposal

1-Is the Planning Proposal a result of an endorsed Local Strategic Planning Statement, Strategic Study or report?

The Planning proposal is not the result of any endorsed Local Strategic Planning Statement, strategic study or report.

The Planning Proposal responds to a change in circumstances with the property being deemed surplus to demand by Sydney Water. Located within an established residential area, the proposal will give effect to the North District Plan, in particular Planning Priority N5 'Providing housing supply, choice and affordability, with access to jobs, services and public transport'.

Local Strategic Planning Statement

Towards 2040 Local Strategic Planning Statement (LSPS) came into effect on 26 March 2020. The LSPS aligns with the North District Plan and Greater Sydney Region Plan and acts as the link between strategic land use planning at the district level and the local statutory planning for the Northern Beaches LGA.

The proposal is consistent with the LSPS, with specific reference to the following priorities:

- Priority 2 – Protected and enhanced bushland and biodiversity.

The site contains existing vegetation which will remain protected under the existing Pittwater 21 DCP (The DCP). The preliminary arborists assessment confirms that future residential development of the site can be achieved with minimal impact on the existing vegetation or biodiversity. Future development of the site will be consistent with that of the adjoining residential development in terms of amenity and appearance.

- Priority 8 – Greater community resilience to natural hazards and climate change.

The site is partially affected by flooding and geotechnical hazards. The proposal has been accompanied by flood and geotechnical assessments which confirm the site can satisfy all relevant development controls and has sufficient area for the construction of residential development outside the extent of the natural hazards.

- Priority 15 – Housing supply, choice and affordability in the right locations.

The proposal will allow surplus Sydney Water land to be reallocated to infill residential development within an established residential neighbourhood with access to existing infrastructure and community facilities.

- Priority 16 – Access to quality social housing and affordable housing.

Whilst the planning proposal does not directly deliver social or affordable housing stock, it does contribute to the supply of additional residential zoned land which is one factor impacting housing affordability.

1. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. Amending Pittwater LEP 2014 and rezoning the land from SP2 – Infrastructure to R2 - Low Density Residential is considered the best means of achieving the objectives and outcome of the planning proposal. This will facilitate a redevelopment of the site for residential purposes.

Section B - Relationship to Strategic Planning Framework

2. Will the planning proposal give effect to the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategy?).

Greater Sydney Region Plan

The proposal has been reviewed against relevant outcomes of the Greater Sydney Region Plan 'A Metropolis of Three Cities'. The proposal is consistent with the broad Directions of the Plan, specifically the following:

- Objective 11 – Housing is more diverse and affordable.
- Objective 25 – the coast and waterways are protected and healthier.
- Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced.
- Objective 28 – Scenic and cultural landscapes are protected.
- Objective 30 – Urban tree canopy cover is increased.
- Objective 36 – People and places adapt to climate changes and future shocks and stresses.
- Objective 37 – Exposure to natural and urban hazards is reduced.

North District Plan

The proposal supports the North District Plan and an assessment of the strategic and site specific merit against this plan is outlined below.

- Planning Priority N5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport.

The proposal provides additional housing supply however, will have limited impact on addressing housing affordability given the single lot available for future residential development.

- Planning Priority N17 – protecting and enhancing scenic and cultural landscapes.

The site is surrounded by residential development. Future redevelopment of the site will be guided by the existing character of the area, relevant zone objectives and Pittwater 21 DCP controls in order to protect and enhance the scenic landscape of the area.

- Planning Priority N19 – Increasing urban tree canopy cover and delivering Green Grid Connections.

The Planning Proposal itself will not impact the tree canopy, however future redevelopment of the site for residential purposes may have the potential to impact upon existing trees on site. The applicant has submitted concept architectural plans and an arborist report to demonstrate that the site can be developed with the loss of only two existing trees.

- Planning Priority N22 – Adapting to the impacts of urban natural hazards and climate change.

The site is partially affected by flooding during a 1% AEP event. The applicant has submitted a flood report, prepared by Stellen Civil Engineering that confirms the site has sufficient space available for the construction of residential development outside the 1% AEP flood extent meeting all applicable flood related development controls.

b) Does the proposal have site - specific merit, having regard to the following?

<p>The natural environment (including known significant environmental values, resources or hazards).</p>	<p>The site is affected by flooding and geotechnical hazards. The applicant has provided evidence to confirm that future residential development on site can be appropriately sited outside and/or designed to address these hazards in accordance with relevant development controls.</p> <p>The risk of potential site contamination associated with Sydney Water use is considered low. Council will request the Department, as part of the Gateway Determination, require a preliminary contamination report prior to the commencement of the statutory exhibition of the Planning Proposal.</p> <p>The future redevelopment of the site is consistent with the adjoining and nearby residential area and all environmental and natural hazards can be satisfactorily addressed.</p>
<p>The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal.</p>	<p>The proposal is consistent with the existing and likely future development of the adjoining and nearby residential area.</p> <p>The proposed zone and proposed minimum lot size will be consistent with adjoining properties.</p>
<p>The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.</p>	<p>The site is currently vacant and surrounded by existing residential development. All necessary infrastructure and services are existing in the locality.</p>

The proposed R2 Low Density Residential is considered appropriate in its context. The site is affected by two sewer lines and a drainage channel with existing mature trees however, the applicant has demonstrated that an appropriate development outcome can be accommodated on the site within the existing site constraints.

3. Will the planning proposal give effect to a council's local strategy or other local strategic plan?

The planning proposal is consistent with the Northern Beaches Towards 2040 Local Strategic Planning Statement (LSPS), in particular Priorities 2, 8, 15 and 16 as outlined earlier in this report.

A review of the proposal against relevant Council policies and plans has been undertaken, including:

Dwelling Targets

Under the North District plan, Council has been assigned a target of 3,400 dwellings to 2021. The proposal will contribute to the overall dwelling target delivery.

Affordable and Appropriate Housing

This proposal is for a single residential allotment and is not considered urban renewal or greenfield development as identified in the policy. Given this, the 10% affordable housing target is not applicable to the proposal.

4. Is this Planning proposal consistent with applicable State Environmental Planning Policies?

Title of State Environmental Planning Policy (SEPP)	Applicable	Consistent
SEPP No. 19- Bushland in Urban Areas	N/A	N/A
SEPP No. 21 - Caravan Parks	N/A	N/A
SEPP No. 33 - Hazardous and Offensive Development	N/A	N/A
SEPP No. 36 - Manufactured Home Estates	N/A	N/A
SEPP No. 44 - (Koala Habitat Protection) 2019	N/A	N/A
SEPP No. 47 - Moore Park Showground	N/A	N/A
SEPP No. 50 - Canal Estate Development	N/A	N/A
SEPP No. 55 - Remediation of Land	Yes	Yes
SEPP No.64 - Advertising and Signage	N/A	N/A
SEPP No.65 - Design Quality of Residential Apartment Development	N/A	N/A
SEPP No.70 - Affordable Housing (Revised Schemes)	N/A	N/A
SEPP (Aboriginal Land) 2019	N/A	N/A
SEPP (Activation Precincts) 2020	N/A	N/A
SEPP (Affordable Rental Housing) 2009	Yes	Yes
SEPP (Building Sustainability Index: BASIX) 2004	Yes	Yes
SEPP (Coastal Management) 2018	N/A	N/A
SEPP (Concurrences and Consents) 2018	Yes	Yes
SEPP (Education Establishments and Child Care Facilities) 2017	N/A	N/A
SEPP (Exempt and Complying Development Codes) 2008	Yes	Yes
SEPP (Gosford City Centre) 2018	N/A	N/A
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	Yes
SEPP (Infrastructure) 2007	Yes	Yes
SEPP (Kosciuszko National Park – Alpine Resorts)	N/A	N/A

Title of State Environmental Planning Policy (SEPP)	Applicable	Consistent
2007		
SEPP (Kurnell Peninsula) 1989	N/A	N/A
SEPP (Major Infrastructure Corridors) 2020		
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	N/A
SEPP (Miscellaneous Consent Provisions) 2007	N/A	N/A
SEPP (Penrith Lakes Scheme) 1989	N/A	N/A
SEPP (Primary Production and Rural Development) 2019	N/A	N/A
SEPP (State and Regional Development) 2011	N/A	N/A
SEPP (State Significant Precincts) 2005	N/A	N/A
SEPP (Sydney Drinking Water Catchment) 2011	N/A	N/A
SEPP (Sydney Region Growth Centres) 2006	N/A	N/A
SEPP (Three Ports) 2013	N/A	N/A
SEPP (Urban Renewal) 2010	N/A	N/A
SEPP (Vegetation in Non-Rural Areas) 2017	Yes	Yes
SEPP (Western Sydney Employment Area) 2009	N/A	N/A
SEPP (Western Sydney Parklands) 2009	N/A	N/A
SEPP (Western Sydney Aerotropolis) 2020	N/A	N/A

5. Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The Planning Proposal is consistent with applicable Ministerial Directions, including:

- **Direction 2.6 Remediation of Contaminated Land**

Council will require a preliminary contamination report to be submitted by the proponent after a Gateway Determination has been issued and prior to commencement of the statutory exhibition of the Planning Proposal.

- **Direction 3.1 Residential Zones**

The proposal is consistent with the objectives of Ministerial Direction 3.1 Residential Zones as it will make efficient use of existing infrastructure and services and minimise the impact of residential development on the environment and resource lands.

- **Direction 3.4 Integrating Land Use and Transport**

The site's location within an established residential area with access to public transport and existing infrastructure achieves the objectives of this Direction.

- **Direction 4.3 Flood Prone Land**

The site is in the Low Risk Flood precinct. As the Planning Proposal seeks to achieve residential land use, which is not categorised as 'vulnerable development', the proposal is consistent with this Direction.

- **Direction 6.2 Reserving Land for Public Purposes**

In accordance with Pittwater Local Environmental Plan 2014 the land is not identified for acquisition and the property has been deemed surplus to demand by Sydney Water, therefore the Planning Proposal is consistent with this Direction.

- **Direction 6.3 Site Specific Provisions**

The Planning Proposal does not include any unnecessarily restrictive site specific planning controls and is therefore consistent with this Direction.

- **Direction 7.1 Implementation of A Plan for Growing Sydney**

The Planning Proposal responds to a change in circumstances with the property being deemed surplus to demand by Sydney Water. It is consistent with this Direction by giving effect to the planning principles, directions and priorities of the North District Plan.

CONSULTATION

Council placed the applicant's Planning Proposal on non-statutory public exhibition in accordance with the Northern Beaches Community Participation Plan from 2 September 2020 to 16 September 2020. Notification included:

- Letters to land owners and occupiers adjoining the subject site
- Electronic copies of the exhibition material on Council's website
- Emails to registered community members who have listed their interest on Council's Community Engagement Register.

One submission was received in response to the public exhibition period. The submission raised only one issue relating to access arrangements to 47 Tatiara Crescent, which contains Sydney Water infrastructure:

Sydney Water assets are installed on our property 47 Tatiara Crescent and adjacent 4 Bellara Ave. These assets include 1 x lamp hole + 1 x maintenance hole + sewer mains approx 8m in one direction + 20m in another at the boundary line. Sydney Water assets are also located on 4 Bellara Ave.

My concern is that development of 4 Bellara Ave. will adversely impact serviceability of Sydney Water assets for these properties. When Sydney Water have serviced these assets in the past, access has been at 4 Bellara and onto 47 Tatiara.

Access arrangements to Sydney Water infrastructure is prescribed under the Sydney Water Act 1994. While access through Sydney Water's property at 4 Bellara Ave, North Narrabeen has historically provided convenient access to service infrastructure on the neighboring property, this is not considered a reason to oppose the Planning Proposal as appropriate access arrangements are already in place.

Agency referrals

The Planning Proposal was not referred to any state agencies for comment. This will occur following a Gateway decision.

Internal referrals

Referrals were sent to a range of Northern Beaches Council business units requesting advice on the following matters:

- Transport and traffic
- Aboriginal heritage
- Bushland and biodiversity
- Contaminated land

- Flooding and geotechnical hazards

Comments received have been incorporated into the assessment of the Planning Proposal (see attachment).

No internal referrals raised issues or concerns in regard to progressing the Planning Proposal to gateway.

TIMING

It is anticipated that the timeframe for the completion of the Planning Proposal is approximately 10 – 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 exhibition.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- 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.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council.

The assessment of the Planning Proposal is funded by the prescribed Planning Proposal fee as set out in Councils Fees and Charges 2020/21 and does not have an adverse impact on Council's budget.

SOCIAL CONSIDERATIONS

The Planning Proposal is not anticipated to have any adverse social impacts given the site is located within an established residential locality, with access to existing infrastructure and facilities.

ENVIRONMENTAL CONSIDERATIONS

The environmental considerations associated with the Planning Proposal relate to retention of significant trees on site, flood affectation and geotechnical hazards. The application has provided a range of reports and information addressing these considerations and demonstrating, in principle, that a development outcome can be achieved without adverse environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

The Planning Proposal is not anticipated to have any governance or risk implications.

ITEM 12.3	FIRE & RESCUE NSW INSPECTION REPORT - 48A CONSUL ROAD, BROOKVALE
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2020/675738
ATTACHMENTS	1 ↓ Fire and Rescue New South Wales Inspection Report dated 3 September 2020 - 48A Consul Road, Brookvale
	2 ↓ Draft Environmental Planning and Assessment Notice of Intention to Issue a Fire Safety Audit Order - 48A Consul Road Brookvale

SUMMARY

PURPOSE

Council has received an inspection report from Fire & Rescue NSW (FRNSW) as shown in Attachment 1, in relation to 48a Consul Road, Brookvale.

FRNSW has powers under Section 9.32 of the Environmental Planning and Assessment Act 1979 (EP&A Act) to carry out inspections of buildings and is required to forward its findings and recommendations to Council.

Following Council's Fire Safety Officer's investigation into the matter, this report recommends that a Fire Safety Order No.1 be issued to ensure that adequate fire safety systems are provided to the property.

EXECUTIVE SUMMARY

FRNSW has powers under Section 9.32 of the Environmental Planning and Assessment Act 1979 (EP&A Act) to carry out inspections of buildings and is required to forward its findings and recommendations to Council.

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

Council's Fire Safety Officers have investigated the matter raised by FRNSW and recommend that a Fire Safety Order No.1 is issued to ensure that adequate fire safety systems are provided.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. In accordance with the Environmental Planning and Assessment Act 1979, exercise its powers to issue a Fire Safety Order No.1 to address the identified fire safety deficiencies at 48a Consul Road Brookvale.
 2. Provide notice to Fire & Rescue NSW of this determination.
-

REPORT

BACKGROUND

Council received an inspection report from Fire & Rescue NSW dated 3 September 2020 in relation to 48a Consul Road, Brookvale (Residential Apartment Complex known as The Kilns), as shown in Attachment 1 of this Report.

Part 8 of Schedule 5, section 17 (2), (3) and (4) of the *Environmental Planning and Assessment Act 1979* requires Council to table such reports and any recommendations made at the next meeting of Council.

Council is also to determine whether to issue a Fire Safety Order pursuant to section 9.34 and Part 2, Schedule 5 of the EP&A Act.

FRNSW conducted an inspection of the building on 12 August 2020 and the following items of concern were identified during the inspection:

1. *Essential Fire Safety Measures*

1A. *Fire Hydrant System*

- A. *The majority of the fire hydrant system cannot be used by FRNSW to combat a fire at 'the premises'. It appears the system has been designed for aesthetic purposes rather than functionality. In this regard:*
- a. *Multiple hydrants are installed at the rear of Building A & B, and on the most northern slope of the site.*
 - b. *These hydrants are accessed via a grassed area which was soggy under foot following rainfall and at the time of inspection was considered inadequate to support a FRNSW Pumper with GVM 15,000kg to travel on. Please refer to Part 6.2 of FRNSW guideline, Access for fire brigade vehicles and firefighters1*
 - c. *The hydrants above are not within 50m metres of a hardstand contrary to the requirements Clause 3.2.2.2 (c) of AS2419.1-2005.*
- B. *Other observations*
- i. *Numerous fire attack hydrants are obstructed by vegetation contrary to the requirements of 3.2.2.2(g) of Australian Standard (AS) 2419.1-2005.*
 - ii. *Multiple fire attack hydrants throughout 'the premises' are installed at a height less than 750mm above ground level contrary to the requirements of Clause 3.5.1(a) of AS 2419.1-2005.*
 - ii. *The fire brigade booster assembly is installed on a 30° natural earth slope covered in leaf litter and obstructed by a tree contrary to the requirements of Clause 7.3. of AS 2419.1-2005.*
 - iv. *A block plan has not been installed at the fire brigade booster assembly contrary to the requirements of Clause 7.11 of AS 2419.1-2005.*
 - v. *Boost pressure and test pressure signage has not been installed at the fire brigade booster assembly contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.*
- C. *The door to the fire hydrant pump room was not fitted with a 003 lock compatible with FRNSW access key, therefore access was not available at the time of inspection.*

1B. *Automatic Sprinkler System*

- A. *Signage has not been installed to identify the sprinkler booster assembly contrary to the requirements of Clause 4.4.3 of AS 2118.1-1999.*
- B. *A sign marked with the maximum allowable inlet pressure was not provided at the sprinkler booster assembly contrary to the requirements of Clause 4.4.3 of AS 2118.1-1999.*
- C. *It appears the street hydrant required to serve the sprinkler booster assembly has been covered during road resurfacing.*
 - i. *FRNSW submitted a report to Sydney Water regarding this matter.*

1C. *Access and Egress*

- A. *An unobstructed path of travel has not been provided from the fire exit at the rear of the carpark adjacent to car space no. four (4), in accordance with Clause D1.10 of the National Construction Code 2019 Volume One, Building Code of Australia (NCC). In this regard, the fire exit discharges to an external set of stairs and then into vegetation covered earth slope.*

2. *Generally*

2A. *Certification*

- A. *An Annual Fire Safety Statement was not displayed at the premises contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000.*

2B. *Emergency Assembly Area*

- A. *FRNSW advised the complainant to address their concerns regarding an Emergency Assembly Area with the Strata Committee.*

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building and the FRNSW inspection report recommended that Council inspect the building to address items No.1 and 2 of the Report.

Council staff inspected the property on 9 September 2020 to investigate the issues raised by FRNSW, and concur with the opinion of FRNSW that the fire safety and egress provisions are inadequate for the building. Accordingly, a Fire Safety Order number 1 is recommended to be issued, requiring the owners to address the matters listed in the FRNSW Report. A Draft Notice of the Proposed Order is provided at Attachment 2.

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 recommendations of this report pose no financial impact on Council.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

Unclassified



File Ref. No: BFS20/1556 (11590)
TRIM Ref. No: D20/70589
Contact: Qualified Firefighter Kristy Buckpitt

3 September 2020

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

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

Attention: Manager Compliance/Fire Safety

Dear Sir Madam,

**Re: INSPECTION REPORT
'THE KILNS'
48A CONSUL ROAD BROOKVALE ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 22 May 2020, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *As well as the review of Exit Signs etc, there is no Emergency Assembly Area /Point and also requirements to meet the Emergency Management Standard AS 3745 2010 for facilities.*
- *We would need to be advised of the Emergency Management requirements for the KILNS SITE.*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 12 August 2020 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.

Unclassified

Unclassified

- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

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

COMMENTS

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

1A. Fire Hydrant System

A. The majority of the fire hydrant system cannot be used by FRNSW to combat a fire at 'the premises'. It appears the system has been designed for aesthetic purposes rather than functionality. In this regard:

- a. Multiple hydrants are installed at the rear of Building A & B, and on the most northern slope of the site.
- b. These hydrants are accessed via a grassed area which was soggy under foot following rainfall and at the time of inspection was considered inadequate to support a FRNSW Pumper with GVM 15,000kg to travel on. Please refer to Part 6.2 of FRNSW guideline, [Access for fire brigade vehicles and firefighters¹](#)
- c. The hydrants above are not within 50m metres of a hardstand contrary to the requirements Clause 3.2.2.2 (c) of AS2419.1-2005.

B. Other observations

- i. Numerous fire attack hydrants are obstructed by vegetation contrary to the requirements of 3.2.2.2(g) of Australian Standard (AS) 2419.1-2005.
- ii. Multiple fire attack hydrants throughout 'the premises' are installed at a height less than 750mm above ground level contrary to the requirements of Clause 3.5.1(a) of AS 2419.1-2005.

¹ https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/vehicle_access.pdf

Unclassified

- iii. The fire brigade booster assembly is installed on a 30° natural earth slope covered in leaf litter and obstructed by a tree contrary to the requirements of Clause 7.3. of AS 2419.1-2005.
 - iv. A block plan has not been installed at the fire brigade booster assembly contrary to the requirements of Clause 7.11 of AS 2419.1-2005.
 - v. Boost pressure and test pressure signage has not been installed at the fire brigade booster assembly contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.
- C. The door to the fire hydrant pump room was not fitted with a 003 lock compatible with FRNSW access key, therefore access was not available at the time of inspection.

1B. Automatic Sprinkler System

- A. Signage has not been installed to identify the sprinkler booster assembly contrary to the requirements of Clause 4.4.3 of AS 2118.1-1999.
- B. A sign marked with the maximum allowable inlet pressure was not provided at the sprinkler booster assembly contrary to the requirements of Clause 4.4.3 of AS 2118.1-1999.
- C. It appears the street hydrant required to serve the sprinkler booster assembly has been covered during road resurfacing.
 - i. FRNSW submitted a report to Sydney Water regarding this matter.

1C. Access and Egress

- A. An unobstructed path of travel has not been provided from the fire exit at the rear of the carpark adjacent to car space no. four (4), in accordance with Clause D1.10 of the National Construction Code 2019 Volume One, Building Code of Australia (NCC). In this regard, the fire exit discharges to an external set of stairs and then into vegetation covered earth slope.

2. Generally

2A. Certification

- A. An Annual Fire Safety Statement was not displayed at the premises contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000.

Unclassified

2B. Emergency Assembly Area

- A. FRNSW advised the complainant to address their concerns regarding an Emergency Assembly Area with the Strata Committee.

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

RECOMMENDATIONS

FRNSW recommends that Council:

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

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

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Qualified Firefighter Kristy Buckpitt of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS20/1556 (11590) for any future correspondence in relation to this matter.

Yours faithfully



Paul Scott
Team Leader Fire Safety Compliance
Fire Safety Compliance Unit

DRAFT**NORTHERN BEACHES COUNCIL****NOTICE OF INTENTION TO GIVE A DEVELOPMENT
CONTROL ORDER**

*Under The Environmental Planning and Assessment Act, 1979 (NSW)
Section 9.3, Schedule 5 PART 2 (FIRE SAFETY ORDER NO: 1)*

DATE:	TBA
TO WHOM:	THE OWNERS OF SP 77600
PREMISES:	48A CONSUL ROAD BROOKVALE

You are hereby given **Notice of intention** to issue an **Order No 1** pursuant to schedule 5, part 2 of the *Environmental Planning and Assessment Act, 1979 (NSW)* (the 'Act') that the Northern Beaches Council, as the appropriate authority under the Act, has been made aware that provisions for fire safety awareness are not adequate to prevent fire, suppress fire or prevent the spread of fire or ensure or promote the safety of persons in the event of fire on the above premises.

Prior to the Order being given you may make representations to Council's Fire Safety Specialist on or before (date TBA)

- (1) why the Order should not be given;
- (2) the terms of the Order;
- (3) the period of compliance with the Order.

In making representations you may be represented by a barrister, solicitor or agent. Alternatively, you may ignore this Notice and an Order will be given either in the same terms as intended or with modified terms.

DESCRIPTION OF THE ORDER THE COUNCIL INTENDS TO GIVE:**ORDER NO. 1****TO DO WHAT:**

1. Engage the services of a Registered Building Surveyor (unrestricted or all classes of buildings) or Registered Fire Safety Certifier accredited under NSW Fair Trading to carry out a Fire Safety Audit of the premises to address item No.1 and No.2 from the Fire and Rescue NSW (F&RNSW) Inspection Report dated 3 September 2020. The Audit is to be based on inspection(s) of the property in terms of the deemed-to-satisfy fire safety



provisions of the Building Code of Australia (BCA). A list of Accredited Certifiers can be found at <https://search.bpb.nsw.gov.au/PublicRegister/RegistrationSearch.aspx>

2. Having regard to the Fire Safety Performance Requirements of the Building Code of Australia, the **suitably qualified Registered Building Surveyor or Registered Fire Safety Certifier** is to incorporate the results of the Fire Safety Audit of the premises into a Report, Strategy and Recommendations in order to provide an adequate provision of fire safety to prevent fire, suppress fire, prevent the spread of fire and ensure or promote the safety of persons in the event of fire.
3. A Schedule of existing and proposed Essential Fire Safety measures including their Standard of Performance must be included in the Strategy.
4. The Report and Recommendations must be submitted to Council for its consideration and approval prior to implementation of any proposed works.
5. A proposed timetable of works is to accompany the Recommendations.
6. Any BCA performance based solutions prepared by other stakeholders to address fire safety matters in the premises must be fully reviewed by the suitably qualified Registered Building Surveyor or Registered Fire Safety Certifier accepted, incorporated and annexed into the final **BCA Fire Safety Audit Report**.

REASONS FOR THE ORDER: (Schedule 5, Part 4, clause 5 of the Act)

Council and NSW Fire & Rescue has been made aware that the existing provisions for fire safety or fire safety awareness are not adequate to prevent fire, suppress fire or prevent the spread of fire or ensure the safety of persons in the event of fire.

PERIOD OF COMPLIANCE WITH THE ORDER

Within Ninety (90) days. (Submission of Fire Safety Audit to Council)

FAILURE TO COMPLY WITH THE ORDER

OFFENCE

It is an offence against the *Environmental Planning and Assessment Act 1979* (NSW) not to comply with any Order: see Part 9, of Division 9.3, Clause 9.37 of the *Environmental Planning and Assessment Act 1979* (NSW). In the event that an Order is issued and you do not comply, Council may issue penalty infringement(s) or commence Court Proceedings to compel compliance and / or undertake a criminal prosecution.

PENALTY

The maximum penalty for non-compliance with this order is (a) in case of a corporation \$5 million, and for a continuing offence a further \$50,000 for each day the offence continues; or (b) in the case of an individual \$1 million, and for a continuing offence a further \$10,000 for each day the offence continues: see Part 9, Division 9.6, Clause 9.52 of the *Environmental Planning and Assessment Act 1979* (NSW).

EXECUTION OF ORDER BY COUNCIL

If you fail to comply with the terms of an Order Council may do all such things as are necessary or convenient to give effect to the terms of the Order, including the carrying out of any work required by the Order, and may, among other things, recover from you the costs incurred by Council in so doing: see Part 11, Clause 34 of Schedule 5 of the *Environmental Planning and Assessment Act 1979*.



COMPLIANCE COSTS

Schedule 5 Part 12 of the EP&A Act 1979 and clause 281C of the Environmental Planning and Assessment Regulation 2000 allows **compliance cost notices** to be issued by Council to you in respect to all or any reasonable costs or expenses incurred by Council in connection with:

- (a) monitoring action under the order, and
- (b) ensuring that the order is complied with, and
- (c) any costs or expenses relating to an investigation that leads to the giving of the order, and
- (d) any costs or expenses relating to the preparation or serving of the Notice of intention to give an order, and
- (e) any other matters associated with the Order.

RIGHT OF APPEAL AGAINST ORDER

If you wish to appeal against an Order you must appeal to the **Land and Environment Court**, Level 4, 225 Macquarie Street, Sydney NSW 2000, within **28 days** after the service of the Order on you: see Part 8, Division 8.5, Clause 8.18 of the *Environmental Planning and Assessment Act 1979*.

Troy Sullivan
Senior Building Surveyor (Fire Safety)

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	OUTCOME OF PUBLIC EXHIBITION OF PROPOSED NAMING OF SOUTH CURL CURL BOARDWALK AFTER HARRY ELLIFFE
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2020/636517
ATTACHMENTS	1 Community Engagement Report - Naming Proposal - Harry Elliffe 2 Map of South Curl Curl Boardwalk Location

SUMMARY

PURPOSE

To report on the outcomes of the public exhibition to name the boardwalk below Carrington Parade at South Curl Curl, as 'Harry Elliffe Way'.

EXECUTIVE SUMMARY

On 28 July 2020 Council resolved to place a proposal to name the South Curl Curl boardwalk after Harry Elliffe on public exhibition, in recognition for his community contribution. The walk commences at the car park above South Curl Curl rock pool and terminates where the stairs meet Lumsdaine Drive opposite Harbord Diggers (See map attached).

Harry Elliffe was nominated in acknowledgment for his tireless efforts to restore the coastal foreshore and lagoon at Curl Curl.

The proposal was exhibited between 14 September and 11 October 2020. There were 145 submissions in support of the proposal, 23 objections, nine neutral and one 'prefer not to say'. A summary of submissions and responses is attached to the report (attachment 1).

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council resolves to name the South Curl Curl boardwalk 'Harry Elliffe Way' in recognition of Harry Elliffe's community contributions.

REPORT

BACKGROUND

For all naming requests Council refers to its 'Naming our Reserves, Facility and Roads Policy'. This Policy is guided by the Geographical Names Board (GNB) guidelines and includes undertaking public consultation with the community prior to renaming. The GNB is responsible for the administration of place names within NSW, in accordance with the Geographical Names Act 1996.

However, there are exceptions for the naming of facilities within an officially assigned reserve. This boardwalk is located within Mackillop Park, South Curl Curl. The process for considering naming of Council facilities is as follows:

- Council resolve to propose naming request for public exhibition.
- Council exhibit a proposal for community feedback.
- Council consider community feedback and resolve.
- Council to notify to the GNB of the name change.

Council resolved on 28 July 2020, to place the naming proposal on public exhibition. The proposed name was 'Harry Elliffe Way'

The proposal acknowledges Harry Elliffe, an environmental crusader of the Northern Beaches community, dedicating over thirty years tirelessly maintaining the vegetation adjacent to the boardwalk along Carrington Parade, and working with the Curl Curl Lagoon Friends to restore the lagoon in John Fisher Park back to health.

Mackillop Park is the officially assigned reserve that this boardwalk sits upon and locals occasionally refer to the boardwalk as Fishermans Walk, however this name has not been formalized with the GNB.

The consultation period was between 14 September and 11 October 2020, concluding with 178 submissions (attachment 1).

In summary, 145 responses (81 percent) supported the naming proposal of the boardwalk at South Curl Curl, 'Harry Elliffe Way'. Several commented this would be a fitting tribute to Harry's dedication and volunteering efforts to local bush regeneration projects.

Thirteen percent of the submissions received (23 submissions) opposed the proposal for various reasons. Majority of the comments indicated a preference to a geographic name identifying its location (such as South Curl Curl boardwalk) or an Aboriginal name to acknowledge the traditional custodians of the local area.

Neutral and prefer not to say submissions made up 6% (10 submissions).

Only one submission referenced the local name 'Fishermans Walk' holding a neutral opinion on the proposal, however commented 'Would prefer to name it as all the locals now call it, Fisherman's Walk'

Overall, it was considered that the proposal is suitable recognition of Harry Elliffe's contribution to Curl Curl and the community.

CONSULTATION

The proposal was exhibited online between 14 September and 11 October 2020. Community Engagement was advertised in Council's Community Engagement newsletter, Council eNews and signs along the walkway throughout the duration of the exhibition.

TIMING

Council will then update references to the boardwalk where relevant, such as the webpage and signage at the location to acknowledge Harry Elliffe.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and Belonging - Goal 10: Our community is stimulated through a diverse range of cultural, creative activities and events.

FINANCIAL CONSIDERATIONS

Council will install a sign to acknowledge the name of the facility, funded from Parks & Recreation operational budget.

SOCIAL CONSIDERATIONS

The naming of the South Curl Curl boardwalk, in honor of Harry Elliffe, recognises and celebrates the significant contribution he made to our local community.

ENVIRONMENTAL CONSIDERATIONS

The naming of the boardwalk is not considered to have any environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

Naming of facilities does not require formal approval of the GNB, however they will be notified to ensure that the name, position and origin is recorded in their digital database



Community and Stakeholder Engagement Report Naming proposal – South Curl Curl boardwalk (Stage 1 of 1)

Impact level: Four (local)

Report date: 14 October 2020

Contents

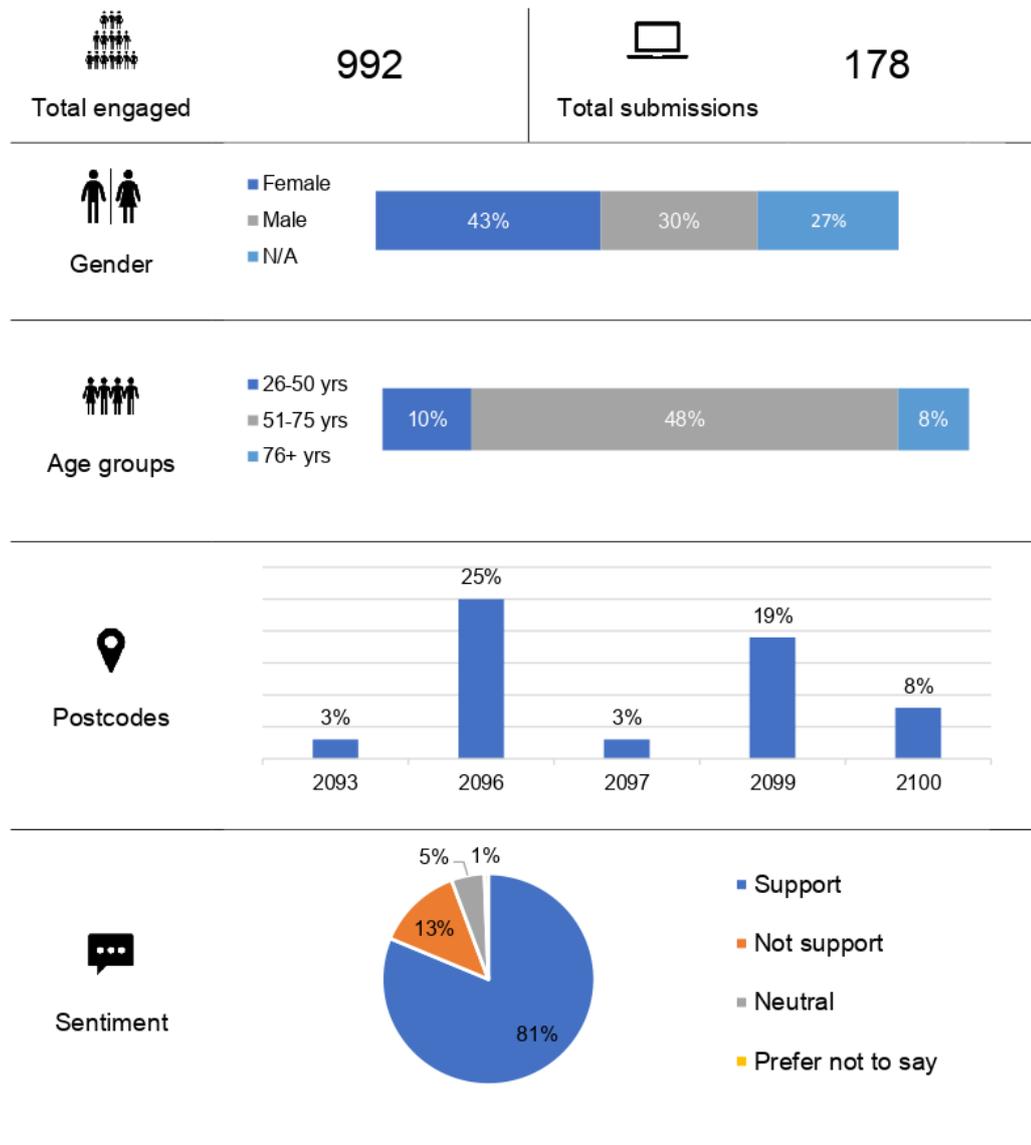
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1. Summary¹

This report outlines the community and stakeholder engagement conducted as part of the project proposed naming of the boardwalk at South Curl Curl. Overall, the majority of the feedback supported naming the boardwalk at South Curl Curl, Harry Elliffe Way.

Comments were open to the public between 14 September to 11 October 2020.

1.1. Who we engaged



¹ Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

1.2. How we engaged

	Visitors: 992	Visits: 1,143
Your Say		
	Community Engagement Newsletter: 2	Distribution: 21,000
Electronic Direct Mail (EDMs)	Council E-News: 2	Distribution: 155,000
	Signs on-site: Yes	Number: 2
Print media and collateral		

2. Background

A Notice of Motion was submitted by Councillor Heins at a meeting on 28 July 2020, requesting Council undertake community engagement on a proposal to name the boardwalk, from South Curl Curl beach to Lumsdaine Drive, Freshwater, Harry Elliffe Way, in acknowledgement of Harry Elliffe's efforts to restore the natural vegetation along the coastal foreshore and lagoon at Curl Curl.

Community engagement for the naming proposal for the South Curl Curl boardwalk project was planned, implemented and reported in accordance with Council's [Community Engagement Matrix](#) (2017).

2.1. Engagement objectives

- Provide accessible information so community and stakeholders can participate in a meaningful way (inform).
- Identify community and stakeholder concerns, local knowledge and values (consult).
- Build community and stakeholder awareness of the project and the opportunity to provide comments (consult).

3. Key findings

Overall, the majority of the feedback (81 percent) supported naming the boardwalk at South Curl Curl, Harry Elliffe Way. Most of the comments thought that the naming proposal was a fitting tribute to Harry's dedication and volunteering efforts to local bush regeneration projects.

Thirteen percent of the comments received (13 percent) did not support the proposal for various reasons. Some preferred to maintain the current name indicating the location (ie., South Curl Curl boardwalk) or an Aboriginal name to acknowledge the local indigenous

heritage. Other comments thought a commemorative plaque with a description of Harry's contribution would be more appropriate than naming a boardwalk.

4. Appendix - Verbatim responses received online²

No.	Comment
1	A completely proper warranted and commendable proposal. 100% for it!
2	A deserved recognition
3	A fitting tribute to a dedicated man
4	a fitting tribute to a worthy recipient.
5	A fitting tribute to the quiet, constant bush carer whose efforts live on to bring joy to the observant.
6	A neighbour for 40 years totally committed to the environment and well deserving of this recognition.
7	A nice idea
8	A suitable way to acknowledge volunteers that contribute to improving our local habitat
9	A very good choice of name.
10	A wonderful way to honour someone who spent so much time protecting and caring for our ever endangered environment.
11	A worthy name!
12	An excellent proposed name for the Walk. Harry is/was very well known for his bush care throughout this area over many years, and was a gentle kind well respected person. A great proposal! (please ensure that the boardwalk is not named "the bloody dog Walk" Just kidding)
13	Better to call it Harry's Boardwalk- much easier
14	Could it be a joint name ? Harry's as a modern day custodian and a traditional custodian's name as well?
15	Couldn't go to a more deserving person
16	CURL CURL BOARDWALK THEN PEOPLE KNOW EXACTLY WHAT AND WHERE IT IS
17	Excellent
18	Excellent idea. A fitting tribute to a man who tirelessly served his community.
19	Fantastic idea for a wonderful man. Very appropriate.
20	fantastic idea he was such a legend
21	Generations to come will benefit from the work of people such as Harry and we should recognise and appreciate their efforts
22	Good idea!
23	Good deeds recognised
24	Great citizen, a real commitment to the environment.
25	Great idea to recognise a community minded local for his efforts
26	Great idea. Wonderful man who spent lots of time working on the greenery around the walkway We saw him often
27	Great idea.
28	Great suggestion!
29	Great to name the boardwalk after a local who has done so much for the community

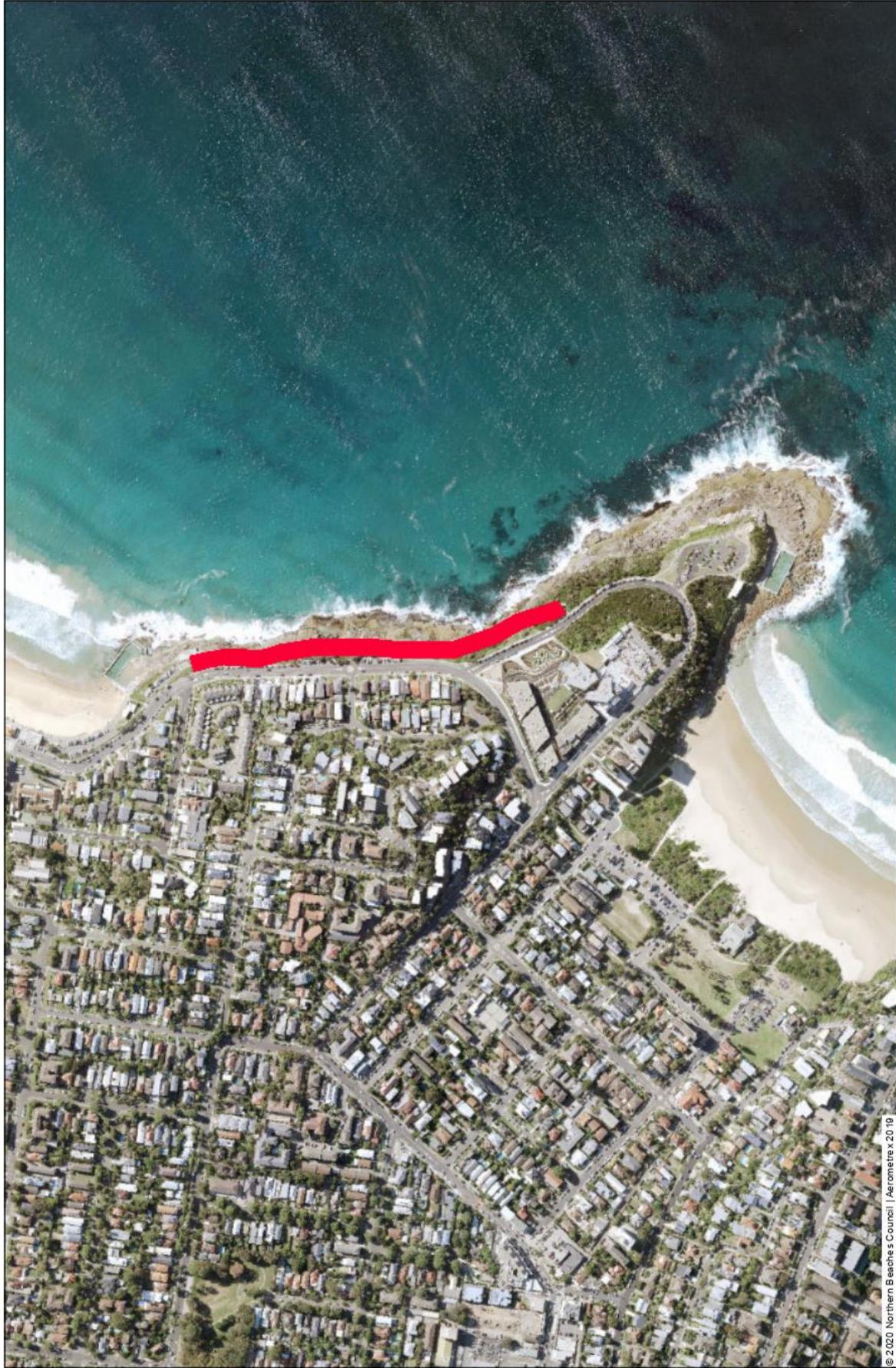
² Comments are published as verbatim and inclusive of spelling and grammatical errors. Clear spelling errors that may be misinterpreted are highlighted with (*sic*). Some minor formatting is corrected by Council staff. Personal details have been redacted.

No.	Comment
30	Great to recognise Harry Elliffe's contribution to the enhancement of this area where I now live!
31	Harry deserves to be recognised for this. I used to see him EVERY Thursday sitting down weeding alongside the boardwalk
32	Harry did more than care about the natural environment. He actively worked to maintain and improve it and in a gentle way persuaded others in the community to join him.
33	Harry Elliffe may have been a great guy and I respect that. However, calling it the South Curl Curl Boardwalk describes clearly where it is and what it is
34	Harry Elliffe was passionate about the environment and devoted many hours of voluntary work to the cause. He was an asset to the community and his significant contribution, including bush regeneration, has greatly improved our local environment. Harry is very deserving of having the boardwalk at South Curl Curl named after him.
35	Harry has been a neighbour of mine for over 20 years, I had the good fortune of working with him to improve our green spaces around our homes. He was an inspiration, with a focus on improving green spaces, close to home and for the whole world. I think it would be highly appropriate to name the board walk after him, to honour his Kiwi origin, I suggest "track" instead of way.
36	Harry has done quite a fair bit for the community up into his early 90s. He has deserved the recognition. RIP Harry
37	Harry has received recognition for his invaluable contribution to the fore shore. Now it's appropriate to recognise the contribution of the first custodians of the land. Allow them to choose a name for the walk.
38	Harry is amazing man with a great love for anything living. He was living proof that you dont really have to go out of your way for your community. There is really no man like him and im proud to call him "grandpa".
39	Harry was a great engineer looking after Warringah's road network. His legacy continues today with his work from the past.
40	Harry was a hard worker for the community and I often spoke to him when he was out gardening at curl curl lagoon, he deserves to be remembered by the community.
41	Harry was a local legend as a tireless crusader for preserving the local green spaces and bush. I wholeheartedly support the proposal to name the South Curly boardwalk after Harry.
42	Harry was a resident of Coastwatchers, at [REDACTED] where I also reside. He loved to see everyone enjoying the fruits of his labour along the boardwalk out the front of where he lived. Harry put his heart and soul into this community and now we are blessed to enjoy his legacy. During these harsh and restrictive COVID-19 times, we are still able to walk outdoors in the fresh sea air and enjoy the scenery - the vegetation, spring flowers both on the boardwalk and at Curl Curl Lagoon. Thank you Harry, I can't think of a more fitting name for the boardwalk. So deserved.
43	Harry was a true local hero!
44	Harry was an inspiring true gentleman whose outstanding commitment to the environment deserves to be recognised in this way .
45	Harry was central to the vision of this area and is central to its current ecological condition and beauty.
46	Have heard about Harry and his hard work via a friend in Curl Curl Lagoon Friends.
47	He seems like an excellent choice
48	He sounds a worthwhile chap to name the path after

No.	Comment
49	He was definitely an Environmental Warrior. He was a true Gentleman and helpful to so many people. I and many others truly miss him. Harry Elliffe Boardwalk is very fitting.
50	Hi. Naming of new community spaces like the boardwalk, provide a great opportunity to acknowledge the indigenous heritage of our land. So few areas on the Northern Beaches are known by their aboriginal names, any naming of new spaces provide the best chance to change this for the future. Harry has done amazing work and has been acknowledged by the community so maybe a space or a lookout along the boardwalk could bear his name and describe his and Bev's efforts? Thanks.
51	His efforts and work should be recognised in this manner
52	I 100% support this proposal. I used to be a neighbour of Harry's (at Coastwatchers) and can confirm he was a dedicated person who loved his local area and devoted his time to caring for it. He cared more for this strip of coastline, and spent more of his personal time improving it, than any other person I know. Best Regards
53	I absolutely support this naming. Harry was fundamental in making this whole stretch so beautiful. He planted a tree in honour of his wife here too which looks out to sea and it's lovely that his name will be intertwined with his dear wife's memory.
54	I am generally against naming things after people. If it does go ahead I think that it should say Environmental Warrior under his name on wayfinding signage. There should also be highly visible copy on plaques / signs / online etc as to why it is named after Harry to inspire and encourage kids and adults to care for local environment. Otherwise it is just yet another meaningless male, European name in Australia- honestly I think places should be named to have meaning reflective of place the way Aboriginal language does, with English translation. It is wonderful to honour good work, so long as we all understand quickly why it is named after a man called Harry. It needs to have palpable meaning to the whole community. It's a shame Harry isn't around to chose a name, perhaps his favourite plant life of the place etc. Perhaps Environmental Warrior Way in commemoration of Harry Elliffe.
55	I am not outright opposed to the name: but what we need is an Aboriginal name as an equivalent. Aboriginal people have songlines and names for these areas and the natural pathways (songlines) all across Sydney, including Curl Curl. Consult with the local Aboriginal groups and Elders (try Cammeraypul of Eora, and/or Guringai), to have at least a 'shared'/dual name for this.
56	I appreciate how much Harry contributed and his environmental work. However, naming walkways, parks etc after people is only relevant in the short term, in twenty years younger people won't have a clue who the person was, just like Beverley Job, Rueb Hudson etc. A plaque which describes Harry's contribution near the lagoon would be better. please consider a name which helps describe or locate the feature, or use an indigenous name.
57	I believe this would be a fitting gesture in recognizing Harry's community contribution. I worked with Harry in the late eighties/early nineties at Warringah Councils Engineering department. I always admired his strong work ethic and community sense. Well done Harry.
58	I do not support naming of places if the person to be celebrated is still alive. I can see this is in your policy now- thanks for attaching, but perhaps you can mention this in the template when you list these proposals. When a place is named I think it is interesting and important to provide a small plaque explaining who the person was and why his/her name has been given to this place and date of naming. (it's not necessary to say unveiled by Councillor X etc) Thank you

No.	Comment
59	I entirely support this motion. I knew Harry for 30 years & worked with him on the reserve near the lagoon & later often spoke with him when I was walking along The boardwalk & he was working. A lovely person & terrific worker.
60	I have known Harry since the 1980's putting in hours and hours of time into our beautiful coastal gardens. He always had time to talk and was very proud of being part of our coastal area.
61	I have never heard of Harry.
62	I have walked along the South Curl Curl boardwalk many times and have seen Harry in with the volunteers preparing and planting the flora along the boardwalk. I would support the South Curl Curl boardwalk being named the Harry Elliffe Boardwalk,
63	I heartily support the proposal to name the South Curl Curl boardwalk Harry Elliffe Boardwalk. Harry worked tirelessly for many years to regenerate and maintain the area making it what it is today. I had the pleasure of working with Harry and seeing firsthand his achievements. He deserves to be remembered this way.
64	I think a more generic name is more informative and helpful, eg South Curl Curl Boardwalk, or Curl Curl Cliff Boardwalk. Its not a criticism of the worthy citizen, Harry Elliffe, at all.
65	I think that is a great idea and a fitting tribute to someone local who spent so much time & energy on a wonderful project. Love the walk along the foreshore. It's enjoyed by everyone in the community and visitors to the area.
66	I think this is fitting given how dedicated Harry was to regenerating this area of bushland for all to enjoy.
67	I used to visit with Harry fortnightly and he always spoke of the walkway and how much he enjoyed looking after it. It was a passion of his.
68	I very strongly support this proposal. We can thank Harry for much of the vegetation along the walkway. It is Harry's legacy and in that sense, it IS Harry's way. His work over the years has been the inspiration for me and other members of the Carrington Bush Care team to keep the project going.
69	I would like to suggest Elliffe Boardwalk in recognition of his wife Bev as well. I would like to see more women recognised for their achievements in the naming of things in the area.
70	I would rather a name from the natural environment or aboriginal history, ie Saltwater boardwalk
71	Ideal choice
72	In 10 years time people will say " who was Harry and where is it". Curly board walk - at least you know where it is. He did a great job in Curly, but a seat with a memorial plaque on it would be nice.
73	It is a great idea to name the walkway after Harry. It will highlight to the community that these areas need dedicated people like Harry to work on our behalf to save and improve the little open space we have left.
74	It is a suitable recognition to the lasting impact Henry has made to the area out of dedication to the area which had benefitted the whole community and will continue to do so. It's a great legacy.
75	It is with the great respect - and most deservedly - I support the naming of the boardwalk at South Curl Curl as the " Harry Elliffe Boardwalk ". Befriended by many walkers, Harry's dedication and efforts to plant, protect and conserve native vegetation along this rugged coastline - over decades - is a worthy model of the " Power, of One ". Harry, and with his extensive environmental commitment is sadly missed.
76	It is wonderful to see a truly committed local being recognised

No.	Comment
77	<p>It seems as overkill to name the entire walk after one person..... Seeing as the walk goes from South Curl Curl to Freshwater why not break the walk into sections and include more local community people / icons.</p> <p>The northern end at the south curl curl end could be the Howard Hansen lookout after the local identity who provided many years of learn to swim lessons for no charge. Lets include a freshwater /harbord community person for the steps leading up the Lumsdaine drive.</p> <p>Greater consultation required before the naming is released. Think out of the single square. Harry to his credit seems to already have many awards, time for others to be recognized.</p>
78	<p>It seems as though Harry Elliffe was prolific in his efforts to preserve our natural heritage. I do not know him, but from the recommendation in the write-up, it seems most apt to name the boardwalk in memory of his engagement and preservation of the area.</p>
79	<p>It should been called the BUSTER BROWN Walk, A life member of St Curl Curl Surf Club and slsc nsw. His ashes are scattered in the ocean in front of the walkway.</p>
80	<p>It would be a perfect way to remember the enormous contribution Harry made to the regeneration of the bush around the Curl Curl Lagoon, and the South Curl Curl Headland</p>
81	<p>It would be recognition for his worthwhile work. I love this walk.</p>
82	<p>It's an excellent tribute to an outstanding community member</p>
83	<p>It's a great way to acknowledge the contribution of a man who worked tirelessly for his community environment and who lead by his words and deeds.</p>
84	<p>Its a pleasure to support an action that recognises people for the voluntary work they have accomplished in there location.</p>
85	<p>Keep it as "South Curl Curl Boardwalk" people will know where the boardwalk is.</p>
86	<p>Living on Dee Why Headland il have personally seen what a valuable contribution. Harry and Bev has made to Our community and would be very happy to see them get this recognition.</p>



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Date Printed: 5/11/2020

ITEM 13.2	ALTERNATIVE PROCUREMENT FOR LICENCE RENEWALS TO WOOLWORTHS FOR LOADING DOCK, AND CAR PARK/TROLLEY BAYS, AT 76 OLD BARRENJOEY ROAD, AVALON
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2020/650579
ATTACHMENTS	1 ⇒ Loading Dock - Woolworths Avalon - Licence Plan (Included In Attachments Booklet) 2 ⇒ Car Park and Trolley Bays - Woolworths Avalon - Licence Plan (Included In Attachments Booklet) 3 ⇒ Valuation Report - Woolworths Avalon - 76 Old Barrenjoey Rd, Avalon - 908777 NBC Avalon Beach Final Report (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval, in accordance with Section 55(3)(i) of the Local Government Act 1993 (LGA), to enter into a direct tenure arrangement with Woolworths Group Limited for its continued occupation of part of Council land at 76 Old Barrenjoey Rd, Avalon for a Loading Dock, Car Park and Trolley Bays adjacent to the Woolworths Avalon retail store.

EXECUTIVE SUMMARY

Woolworths operate a supermarket at 78 Old Barrenjoey Rd, Avalon, and use part of the adjoining Council land for the storage of shopping trolleys and for access to a loading dock for some years.

Due to the existing licences expiring on 30 November 2020, Woolworths are seeking a renewal of the licence agreements.

The Dunbar Park Plan of Management (PoM) adopted 6 June 2011 authorises the granting of ten year licences, and states that “the funds received contribute to the maintenance and repair of the car park.”

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Resolves in accordance with section 55(3)(i) of the Local Government Act 1993 and subject to paragraph 2 below, to enter into a direct arrangement with Woolworths Group Limited for the licence of land at 76 Old Barrenjoey Rd, Avalon, for 10 years for the continued occupation of a loading dock, car park and trolley bays, as a satisfactory result would not be achieved by inviting tenders because of extenuating circumstances given:
 - A. The land comprises a small parcel which adjoins the supermarket operated by Woolworths Group Limited.
 - B. There is limited demand for the land apart from Woolworths Group Limited as the major adjoining land user.
 - C. The licence of land for 10 years is authorised in the applicable Plan of Management.
 - D. The development consent for the supermarket contemplates the use of the land by Woolworths Group Limited.
 2. Publicly notifies the proposed licence in accordance with section 47 of the Local Government Act 1993 and should objections be received during the public notification period a further report be brought back to Council.
 3. Delegates authority to the Chief Executive Officer to do all things necessary in order to give effect to this resolution.
-

REPORT

BACKGROUND

In accordance with the Council Resolution on 17 October 2011, Council granted ten year licences to Woolworths to utilise part of the Council's carpark for loading dock and trolley bays located east of Dunbar Park Avalon.

A copy of the plan for the loading dock is at Attachment 1 and for the carpark and trolley bays is at Attachment 2.

The licence terms expire on 30 November 2020 and Woolworths has requested the licences be renewed for a further term.

It is also a condition of the Development Consent No. N0105/03 that Woolworths be given the opportunity to enter into suitable licence agreements for these arrangements.

The lease Woolworths holds over its premises in Avalon runs to 2028 and contains four options of five years each that can be exercised at the discretion of Woolworths. This means the lease could run until 2048 if those lease options are being taken by Woolworths.

Woolworths requested licence terms to match their premises' lease, however it is not in Council's interest to grant licences over community land for such an extended period. It is proposed to offer another ten year extension of the licences to provide some security of accommodation to Woolworths.

A ten year term is acceptable to Woolworths and the Dunbar Park Plan of Management authorises the granting of ten year licences.

Current annual licences fees are \$17,923 ex GST for the carpark and trolley bays, and \$40,105.70 ex GST for the loading dock.

In accordance with a recent market rent revaluation, Council has proposed new licence fees of \$40,000 for the car park and trolley bays, and \$15,000 for the loading dock. A copy of the valuation report is at Attachment 3.

DISCUSSION

Section 55(3)(i) of the Local Government Act 1993 addresses requirements for tendering and states that 'a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders'.

It is recommended to proceed under Section 55(3)(i) noting that there is an unavailability of competitive or reliable tenderers for the following reasons:

- Limited demand for the land apart from Woolworths as the major adjoining land user.

As such a satisfactory result would not be achieved by inviting tenders.

CONSULTATION

The Dunbar Park Plan of Management (PoM) was adopted 6 June 2011 and authorises the granting of ten year licences.

It further states that "*the funds received contribute to the maintenance and repair of the car park.*"

TIMING

Council's endorsement for alternative procurement is required prior to 30 November 2020.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Vibrant Local Economy - Goal 13: Our businesses are well-connected and thrive in our environment that supports innovation and economic growth.
- 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

An independent market rental valuation for the land has been used to determine the annual licence fees for the Loading Dock, Car Park and Trolley Bays which are valued at \$55,000 per year.

The renewal of the licences generate income to assist Council's financial position and income from the proposed licences will be allocated to the maintenance and improvement of Dunbar Park, the subject car park and the Avalon town centre.

SOCIAL CONSIDERATIONS

Granting new licences to Woolworths will assist it to continue operating the Avalon business and providing the necessary food, shopping, and employment opportunities to the community. Additionally, having appropriate trolley bays in place improve trolley management and reduce the likelihood of trolleys being placed randomly in the car park or on nearby streets.

ENVIRONMENTAL CONSIDERATIONS

There is no change to the land use proposed and as such the impact from licensing the subject land for the use as loading dock, carpark and trolley bays remain as existing. Appropriate maintenance and cleaning of the licence area will continue to be a requirement of the proposed licence and Council officers will periodically inspect the area and bin storage to monitor for cleanliness and to ensure that there is no pollution from the area.

GOVERNANCE AND RISK CONSIDERATIONS

The licene agreements provide insurance and indemnity clauses to protect Council and clearly define the licenced premises.

ITEM 13.3	SPORT AND RECREATION INFRASTRUCTURE GRANTS PROGRAM 2020/2021
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2020/692489
ATTACHMENTS	1 ↓ Overview of Applications - 2020/21 Sport and Recreation Infrastructure Grants Program

SUMMARY

PURPOSE

To seek approval to allocate Council's 2020/2021 Sport and Recreation Infrastructure Grants Program funds.

EXECUTIVE SUMMARY

Council's 2020/2021 Sport and Recreation Infrastructure Grants Program aims to improve sport and recreation facilities and to meet the following objectives:

- Increase opportunities for participation in sport, recreation and active play.
- Improve the viability of sport and recreation groups.
- Improve safety.
- Develop more accessible and family friendly facilities.

There is \$100,000 in the 2020/2021 Delivery Program budget for this Grants Program.

The Grants Program opened for applications on 3 September 2020 and closed on 12 October 2020. Twenty applications were received requesting a total of \$439,271. Following the panel's assessment of applications, a total of \$100,000 (ex GST) is recommended for allocation for six projects across three sports.

Successful applicants will be required to enter into a funding agreement with Council and to complete their grant funded projects by 31 May 2021. Unsuccessful applicants will be provided with feedback on their applications.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council approves the funding of these projects through the 2020/2021 Sport and Recreation Infrastructure Grants Program:

1. Careel Bay Tennis Club; to install a sunshade over the playground at the Careel Bay Tennis Centre, \$13,500.
 2. Terrey Hills Tennis Club; to upgrade lighting on four tennis courts with LED lights at the Terrey Hills Tennis Centre, \$17,500.
 3. Narraweena Tennis Club; to resurface two synthetic grass tennis courts at the Narraweena Tennis Centre, \$33,940.
 4. Mona Vale Bowling Club; to upgrade the driveway at the Mona Vale Bowling Club Complex, \$13,000.
 5. Long Reef Golf Club; to replace two emergency access gates and upgrade the entry to the multi-use building at the Long Reef Golf Course, \$12,500.
 6. Mona Vale Golf Club; to restore the path to the 11th tee at the Mona Vale Golf Course, \$9,560.
-

REPORT

BACKGROUND

Council's 2020/2021 Sport and Recreation Infrastructure Grants Program aims to improve sport and recreation facilities and to meet the following objectives:

- Increase opportunities for participation in sport, recreation and active play.
- Improve the viability of sport and recreation groups.
- Improve safety.
- Develop more accessible and family friendly facilities.

There is \$100,000 in the 2020/2021 Delivery Program budget for this Grants Program.

The Grants Program opened for applications on 3 September 2020 and closed on 12 October 2020. Applicants could apply for a minimum of \$10,000 up to a maximum of \$50,000 for new or upgraded infrastructure on Council land.

Twenty applications were received requesting a total of \$439,271 (Attachment 1). Applications were submitted via the on-line Smarty Grants system and then checked for eligibility and assessed against these criteria:

- Level to which the project addresses the program objectives.
- Demonstrates a community need.
- Project budget.
- Capacity to carry out the proposed project - applicants are not required to contribute to the project, though contributions are considered in the assessment.

Organisations were eligible to apply if they were:

- Incorporated and not-for-profit.
- Up-to-date with grant reporting, acquittals from any previous Council grant program.
- Applying for projects not previously funded by a Council grant.

Information about eligibility was included in guidelines published on Council's website and referred to in the on-line application form. 13 applications were deemed eligible for assessment.

The assessment of eligible applicants was undertaken by a panel of three staff from the Parks and Recreation, Property and Corporate Strategy Business Units. Panellists undertook individual assessment of each application and final ranking and recommendations were agreed at a meeting. The panel meeting was observed by a representative from Corporate Strategy to ensure the agreed processes were followed and recommendations were in line with the assessment criteria.

Following the panel's assessment of applications, \$100,000 (ex GST) is recommended for allocation for these projects:

- Careel Bay Tennis Club; to install a sunshade over the playground at the Careel Bay Tennis Centre, \$13,500 (100% of the club's request).
- Terrey Hills Tennis Club; to upgrade lighting on four tennis courts with LED lights at the Terrey Hills Tennis Centre, \$17,500 (100% of the club's request).

- Narraweena Tennis Club; to resurface two synthetic grass tennis courts at the Narraweena Tennis Centre, \$33,940 (100% of the club's request).
- Mona Vale Bowling Club; to upgrade the driveway at the Mona Vale Bowling Club Complex, \$13,000 (100% of the club's request).
- Long Reef Golf Club; to replace two emergency access gates and upgrade the entry to the multi-use building at the Long Reef Golf Course, \$12,500 (100% of the club's request).
- Mona Vale Golf Club; to restore the path to the 11th tee at the Mona Vale Golf Course, \$9,560 (73% of the club's request).

Successful applicants will be required to enter into a funding agreement with Council. 50% of the approved grant funding will be made available upon signing their agreement. The remaining 50% will be paid upon successful completion of projects and meeting Council's acquittal requirements. Unsuccessful applicants will be provided feedback on their applications.

CONSULTATION

Program information and guidelines were advertised and promoted through e-mails sent to sports and recreation groups and via Council's website and social media platforms.

TIMING

Grant funded projects are to be completed by 31 May 2021 and to be acquitted by 30 June 2021.

LINK TO STRATEGY

The Grants Program relates to the Community Strategic Plan Outcomes of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

There is \$100,000 in the 2020/2021 Delivery Program budget for this Grants Program.

SOCIAL CONSIDERATIONS

The recommended projects will provide a range of sport, recreation and community benefits including:

- Safer access into the Mona Vale Bowling Club Complex, improved emergency access into the Long Reef Golf Course and safer access to the 11th tee at the Mona Vale Golf Course.
- Improved facilities for tennis at the Allambie Heights, Narraweena and Terrey Hills Tennis Centres.
- Improved family friendly facilities at the Careel Bay Tennis Centre.

ENVIRONMENTAL CONSIDERATIONS

Applicants whose projects are approved for grant funding will be required to meet all the relevant environmental matters that are applicable to their project.

GOVERNANCE AND RISK CONSIDERATIONS

Applicants recommended for grant funding have been provided owner's consent from Council to lodge their application for their nominated project(s).

Applications were processed and assessed in alignment with Council's guidelines for the 2020/2021 Grants Program. The assessment of eligible applicants was undertaken by a panel of three staff from the Parks and Recreation, Property and Corporate Strategy Business Units. Panellists undertook individual assessment of each application and final ranking and recommendations were agreed at a meeting. The panel meeting was observed by a representative from Corporate Strategy to ensure the processes were followed and recommendations were in line with the assessment criteria.

Successful applicants will be required to enter into a funding agreement with Council. This agreement will outline the applicant's responsibilities for the expenditure of any approved grant funds.

2020/2021 Sports and Recreation Infrastructure Grants Program Applicant Overview

Twenty applications were received requesting a total of \$439,271. There is \$100,000 in the 2020/2021 Delivery Program budget for this grants program and \$100,000 has been recommended for allocation for six projects across three different sports.

Applications were firstly checked for eligibility and thirteen applications were deemed eligible. Eligible applications were then assessed by the Assessment Panel against four criteria:

1. Addresses these objectives
 - Increase opportunities for participation in sport, recreation and active play.
 - Improve the viability of sport and recreation groups.
 - Improve safety.
 - Develop more accessible and family friendly facilities.
2. Addresses the Sportsgrounds Strategy (2017) and/or demonstrates a community need.
3. Project budget.
4. Applicant's capacity to carry out the proposed project.

A summary of the assessment of the applications received is outlined in Tables 1, 2 and 3 below.

Table 1: Projects Recommended for Funding

Rank	Organisation	Project	Cost (ex GST)	Request (ex GST)	Recommend (ex GST)	Comment
1	Careel Bay Tennis Club	Install a sunshade over the playground - Careel Bay Tennis Centre.	\$13,500	\$13,500	\$13,500 (100% of the request)	<ul style="list-style-type: none"> This project will make playground safer by providing sun protection for users. Club will contribute labour to the project.
2	Terrey Hills Tennis Club	Upgrade lighting on four courts with LED lights - Terrey Hills Tennis Centre.	\$35,500	\$17,500	\$17,500 (100% of the request)	<ul style="list-style-type: none"> This project improves playability of the courts and financial viability of the Club as LED lighting uses less power than the current lighting. This represents 'value for money' given the contribution from the club.
3	Narraweena Tennis Club	Resurface two synthetic grass tennis courts - Narraweena Tennis Centre.	\$67,870	\$33,940	\$33,940 (100% of the request)	<ul style="list-style-type: none"> This project improves playability and safety of the courts and represents 'value for money' given the contribution from the club.
4	Mona Vale Bowling Club	Upgrade the driveway - Mona Vale Bowling Club Complex.	\$18,125	\$13,000	\$13,000 (100% of the request)	<ul style="list-style-type: none"> This project will provide safer access to the clubhouse building.
5	Long Reef Golf Club	Replace two emergency access gates and upgrade the entry way to the multi-use building - Long Reef Golf Course	\$16,000	\$12,500	\$12,500 (100% of the request)	<ul style="list-style-type: none"> This project will improve access through the golf course for emergency service vehicles and improve access to the multi-use building
7 (i)	Mona Vale Golf Club	Restore the path to the 11 th tee - Mona Vale Golf Course.	\$18,120	\$13,120	\$9,560 (73% of the request)	<ul style="list-style-type: none"> The club submitted an application to fund upgrades to the paths to the 1st and 11th tees to improve safety for players. The Club indicated they can proceed with partial funding and the 11th tee path is their preference of the two paths.
Totals			\$169,115	\$103,560	\$100,000	

Table 2: Projects Not Recommended for Funding

Rank	Organisation	Project(s)	Cost (ex GST)	Request (ex GST)	Recommend	Comment
6	Forest Hills Pony Club, JJ Melbourne Hills Reserve, Terrey Hills	<ul style="list-style-type: none"> Upgrade Pony Club's canteen, JJ Melbourne Hills Reserve (this is one of two projects submitted in the one application – the other project (seating) was deemed ineligible see table 3) 	\$26,240	\$26,240	<ul style="list-style-type: none"> No funds recommended 	<ul style="list-style-type: none"> Club indicated they cannot proceed with the project if they receive less funds than requested.
7 (ii)	Mona Vale Golf Club	<ul style="list-style-type: none"> Restore tee path to the 1st tee - Mona Vale Golf Course. 	\$11,880	\$11,880	<ul style="list-style-type: none"> No funds recommended 	<ul style="list-style-type: none"> The Club submitted an application to fund upgrades to the paths to the 1st and 11th tees to improve safety for players. The panel recommended funding for the 11th tee path only (this is the Club's preference of the two paths).
8	Mona Vale Golf Club	<ul style="list-style-type: none"> New Practice Bunker 	\$15,450	\$12,450	<ul style="list-style-type: none"> No funds recommended 	<ul style="list-style-type: none"> The panel deemed the safety benefits expected from the golf path upgrades is a higher priority for funding than the golf practice opportunities expected from the new practice bunker at the Mona Vale Golf Course.
9	Collaroy Tennis Club, Collaroy	<ul style="list-style-type: none"> Bathroom Upgrade - Collaroy Tennis Centre. 	\$53,196	\$50,000	<ul style="list-style-type: none"> No funds recommended 	<ul style="list-style-type: none"> Club indicated they cannot proceed with the project if they receive less funds than requested.
10	Manly Warringah Kayak Club, Berry Reserve, Narrabeen	<ul style="list-style-type: none"> Upgrade change room access for people with a disability at clubhouse - Berry Reserve. 	\$18,320	\$18,320	<ul style="list-style-type: none"> No funds recommended 	<ul style="list-style-type: none"> Project considered lower priority compared to other projects recommended for funding. Quote lacked appropriate detail.

Table 2: Projects Not Recommended for Funding (continued)

Rank	Organisation	Project(s)	Cost (ex GST)	Request (ex GST)	Recommend	Comment
11	Balgowlah Bowling Club, North Balgowlah	<ul style="list-style-type: none"> Painting exterior of club house - Balgowlah Heights. 	\$18,300	\$15,900	<ul style="list-style-type: none"> No funds recommended 	<ul style="list-style-type: none"> Project considered lower priority compared to other projects recommended for funding.
12	Pittwater Baseball Club, North Narrabeen	<ul style="list-style-type: none"> New storage facility for baseball and junior rugby clubs (bins, training equipment, mower) - North Narrabeen Reserve 	\$20,000	\$10,000	<ul style="list-style-type: none"> No funds recommended 	<ul style="list-style-type: none"> Project considered lower priority compared to other projects recommended for funding. Further consideration required for the design and location.
13	Narrabeen Lakes Sailing Club, Jamieson Park, Narrabeen	<ul style="list-style-type: none"> Renovation of male change room - clubhouse, Jamieson Park. 	\$26,469	\$24,000	<ul style="list-style-type: none"> No funds recommended 	<ul style="list-style-type: none"> Project considered lower priority compared to other projects recommended for funding.
		Totals	\$199,055	\$177,990		

Table 3. Ineligible Projects or Projects already planned to be undertaken by Council.

Organisation	Project(s)	Cost (ex GST)	Request (ex GST)	Assessment	Comment
Allambie Heights Tennis Club	<ul style="list-style-type: none"> Replace perimeter, court fencing - Allambie Heights Tennis Centre 	\$9,540	\$10,000	<ul style="list-style-type: none"> Ineligible project 	<ul style="list-style-type: none"> This project is ineligible as the project cost is less than \$10,000 (ex GST).
Avalon Beach Bowling & Recreation Club	<ul style="list-style-type: none"> Upgrade 1 bowling green including irrigation \$8,660 Equipment - blower, line marker, mower, hoops, dibber, mallets, balls, signs, boundary ropes 	\$7,280	\$15,940	<ul style="list-style-type: none"> Ineligible projects 	<ul style="list-style-type: none"> Upgrade of the bowling green is ineligible as the project cost is less than \$10,000 (ex GST). Equipment is ineligible for funding.
Belrose Eagles Rugby League Football Club, Frenchs Forest	<ul style="list-style-type: none"> Replace existing scoreboard at field 1 Lionel Watts 	\$28,350	\$28,350	<ul style="list-style-type: none"> Ineligible project 	<ul style="list-style-type: none"> DA required for this project and the applicant cannot guarantee the project can be completed in the required time - June 2021.
Collaroy Rugby Club, Griffith Park, Collaroy	<ul style="list-style-type: none"> Field lights maintenance and field drainage 	\$20,000	\$20,000	<ul style="list-style-type: none"> Projects to be undertaken by Council 	<ul style="list-style-type: none"> These projects are to be undertaken by Council as part of the 20/21 lights and field maintenance program.
Forest Hills Pony Club, JJ Melbourne Hills Reserve, Terrey Hills	<ul style="list-style-type: none"> Install covered tiered spectator seating at the Reserve (this is the second of two projects submitted in one application – the other project was eligible) 	\$9,200	\$9,200	<ul style="list-style-type: none"> Ineligible project 	<ul style="list-style-type: none"> The seating project does not align with the Reserve's Plan of Management.
Manly Warringah Sapphires Premier League Netball, PCYC, Dee Why	<ul style="list-style-type: none"> Weight training, exercise equipment \$11,358 Storage racks, holders \$1,887 – PCYC 	\$13,245	\$13,245	<ul style="list-style-type: none"> Ineligible projects 	<ul style="list-style-type: none"> Equipment is ineligible for funding. Storage racks, holders are ineligible as the project cost is less than \$10,000 (ex GST).
North Steyne Surf Life Saving Club, Manly	<ul style="list-style-type: none"> Upgrade of clubhouse roof - Manly 	\$30,000	\$25,000	<ul style="list-style-type: none"> Project to be undertaken by Council 	<ul style="list-style-type: none"> Project to be funded under Council's surf club minor renewal works program
SOKOL Czech, Slovak Community Centre, Frenchs Forest	<ul style="list-style-type: none"> Building upgrade. 	\$103,386	\$45,186	<ul style="list-style-type: none"> Ineligible project 	<ul style="list-style-type: none"> Project ineligible as SOKOL building is not Council owned or managed.
Totals		\$220,461	\$157,721		

14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

ITEM 14.1	STRONGER COMMUNITIES FUND AND NEW COUNCIL IMPLEMENTATION FUND - QUARTERLY REPORT SEPTEMBER 2020
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2020/623656
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To provide a progress report to Council on the outcomes delivered and expenditure of funds from the \$36.1 million Stronger Communities Fund and \$10 million New Council Implementation Fund, as required by the conditions of the funding agreement until funds are spent.

EXECUTIVE SUMMARY

Council received \$36.1 million from the NSW Government's Stronger Communities Fund (SCF) to support the delivery of improved infrastructure and services to the community. The SCF funding has been broken into streams including \$1 million for a Community Grants Program, \$14 million into the Connecting Communities Program and a further allocation of \$21.1 million of tied funding across 11 projects.

An additional \$10 million was provided to Council under the New Council Implementation Fund (NCIF) to assist with the upfront costs of implementing the new council.

A summary of the program of work and expenditure to 30 September 2020 is below:

Program	Funding	Expenditure to 30 September 2020
Community Grants Program (SCF) ¹	\$1,000,000	\$1,025,599
Connecting Communities Program (SCF)	\$14,000,000	\$13,671,391
Tied Grants Program (SCF)	\$21,100,000	\$7,616,743
New Council Implementation Fund(NCIF) ²	\$10,000,000	\$10,048,206
Total	\$46,100,000	\$32,361,939

¹The additional \$25,599 on the Community Grants Program is interest earned on the SCF funds

²The additional \$48,206 on the NCIF is interest earned on the fund

RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY

That Council notes the Stronger Communities Fund and New Council Implementation Fund report for the quarter ending September 2020.

REPORT

BACKGROUND

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

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

Under the terms of the funding agreement, quarterly progress reports to Council are required on the expenditure and outcomes until these funds are spent.

The projects and their status being delivered under these programs are as follows:

Community Grants Program - \$1 Million

Program	Status
Community Grants Program	<p>Complete</p> <ul style="list-style-type: none"> • This program has been fully expended and final report issued to Council in the September 2019 Quarterly Report.

Connecting Communities Program - \$14 Million from SCF

The Connecting Communities Program is a \$32.6 million multi-year program of works partially funded by SCF (\$14 million). It comprises the 'Connecting Northern Beaches' and 'Connecting All Through Play' programs.

The \$22.3 million Connecting Northern Beaches program, providing a 36km continuous all-weather walkway from Palm Beach to Manly and a 35.5km Council-wide cycle way and shared path network focused on the B-Line.

- Connecting Northern Beaches – cycle ways and shared paths
- Connecting Northern Beaches – Coast Walk

Sub-programs	Status
Connecting Northern Beaches – cycle ways and shared paths	<p>Complete</p> <ul style="list-style-type: none"> • Final report issued to Council in the December 2019 Quarterly Report.
Connecting Northern Beaches – Coast Walk	<p>Ongoing</p> <ul style="list-style-type: none"> • 6.1kms delivered since the program commenced • Governor Phillip Park to Palm Beach Pavilion - works underway with 150m completed so far • Whale Beach Road Stage 1 – geotechnical investigations on the stability of the slope have identified significant design challenges, which are being addressed during the design process.

Sub-programs	Status
	<ul style="list-style-type: none"> Newport to Avalon pedestrian link - the second stage of community consultation has commenced, closing in December. The Shared Zone along The Serpentine is expected to be implemented as a trial in December, with construction on the Newport and Avalon ends commencing mid 2021.

The \$10.3 million Connecting All Through Play program features a regional network of inclusive accessible playgrounds at Lionel Watts Reserve, Manly Dam and Clontarf Reserve and upgrades to play areas across the Northern Beaches. It also includes sporting facilities and surf lifesaving club improvements. The projects delivered under this program are:

- Connection All Through Play – Inclusive Play
- Connecting All Through Play – Active Play

Sub-programs	Status
Connecting All Through Play - Inclusive Play	<p>Ongoing</p> <ul style="list-style-type: none"> Clontarf accessible playground – Procurement is underway with tender for work being presented at November Council meeting. Construction will commence in March 2021.
Connecting All Through Play - Active Play	<p>Ongoing</p> <ul style="list-style-type: none"> Passmore Reserve and John Fisher Park sportsfield lighting – a Development Application has been submitted.

Tied Grant Program \$21.1 Million

The Tied Grants Program commenced in October 2017 with the NSW Government allocating \$21.1 million for 11 specified projects. The projects and their status being delivered under this program are:

Project	Status
North Pittwater foreshore improvements projects	<p>Complete</p> <ul style="list-style-type: none"> The final report issued to Council in September 2019 Quarterly Report outlining the follow completed works: <ol style="list-style-type: none"> Hudson Parade, Clareville - footpath between Clareville Beach and Taylors Point George Street, Avalon - extended the seawall South Palm Beach - landscaping works.
The Church Point Community Park (Pasadena)	<p>Complete</p> <ul style="list-style-type: none"> The project was abandoned and the funds disbursed to other tied grant projects with confirmation on the reallocation from the Office of Local Government received in October 2018.

Project	Status
Barrenjoey Performance Space	<p>Complete</p> <ul style="list-style-type: none"> The project was officially opened on 15 November 2019.
Wakehurst Parkway flood mitigation	<p>Ongoing</p> <ul style="list-style-type: none"> Options to reduce flooding on Wakehurst Parkway require more expansive works and additional funding. A request for additional funding was made in December 2019 to Transport for NSW.
Mona Vale Public School: regional performing arts centre	<p>Ongoing</p> <ul style="list-style-type: none"> Council Officers met with representatives of the Department of Education to review the proposed design. The Department of Education is considering Council's feedback in line with the available project budget.
Mona Vale Surf Life Saving Club refurbishment	<p>Ongoing</p> <ul style="list-style-type: none"> Tender documentation for construction works is being finalised with the view to advertise in November 2020.
Long Reef Surf Life Saving Club refurbishment	<p>Ongoing</p> <ul style="list-style-type: none"> The restricted tender for the construction contractor has been advertised. A report will be presented to Council in December recommending the preferred contractor with works anticipated to commence in February 2021.
Currawong Beach heritage: refurbishment and upgrade of existing infrastructure	<p>Ongoing</p> <ul style="list-style-type: none"> Works to refurbish three holiday cabins and the games room building at Currawong Beach are complete. A new pathway and retaining wall is also complete improving access and drainage across the site. Some minor electrical work will be completed by November.
Scotland Island wastewater feasibility study	<p>Ongoing</p> <ul style="list-style-type: none"> The options assessment, commercial feasibility assessment and professional peer review is complete. At its September meeting, Council resolved to place the report on public exhibition. This is underway. Reports and results of the public exhibition will be presented to Council in November.
Avalon Netball Courts	<p>Ongoing</p> <ul style="list-style-type: none"> The courts and tree planting has been completed. Lighting work is underway and anticipated to be complete by end of November.
Newport Surf Club refurbishment	<p>Ongoing</p> <ul style="list-style-type: none"> The documentation including the building refurbishment and associated coastal protection works are being finalised. Community engagement will take place in November and lodgement of a development application by end of year.

New Council Implementation Fund (NCIF) - \$10 Million

An additional \$10 million was provided to Council under the NCIF to assist with the upfront cost of implementing the new Council. The program status is as follows:

Program	Status
New Council Implementation Fund (NCIF)	<p>Original Fund of \$10 million dollars fully expensed with only associated interest now being drawn down</p> <ul style="list-style-type: none"> The NCIF has been fully committed in accordance with the fund guidelines. The NCIF funded priorities such as integrating core systems, signage, development of Council's website, and operational policy harmonisation. The remaining funds in the reserve are associated with accrued interest and will be expensed on the continued rollout of signage.

CONSULTATION

Consultation on individual projects funded by the SCF is ongoing.

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

At 30 September 2020, a total of \$29,690,046 has been spent on the Connecting Communities Program, Community Grants Program and Tied Grants of which \$22,313,733 is from the SCF as follows:

Program	Total expenditure	SCF
Community Grants	\$1,025,599	\$1,025,599
Connecting Communities		
Cycleways	\$7,080,948	\$3,163,098
Pathways	\$5,636,043	\$5,338,155
Inclusive play	\$5,021,600	\$3,170,138
Active Play	\$ 2,581,745	\$2,000,000
Tied Grants	\$8,344,111	\$7,616,743
Total expenditure	\$29,690,046	\$22,313,733

Any interest earned is being applied to the balance of available funds to be expended against the approved projects.

At 30 September 2020, the NCIF has funded a combined total of \$10,048,206 on the up-front costs associated with creating the new council. A breakdown is as follows:

Expenditure category	Total expenditure
Expert Advice	\$268,393
Systems Integration	\$4,446,153
Redundancy	\$3,169,961
Signage	\$678,945
Website	\$675,252
Change Management	\$601,159
System Upgrades	\$20,563
Other	\$187,780
Total expenditure	\$10,048,206

SOCIAL CONSIDERATIONS

The entire Northern Beaches community will benefit from significant social, health and well-being improvements derived from use of this community infrastructure. It will connect people and places through improved active and public transport links and upgraded community infrastructure, this includes programs implemented by our community groups.

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

Expenditure of funds is in line with the commitments to the Office of Local Government (OLG). A request to the OLG for an extension of time to complete the remaining projects under the Connecting the Northern Beaches and Connecting All Through Play Programs has been submitted and is awaiting determination. An extension of time to September 2022 to complete the Tied Grant projects was granted.

ITEM 14.2	ANNUAL REPORT 2019/20
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2020/638963
ATTACHMENTS	1 ⇒ Annual Report 2019/20 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To present the 2019/20 Annual Report.

REPORT

The Annual Report 2019/20 details Council's achievements against objectives and performance targets set out in the Operational Plan 2019/20 and also includes the Financial Statements and various statutory information. It is a key accountability mechanism between Council and the community as we implement the Community Strategic Plan, SHAPE 2028.

The Annual Report is tabled at this meeting before being published on Council's website. Below are some of the highlights from the year.

Over \$94m of priority works were delivered (79 projects complete) providing improved services and facilities for our community. The Glen Street Open Space Masterplan was finalised with a new skate park, showground upgrades and synthetic turf sportsground now available for all to enjoy. An aquatic boardwalk was completed alongside Wakehurst Parkway, providing a safer route for cyclists, joggers and walkers using the Narrabeen Lagoon Trail while protecting the lagoon's shoreline biodiversity. New accessible playgrounds were opened at Manly Dam and Allambie Heights Oval as well as five other locations. A range of buildings were also modernised for users including the Manly Youth Centre and Bilarong Scout Hall.

In partnership with our community, key strategic documents were completed. The Northern Beaches Environment and Climate Change Strategy, Protect. Create. Live. 2040, sets directions for Council and the community on waste, biodiversity, clean energy and water. The arts and culture strategy, Connected Through Creativity 2029 will ensure we remain focused on supporting and growing a vibrant creative culture, authentic to the Northern Beaches. While the Northern Beaches Local Strategic Planning Statement, Towards 2040, will guide how places are planned and built as we accommodate our evolving community and manage future growth on the Beaches.

Improvements were made to services. Our waste management system was harmonised with the new service commencing on 1 July 2019. Households now receive a cost-effective service which results in less waste to landfill and better environmental outcomes. Additionally, Kangaroo Street Preschool now has an extra 20 spaces for children and their families following the completion of building works.

Council was recognized on numerous occasions for its service, receiving some 20 Industry Awards for programs such as Excellence in Early Childhood, Innovation in Customer Service Delivery and Environmental Leadership and Sustainability : population over 200,000 – Swap for Good Business Program to name a few.

The year will also be remembered for the community and Council coming together to support each other as we dealt with thick smoke and bushfires, severe storms and flooding, along with a global pandemic.

COVID-19 caused a rethink of how we deliver our services as social distancing restrictions commenced in March. Some services such as pools and community centres were closed by health orders, while others shifted online and developed innovative ways of continuing to service the

community. Our 'Library2U' service was initiated, delivering library books to residents' homes whilst they were locked down. The 'Backyard Habitat' program resulted in 2,200 free native shrubs being delivered to 750 residents in May and June.

New programs were also initiated to provide support for those impacted during the pandemic. The business support package was implemented including fee waivers and rent relief, short stay parking for take away pick-ups and relaxed restrictions on supermarket deliveries so they could restock more quickly. We also boosted our communications, established an online COVID-19 information hub, disseminated regular updates to residents and responded to community concerns on social media 24/7.

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

The report recommendation does not pose a financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

The delivery of environmental programs and projects in 2019/20 is detailed in the annual report.

SOCIAL CONSIDERATIONS

The delivery of social programs and projects in 2019/20 is detailed in the annual report.

GOVERNANCE AND RISK CONSIDERATIONS

The Annual Report records Council's achievements against objectives and performance targets set out in the Operational Plan 2019/20, as well as Council's financial position. It has been prepared in accordance with the Local Government Act 1993 and the Local Government (General) Regulations 2005, Circular No 18-28 of September 2018 and other relevant legislation and guidelines.

The Annual Report must be submitted to the Minister for Local Government by 30 November 2020.

RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY

That Council note the Annual Report 2019/20.

15.0 NOTICES OF MOTION

ITEM 15.1	NOTICE OF MOTION NO 52/2020 - RECLAIMING SURPLUS LAND CREATING OPEN SPACE FOR THE COMMUNITY
TRIM FILE REF	2020/696497
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

MOTION

That Council:

1. Writes to Transport for NSW:
 - A. Thanking and acknowledging its quick response to protect the trees on the site formally known as 595 and 597 Warringah Road, Frenchs Forest, noting both Council's and the community's appreciation for its efforts.
 - B. Recognising with Transport for NSW the importance of open green space to our community.
 - C. Requesting the site be gifted to Northern Beaches Council, allowing Council to return it to open green space for the community to enjoy.
2. Writes to: the Hon Gladys Berejiklian MP, Premier of NSW; the Hon Brad Hazzard MP, Minister for Health and Medical Research, in his capacity as Member for Wakehurst; the Hon Andrew Constance MP, Minister for Transport and Roads; and the Hon Rob Stokes MP, Minister for Planning and Public Spaces, asking for their support in this request.
3. Notes access and water easement issues at the site.

BACKGROUND FROM COUNCILLOR STUART SPROTT

Early in 2019, I moved an urgency motion that Council acknowledges and writes to associated ministers and officials regarding the substantial loss of the open green corridor which was removed by the then Roads and Maritime Services for the expansion of Warringah Road and ask that a report investigate the returning of these surplus sites formally known as 595 and 597 Warringah Road back to the community as open green space. To retain the trees on the site and include a landscape plan to reduce noise and particulate matter from Warringah Road reducing impacts on local residents. That Council acknowledge the dangerous access to the properties and ask for a report be given as to the alternative uses.

This motion was adopted on 16 April 2019 and I thank the Council for its support.

This small parcel of land is located at the exit of the new hospital upgrade road works where six lanes merge into three. The land is attached to the large underground water detention tanks to the left and has a water easement at the rear, with the main water supply pipeline to the right. All these hazards make this land unsuitable for residential purposes.

I propose that Council writes to Transport for NSW requesting the transfer of this surplus land back to the community to be used for open green space.



ITEM 15.2	NOTICE OF MOTION NO 53/2020 - GROWING OUR OWN TREES FOR OUR FUTURE
TRIM FILE REF	2020/699653
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

MOTION

That Council:

1. Investigate the financial and logistical possibilities of running a small native plant nursery to help maintain the supply of native and endemic trees in the Northern Beaches Local Government Area for Council's tree planting program.
2. Ask management to bring a report back to the December Council meeting.

BACKGROUND FROM COUNCILLOR STUART SPROTT

Council's urban tree plan and street tree planting program is in high demand for native and endemic trees.

Council has committed to planting 5000 trees every year for the next twenty years, totaling 100,000 trees.

This nursery would help staff meet the high demand for supplying trees for such programs.

By growing our own trees this nursery could help these programs become self-sufficient, hopefully reducing the financial burden on Council's budget.



ITEM 15.3	NOTICE OF MOTION NO 55/2020 - LACK OF DRUG TESTING
TRIM FILE REF	2020/718446
ATTACHMENTS	NIL

Submitted by: Councillors Rory Amon and Pat Daley OAM

MOTION

That Council notes:

1. On 21 November 2017, Council staff advised councillors that it was considering a drug and alcohol policy and program (Record number 2017/460995).
2. On 11 January 2019, Council staff advised councillors that "The proposed (new) operation policy to manage Drugs and Alcohol iii is currently in draft includes provision for drugs testing" (Record Number 2019/014277).
3. Since November 2017, some Councillors have made many requests regarding the drug testing of councillors and/or council staff.
4. In about November 2019, Council contracted a drugs testing provider (Record Number 2020/570279).
5. Drugs and alcohol abuse are a significant risk to any organisation, its staff, and its customers (in this case Northern Beaches residents).
6. Notwithstanding the above matters, not one drugs test has been undertaken by this Council.
7. Council is concerned as to the lack of drug testing and the organisational and risk to community created.

CHIEF EXECUTIVE OFFICER REPORT

In accordance with Council's Code of Meeting Practice Clause 4.15(a) I offer the following report on this matter to assist Council in the deliberation of this motion:

Council is committed to eliminating the risks associated with the misuse of alcohol and other drugs, the provision of a safe workplace and the delivery of services to the community in a safe manner.

The consultation, drafting, communication and training to support the launch of Council's Alcohol and Other Drugs policy, procedure, and testing program was extensive. These activities occurred over a 12 month period and included discussions with Local Government Union representatives, the Joint Consultative Committee, the Work, Health and Safety Consultative Committee, and managers and staff. Mandatory face-to-face training and two e-learning programs (one for staff and an additional one for managers) were rolled out in January and February 2020. The education and awareness building and the facilitation of rehabilitation options was and continues to be a critical element of this program.

A testing provider was appointed in November 2019 in readiness for the first round of testing from March 2020. Management took the decision to suspend testing during COVID on the basis of:

- The additional stress related to the safety of the inaugural testing during COVID
- The rapid and ongoing redeployment of indoor staff to work from home

- The commitment to staff that testing would be applied equitably to indoor and outdoor workers.

Limited random testing is one part of the testing program. Testing options also include:

- Post-incident testing,
- Reasonable concern testing, and
- Pre-employment testing for front-line workers in safety critical roles.

These other forms of testing have not been discontinued during COVID and 70 pre-employment tests have occurred as part of a pre-employment medical assessment.

All councillors were advised on 1 October (2020/570279) that testing was on hold due to COVID.

18.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

1. 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 Response to Notice of Motion 50/2020 - Potential Property Acquisition on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses a potential land dealing between Council and a private landholder. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would provide a commercial advantage to the owner of the land and potentially disadvantage Council's position in negotiations.
 - B. Item 18.2 Update on Land Acquisition 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]; and commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council [10A(2)(d(ii)) Local Government Act 1993].

This report discusses/provides advice concerning the potential acquisition of land by purchase or legal means. 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 put Council at a commercial disadvantage and inhibit its acquisition of the land, preventing it from achieving the best outcome for the community.
 - C. Item 18.3 RFT 2020/040 - Queenscliff Surf Club Alterations & Lift Installation on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses details of tender submissions. 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 person who supplied it.
 - D. Item 18.4 RFT 2020/090 - St David Avenue Park, Dee Why 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.
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- E. Item 18.5 RFT 2020/164 Fairy Bower Stormwater Outlet Renewal 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 Fairy Bower Stormwater Outlet Renewal 2020/164. 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 commercial and in confidence information to the market.

- F. Item 18.6 Notice of Motion No 54/2020 - Saving Important Community Open Space for all the Community 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/provides advice concerning 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 disadvantage to the owner of the land and potentially disadvantage Council's position in negotiations.

- G. Item 18.7 Mayoral Minute No 22/2020 - Annual Performance Review of the Chief Executive Officer October 2019 - September 2020 on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) Local Government Act 1993].

This report discusses/provides advice concerning The Chief Executive Officer's Performance Review.

2. 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.

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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