

ADMINISTRATOR'S MINUTE BOOKLET

Notice is hereby given that an Extraordinary Meeting of Council will be held at Manly Chambers on

Thursday 7 July 2016

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



Mark Ferguson
General Manager

Issued: 07/07/2016

**Administrator’s Minutes for an Extraordinary Meeting of Council
to be held on Thursday 7 July 2016
at Manly Chambers
Commencing at 6:30pm**

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**ITEM 5.1 ADMINISTRATOR'S MINUTE NO 6/2016 - DRAFT COASTAL
EROSION POLICY**

TRIM FILE REF 2016/201530

ATTACHMENTS 1 Draft Coastal Erosion Policy - 20160701

BACKGROUND

The major East Coast Low storm event between 4th and 6th June caused widespread damage across NSW, including significant coastal erosion along Collaroy-Narrabeen beach as well as impacting Palm, Fairy Bower and Dee Why Beaches, creating a major challenge for the newly formed Northern Beaches Council.

I would like to commend all of those involved in the event, from Council staff, emergency services, volunteers, as well as local residents for the way everybody worked together during the most challenging of times to protect life and property. The clean up and short term protection efforts are still ongoing, and Council is working closely with affected residents to deliver the best possible outcomes for our coastline.

Council has a certified Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fishermans Beach and this provides direction for management of this area. A priority action in the Plan was to develop guidelines to help property owners work through the difficult process of protecting their properties. This *draft Coastal Erosion Policy for the Northern Beaches* provides that guidance. At this stage the policy will only apply to Collaroy-Narrabeen and Fishermans Beach as this is the only beach with a certified Plan. As other beaches in the area are certified, this this policy will be augmented to give effect to their recommendations.

The Policy recognises the importance of maintaining public beach amenity and surf quality as its highest priority, and also outlines the responsibility of property owners (including government) to protect their property from coastal processes. I believe this is a problem that needs support from multiple levels of government and this policy acknowledges the importance of contributory funding in the Collaroy-Narrabeen area. Government is responsible for protecting public assets and where appropriate making a contribution to assist private property owners as they try to protect theirs.

I am advised that the initial estimates for 1.1km of works from The Marquesas to 1096 Pittwater Road has been estimated at approximately \$22 million. While Council will work with the State Government to meet the cost of directly protecting public assets in this area (approximately \$5.5 million), I will also ask the State Government to join Council in providing up to 10% each towards the cost of private protection as a contribution subject to a positive cost benefit analysis for these public assets. Early estimates suggest this contribution could be approximately. This contribution has been estimated at approximately \$3.3 million (\$1.65 million from State and \$1.65 million from Council) and is in recognition of the public asset protection that is provided by these private properties.

Notwithstanding the concerns of private property owners, the community's right to access and enjoy Collaroy-Narrabeen beach is paramount and for this reason, I am of the firm belief that any proposed long term protection works must be accompanied by sand nourishment. This will be increasingly important as we attempt to mitigate the effects of sea-level rise and other climate change influences on coastal processes.

A recent report by the Sydney Coastal Council's Group identified that to combat the impact of sea level rise in the Collaroy-Narrabeen embayment significant volumes of sand will be required as these impacts are felt. For example, it is predicted that some 1.3 million cubic metres of sand (approximately 4 times the amount removed during the June storms) will be required for the first 10 year nourishment effort, and around 420,000 cubic metres for each following 10 year campaign. In

2009 dollars this will cost around \$30 million for the first 10 year nourishment, and around \$12 million for each following 10 year campaign.

These costs are based on the assumption that sand nourishment will be undertaken across large areas of the NSW coast and the costs shared accordingly. It essential that these works are co-ordinated because they require significant upfront costs in order to hire specialised vessels and equipment. Making things even more complicated, the sand needed for these works rests on the seabed off the NSW coastline, and access to this sand is currently not permitted by NSW and Federal legislation.

Works on this scale are simply unaffordable for Northern Beaches Council on its own, and the responsibility for delivery of offshore sands must be shared with benefitting Councils and also with State and Federal Government. The State Government is obviously best placed to co-ordinate and manage such an undertaking, and I will write to the Premier to request that the State provides a long-term sand replenishment strategy for NSW that addresses the many issues I have raised, and amends the *Offshore Minerals Act (1999)* to enable effective medium and long term beach amenity to be preserved.

This policy continues the work of the Coastal Zone Management Plan and provides certainty to residents and the community about what must be done to facilitate the long-term management of the erosion issue at Collaroy-Narrabeen. It sets out the requirements for a contribution from government and also sets reasonable and appropriate limits to this. This contribution is affordable and reasonable given the risks posed to public assets in this area.

Coastal erosion is a complex technical problem and is also an emotive issue in our community. I hope this policy provides the kind of guidance and support that is needed to make this area safe and enjoyable for current and future generations.

RECOMMENDATION

That Council:

- A. Place the draft Coastal Erosion Policy for Collaroy-Narrabeen Beach on public exhibition for a period of not less than 28 days, undertake community consultation, and report to Council on the outcomes;
- B. Advocate to State and Federal Governments for a long-term sand replenishment strategy to combat the impact of sea level rise and climate change on Sydney's Northern Beaches and NSW generally, and to amend the *Offshore Minerals Act (1999)* to enable effective medium and long term beach amenity to be preserved.



Dick Persson
ADMINISTRATOR

NORTHERN BEACHES
COUNCIL

Policy No.

Northern Beaches Coastal Erosion Policy

2016/192316

1 Purpose

This policy guides Northern Beaches Council's approach to the protection of public and private property from coastal hazards identified in the certified Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fishermans Beach. As other Coastal Zone Management Plans on the Northern Beaches are certified, this policy will be augmented to give effect to their recommendations.

2 Principles

Consistent with the certified Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fishermans Beach the principles that guide the management of coastal erosion in this area include:

- a) The maintenance of public beach amenity and surf quality in the future as the highest priority.
- b) Property owners are primarily responsible for carrying out new development on beachfront and near beachfront land adjacent to Collaroy-Narrabeen Beach and Fishermans Beach provided that the risk of damage from coastal processes can be demonstrated to be acceptably low.
- c) The preservation of the public beachfront, beachfront assets and near beachfront assets where the risk of damage from coastal processes can be demonstrated to be acceptably low.
- d) Property owners (including government) are responsible for protecting their property from the impacts of coastal processes, and are responsible for ensuring their property does not adversely impact on adjoining properties or coastal processes.

3 Management Framework

- a) Council will work collaboratively with the NSW Government to ensure that the objectives and outcomes of the NSW Coastal Management Program as it relates to Collaroy-Narrabeen and Fishermans Beaches are met.
- b) In achieving this, it is important to note the management of coastal erosion is governed by a combination of State and Local Government instruments. It is essential that any proposed development is accompanied by sufficient supporting information (this includes temporary, interim and permanent works) to demonstrate that the requirements of these instruments have been met.
- c) In setting its own policies and guidelines in relation to coastal erosion management, Council shall prioritise the following outcomes:
 - i. Maintenance of existing levels of use and enjoyment of the beach and public land/assets;
 - ii. Maintenance of coastal processes in the Collaroy-Narrabeen embayment;

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- iii. New or renewed protection works shall avoid impacts on adjacent properties.

4 Designing and Siting Protection Works

- a) New works are recommended to be contained on private property. Protection works on public land should generally only be permitted where it results in a better outcome in terms of coastal processes and owner's consent has been obtained.
- b) Construction of protection works on private land by a public authority will generally require landowner's consent. Where it is not possible to obtain this consent to construct protection works in the most advantageous position, Council will consider the use of other lawful measures to obtain such consent and/or under the works itself.
- c) All protection works shall be designed and constructed:
 - i. To ensure the long-term coastal processes of the Collaroy-Narrabeen Beach embayment are maintained
 - ii. To ensure that the presence of the works will not adversely impact on adjoining private and public properties, or adversely affect the long-term amenity of the adjoining beach and surf zone
 - iii. Such that the works are only visible temporarily during and after significant erosion events
 - iv. To be contiguous, similar and integrated with adjoining protection works constructed in the embayment
 - v. To a consistent design standard that provides an appropriate level of protection from coastal erosion for affected properties
 - vi. To include a provision for public access (e.g. as part of the structure, or by siting the structure)
 - vii. To ensure access for ongoing maintenance of the works.

5 Alignment of protection works

Consistent with the approach taken in the certified CZMP, this policy will apply to Collaroy-Narrabeen Beach and Fishermans Beach in the following ways:

| Location | Description | Preferred alignment |
|----------|--|--|
| Area 1 | Collaroy-Narrabeen North of Devitt Street | Protection works are not considered to be desirable or suitable in this area. |
| Area 2a | Collaroy-Narrabeen Devitt to Goodwin Streets | Recommended to be on private property. Some deviation may be required in the vicinity of the Marquesas apartment building due to existing private assets. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. |

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| Location | Description | Preferred alignment |
|----------|--|---|
| Area 2b | Collaroy-Narrabeen Goodwin to Mactier Streets | Generally on private property. Some deviation may be required in this area, because of the forward position of a number of homes. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. |
| Area 2c | Collaroy-Narrabeen Mactier to Clarke Streets | Recommended to be on private property. Some deviation may be required in this area, because of the forward position of a number of homes. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. |
| Area 2d | Collaroy-Narrabeen Clarke to Wetherill Streets | Recommended to be on private property. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. |
| Area 2e | Collaroy-Narrabeen Wetherill to Stuart Streets | Recommended to be on private property. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. |
| Area 2f | Collaroy-Narrabeen Stuart to Ramsay Streets | The orientation of any works in this area is likely to require construction mostly on public land. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. Storm debris shall be managed/removed to ensure no impact on the alignment. |
| Area 2g | Collaroy-Narrabeen Ramsay to Fraser Streets | Recommended to be on private property. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. |
| Area 2h | Collaroy-Narrabeen Fraser to 1096 Pittwater Rd | Recommended to be on private property. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. |
| Area 2i | Collaroy-Narrabeen 1096 Pittwater Rd to Rockpool | This area is dominated by public land and therefore any works are likely to be principally on public land. The interaction of existing works in front of Collaroy Beach Services Club and Collaroy Surf Club buildings will influence the alignment. Any protection works are to be constructed to a consistent satisfactory design standard and a continuous overall alignment as agreed with Council. |
| Area 3 | Fishermans Beach | Protection works are not considered to be desirable or suitable in this area. |

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6 Approval process for protection works

- a) Applications for new protection works or reconstruction of existing protection works (on any land) shall address the requirements of all relevant legislation, guidelines and policies.
- b) Applications for new works or reconstruction of existing protection works shall be accompanied by a technical report addressing the Collaroy-Narrabeen Protection Works Design Guidelines and addressing the requirements set out in Council's Collaroy-Narrabeen Protection Works Assessment Checklist. This includes but is not limited to the provision of:
 - i. Survey identifying the location of property boundaries, land ownership and the extent of any proposed works;
 - ii. Certification that the works set out in the application are supported by appropriately experienced and qualified specialists in the field of coastal engineering;
 - iii. In the case of an application dealing with multiple properties, that an enforceable agreement from all owners has been obtained to fund and construct the works as a single contiguous project;
 - iv. A mechanism to ensure appropriate protections for Council and the public in the event that the applicant cannot complete the works in a timely professional manner (e.g. bank guarantee in favour of Council in the event of non-compliance or failure to complete the works);
 - v. Appropriate mechanisms that allow for the efficient maintenance, funding of offsets for any adverse impacts on adjacent properties and/or the public beach and any renewal of the works as required by or on behalf of the benefiting property owner/s;
 - vi. An assessment demonstrating that the development does not have a long-term impact on coastal processes in the Collaroy-Narrabeen embayment;
 - vii. An assessment of the impact of climate change and sea level rise on the development and the adjoining beach environment.

7 Sand offsets

- a) Where protection works may result in the loss of sand from the beach fluctuation zone and adversely impact coastal processes in the embayment, the property owner shall be responsible for importing a sufficient quantity of sand as an offset to the Collaroy-Narrabeen embayment (noting this may be done in collaboration with or managed by a public authority).
- b) Where protection works may have a short-term impact on the amenity of the adjoining beach, property owners shall be responsible for contributing to the cost of sand nourishment which offsets this impact.
- c) Council, the NSW Government and the Federal Government will be responsible for funding sand nourishment that is required as a result of sea level rise or in response to extreme storm events where normal beach recovery processes will be impaired because

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of the extent of the damage.

8 Funding

- a) Protection works that benefit a private property shall be designed, constructed and maintained (including any sand offsets) at the expense of the property owner.
- b) Any contribution by Council will be at its absolute discretion and shall not be relied upon by a private property owner in determining what action to take to protect their own property.
- c) Council is generally responsible for the protection of its own assets.
- d) Council will also seek funding contributions from other levels of government where it is able to do so to facilitate the implementation of the CZMP and provide assistance to private property owners.
- e) Beach scraping, sand nourishment and sand offsets for protection of private property will be on a shared basis (apportioned on the basis of benefit) and council will seek funding from other levels of government to facilitate such works.
- f) Council will seek funding from other public authorities that will benefit from permanent protection works to assist in the construction and maintenance of public infrastructure and utilities.
- g) In line with the above principles, the following guide shall be used for funding:
 - i. Concept design and setting alignment of protection works (1:1 - Council/State)
 - ii. Assessment of overall impact of the concept on the embayment (1:1 - Council/State)
 - iii. Works to protect assets (100% Principal Asset Owner)
 - iv. Funding of offset works* (100% Principal Asset Owner)
 - v. Sand nourishment to offset sea level rise or extreme storms (1:1 – Council/State)
 - vi. Maintenance of protection works* (100% of the Principal Asset Owner)

** It is acknowledged that it may be more efficient for maintenance and sand offsets to be undertaken by a public authority on behalf of all Principal Asset Owners with costs to be apportioned and collected on the basis of benefit.*

- h) In exceptional circumstances and where protection works principally benefit private property and also provide a benefit to significant public assets, Government may make a contribution to the works subject to a positive cost benefit analysis for those assets. Council's contribution will be capped at a maximum of 10% of Council's estimate of the cost of the works contingent upon receiving a minimum matching contribution of 10% from the State and/or Federal Government.

9 Emergency response

- a) Council will generally respond to coastal erosion emergencies in the manner set out in its *Coastal Erosion Emergency Action Sub-Plan for Warringah's Beaches (2015)*.

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- b) Council may (in its absolute discretion) issue orders including under the *Local Government Act 1993* when there is an imminent risk to life and/or property (public or private), or in the case of the failure of an owner or other party to take steps to make their property/asset safe.
- c) In some instances Council may (in its absolute discretion) take appropriate action to facilitate the clean-up of storm debris and the protection of public and/or private property. Where Council incurs costs associated with this action, the costs shall be recovered appropriately.
- d) As a general principle, material that has the potential to enter the beach (currently or in the future) must be of an equivalent material to the adjacent beach. Material that will not enter the beach currently or in the future (e.g. behind a terminal revetment) can be different to adjacent beach material, but as a minimum must be crushed into an aggregate that will enable safe future development of the subject land and not pose an impediment to future protection works and/or maintenance of such works.

10 Maintenance of beach amenity and access

- a) Generally, following a storm event, the beach will recover naturally and will require little to no intervention.
- b) Following a significant erosion event that has the potential to have a short-medium term impact on public use of the beach, Council may undertake beach scraping to encourage faster beach recovery.
- c) Council will continue to accept suitable sand donations from nearby development sites as these become available to further assist public use of the beach.
- d) From time to time, the beach rotates its areas of erosion and accretion. During a Narrabeen Lagoon Entrance Clearance, sand will be taken from the entrance (area of accretion) and returned to the embayment and placed on the beach (preferably in an area of erosion).
- e) Where a storm event has damaged and displaced built assets resulting in storm debris entering the beach, Council will work with the asset owner to remove the material from the beach (at the expense of the asset owner).
- f) Sea level rise may result in a progressive loss of beach width over coming decades. Council will work with the State Government and other coastal councils in NSW to facilitate the importation of sufficient quantities of sand to enable beach width and surf quality to be maintained.

11 Maintenance of protection works

- a) It is the responsibility of the Principal Asset Owner to ensure the coastal protection works are maintained in a manner that ensures the ongoing level of design performance. This includes but is not limited to:
 - i. Undertaking a routine series of inspections.
 - ii. Undertaking condition inspections following a significant erosion event.
 - iii. Ensuring works are renewed in a timely manner such that the design level of protection is not threatened.

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- iv. Ensuring works are upgraded as required in response to changes in impacts associated with frequency or intensity of storm events or sea level rise associated with climate change.
 - v. Ensuring suitable access is retained to the works so that ongoing maintenance can be implemented by private and/or public owners.
- b) Existing protection works (e.g. loose rock or geobags) that are not incorporated into permanent protection works shall be progressively removed by the Principal Asset Owner for the permanent works.

12 Authorisation

This policy was adopted by Council on [insert date].

It is effective from [insert date].

It is due for review on [insert date].

13 Amendments

This Policy was last amended on 1 July 2016.

14 Who is responsible for implementing this Policy?

Group Manager, Natural Environment

15 Document owner

Deputy General Manager, Environment & Infrastructure

16 Related Council Operational Management Standards

N/A

17 Legislation and references

- a) Coastal Management Act (2016)
- b) Coastal Protection Act (1979)
- c) Crown Lands Act (1989)
- d) Environmental Planning and Assessment Act (1979)
- e) Local Government Act (1993)
- f) State Environmental Planning Policy – Coastal Protection (SEPP 71)
- g) State Environmental Planning Policy – Infrastructure (2007)
- h) Warringah Local Environmental Plan (2011)
- i) Coastal Zone Management Plan for Collaroy-Narrabeen and Fishermans Beach (2015)
- j) NSW Government Coastal Management Guidelines (various)

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18 Definitions

Beach fluctuation zone: As described in the Coastal Management Act (2016)

Beach scraping: This is the mechanical movement of sand by machinery from one section of the beach to another to encourage the rapid accretion of sand from the surf zone onto the beach.

Collaroy-Narrabeen Protection Works Design Guidelines : These are Council guidelines that direct an applicant as to how issues relating to design and alignment of protection works are to be addressed.

Principal Asset Owner: The principal and most proximal beneficiary of the works, notwithstanding that other asset owners in the area who are less proximal may obtain some benefit. This includes private property owners, utility asset owners, Council and the Crown.

Sand nourishment : The net addition of sand into the overall embayment from sources outside of this area (e.g. from donor building sites or offshore sand deposits).

Sand offset : The nourishment of the beach with a volume of sand equivalent to an amount removed from the embayment (e.g. due to its location behind a terminal revetment and resulting loss of beach fluctuation zone).

Sand replenishment : The relocation of sand from one area of the beach to another, such as occurs during the Narrabeen Lagoon Entrance Clearance operation.

| | |
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| ITEM 5.2 | ADMINISTRATOR'S MINUTE NO 7/2016 - NORTHERN BEACHES MERGER SAVINGS FUND |
| TRIM FILE REF | 2016/221864 |
| ATTACHMENTS | NIL |

BACKGROUND

Northern Beaches Council continues to review its operations as it progresses through the transition phase of the amalgamation process to ensure savings are demonstrably identified and reported.

Northern Beaches Council can now report annual savings of \$3 million made in the first two months since the former councils were merged. These are the initial reported savings from the merger and further are expected over the next year.

These savings have come from the reduction of workers compensation insurance costs, savings in general insurances and reductions in senior management positions not to be replaced.

Using the discount rate and CPI rates applied by KPMG in its March 2016 report for the NSW State Government of the financial benefits of a northern beaches council this represents estimated savings of \$38 million over 20 years out of the total estimated in their report of \$111 million.

It is currently too early to put a number on further annual savings from the merger; however these are likely to be substantial.

PROPOSAL

Savings from the merger will be set aside in a special Northern Beaches Merger Savings Fund to provide an on-going pool of money for projects that directly benefit the community and will not be used to offset spending in other operational areas of Council's Budget.

The NSW State Government committed \$15 million for community benefit projects when the new Northern Beaches Council was proclaimed on 12 May 2016.

The Northern Beaches Merger Savings Fund will provide ongoing funding for these types of projects and this is a great legacy for future generations on the Northern Beaches.

CONCLUSION

This approach will ensure a significant dividend is delivered to the community every year from the efficiencies achieved from the merging of the three councils. This is a huge win for the Northern Beaches community and demonstrates the benefit of merging Council's resources.

RECOMMENDATION

That savings from the merger be set aside in a special Northern Beaches Merger Savings Fund to provide an on-going pool of money for projects that directly benefit the community and be reported to Council on a quarterly basis as part of the Quarterly Budget Review Statement.



Dick Persson
ADMINISTRATOR

NORTHERN BEACHES COUNCIL

