



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 17 April 2018

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

A handwritten signature in black ink that reads "DKerr".

David Kerr
Acting Chief Executive Officer

OUR VALUES

Trust

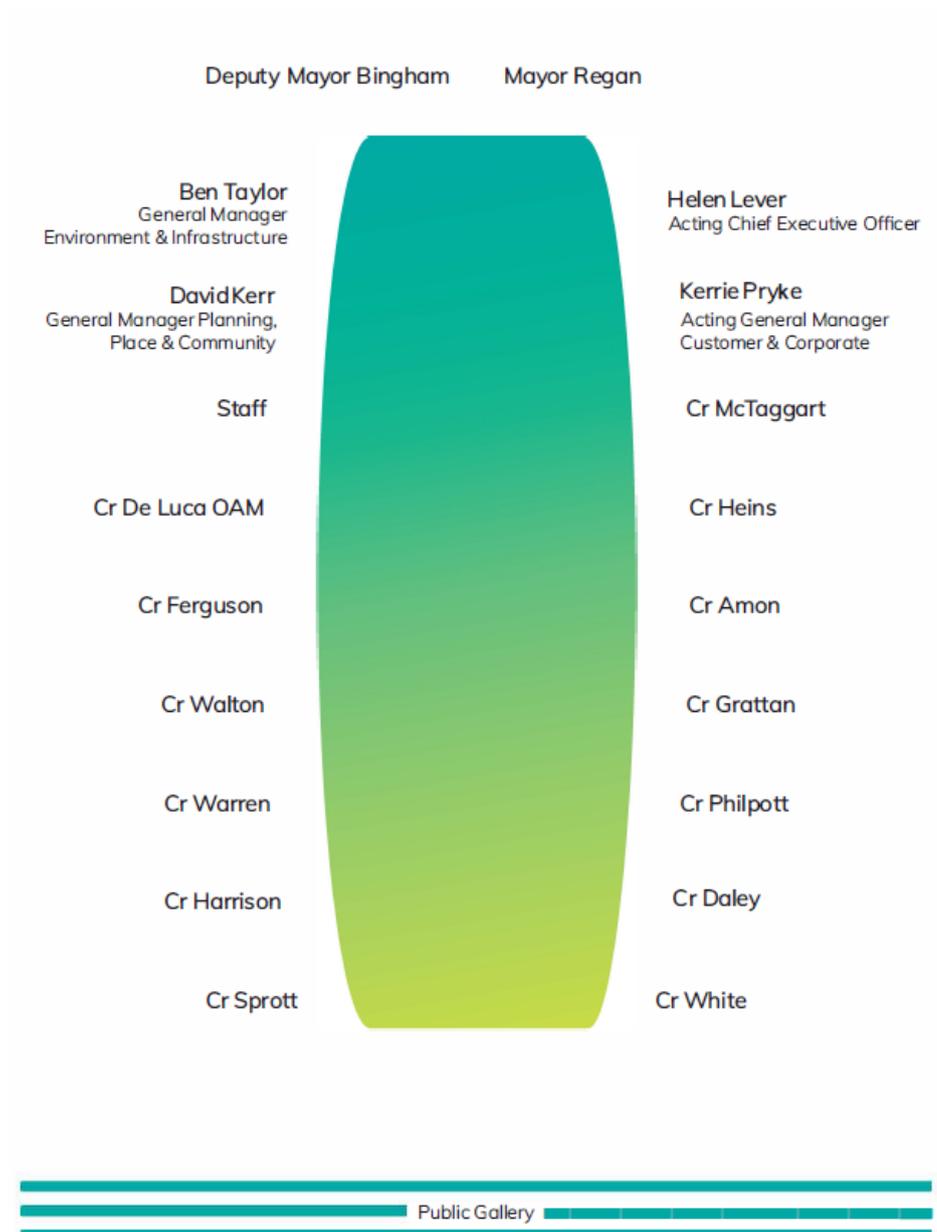
Teamwork

Respect

Integrity

Service

Leadership



**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 17 April 2018
at the Civic Centre, Dee Why
Commencing at 6:30pm**

ACKNOWLEDGEMENT OF COUNTRY

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3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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1.0 APOLOGIES

In accordance with Clause 4.2 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.

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

In accordance with Part 3 of the Code of Meeting Practice, all Councillors must declare any conflict of interest, pecuniary interest, significant or less than significant non-pecuniary interest in relation to any item listed on the agenda.

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 27 MARCH 2018

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 27 March 2018, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 PUBLIC FORUM AND PUBLIC ADDRESS

In accordance with Clause 2.8 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 any one matter which is listed for consideration on the agenda (Public Address).

5.0 ITEMS RESOLVED BY EXCEPTION

In accordance with Clause 2.11 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 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 7.1	ADOPTION OF COMMUNITY STRATEGIC PLAN "SHAPE 2028"
REPORTING MANAGER	EXECUTIVE MANAGER TRANSFORMATION AND PERFORMANCE
TRIM FILE REF	2018/210898
ATTACHMENTS	1 ⇒ Revised Community Strategic Plan 2018-2028 (Shape 2028) (Included In Attachments Booklet 1) 2 ⇒ Community Engagement Report (Included In Attachments Booklet 1) 3 ⇒ Community Strategic Plan Measures (Included In Attachments Booklet 1)

EXECUTIVE SUMMARY

PURPOSE

To adopt the revised Community Strategic Plan (CSP) following consideration of submissions received on the draft.

SUMMARY

In accordance with the *NSW Local Government Act 1993*, the draft CSP has been developed to define the community's long term vision, priorities and strategic direction for the Northern Beaches.

The draft CSP is the result of three stages of community engagement. The final stage of engagement was conducted 17 July – 12 November 2017. An extended exhibition period was provided to allow Councillors to participate in conversations with the community before finalising the CSP. Some 31 submission were received and the Community Engagement Report is at Attachment 2.

The results of the Stage 3 engagement include:

- Confirmation of a vision, structure and logic of the CSP
- Minor changes to strengthen goals and strategies
- Confirmation of Key Partners for each Community Outcome
- Identification of measures that will be used to assess progress see Attachment 3.

The revised CSP is at Attachment 1.

RECOMMENDATION OF ACTING CHIEF EXECUTIVE OFFICER

That:

- A. Council notes the Community Engagement Report at Attachment 2 for Stage 3 of the Community Strategic Plan engagement process.
 - B. Council endorses the revised Community Strategic Plan at Attachment 1.
-

REPORT

BACKGROUND

On behalf of the Northern Beaches community, Council is preparing the first Community Strategic Plan (CSP) for the Northern Beaches local government area. The CSP is being prepared in accordance with the *NSW Local Government Act 1993* and within the Government's planning context for the region (namely the *North District Plan*). It also has regard to Council's Community Engagement Policy and Framework.

The CSP is the community's high level strategic plan for the next ten years. The success of the CSP will be influenced by how well the framework can facilitate collaboration between a broad range of agencies and stakeholders, as well as the degree to which it is integrated in detailed planning and service delivery.

Integrated Planning and Reporting Framework

The CSP is the highest level of strategic planning undertaken by a local council. It needs to be sufficiently aspirational and flexible so that it does not lose currency and relevance over its ten year term.

Other strategies and plans, and especially the four year Delivery Program and the annual Operational Plans, provide the detail and outline specific actions and projects to achieve the community's vision. Along with the CSP, these plans are statutory documents described in the *NSW Local Government Act 1993* as key elements of the 'Integrated Planning and Reporting' (IP&R) Framework. All IP&R documents must be prepared within the overall metropolitan and state planning context and with regard to the Greater Sydney Region Plan, Sydney North District Plan, and any other Government plans that set strategic direction for the region.

Implementation

The Delivery Program and Operational Plans are the main mechanisms for Council's role in implementing the CSP. These plans describe specific projects and actions that Council will undertake and provide substance to the high level goals and strategies of the CSP. The CSP, Delivery Program and Operational Plans are supported by a Resourcing Strategy (including an Asset Management Strategy, Long Term Financial Plan and Workforce Management Plan). A separate report dealing with these matters is at Item 7.2.

Responsibilities

Council is not solely responsible for the implementation of the CSP as many aspects of the community's plan fall beyond the direct control of local government. Transport, education and health are obvious examples of this. However as a Council with strong ties to the community we are well-placed to play a strong collaborative and advocacy role in bringing relevant stakeholders together to deliver on community outcomes.

Accountability

The CSP is evaluated every four years in an End of Term Report that shows our progress towards the indicators listed in the CSP. The CSP is also updated in step with local government elections (generally every four years) to ensure its relevance and currency over the ten year lifespan of the Plan. (The first End of Term Report and review of this CSP will take place in 2021, due to the three year term of the first elected Council for Northern Beaches)

CONSULTATION

Community Engagement Process

The engagement approach was designed with the dual purpose of gradually building the draft CSP through three consecutive stages and to capture a broad range of community views (across geographic locations, age, gender and interest groups). The Strategic Reference Groups (SRGs) and Local Representation Committees (LRCs) provided valuable input throughout the process in terms of checking the robustness of the CSP Framework. The LRCs were also consulted post exhibition about the proposed changes to the CSP Framework.

An overview of the engagement is presented in Table 1 below. Detailed reports from each stage of the engagement are available through the Council report for the meetings of 13 December 2016 (Stage 1) and 27 June 2017 (Stage 2). More than two thousand community members contributed their time and insights.

Table 1: Overview of Community Engagement

Stage	Basis for conversations	Description	Outcome
Stage 1: vision and priorities <i>Sep to Nov 2016</i>	Issues Paper	Broad discussion about the issues, challenges and opportunities facing Northern Beaches	Statement of draft Vision and Priorities endorsed by Council 13 December 2016 for further consultation
Stage 2: CSP Framework <i>Mar to Apr 2017</i>	Discussion Paper (including a draft CSP Framework)	Focussed and deliberate conversations about the draft vision, outcomes, goals and strategies to address the community's priorities	Enhanced/validated CSP Framework
Stage 3: indicators and draft CSP <i>17 July 2017 to 12 Nov 2017</i>	Draft CSP	Discussions on key performance measures as well as comments on draft CSP	Final CSP endorsed by Council by June 2018

Marketing Stage 3

The engagement activities were advertised broadly through: printed media (including Manly Daily, Peninsular Living, Pittwater Life and Covered); Council's website; social media; direct email to identified stakeholders; electronic mail distribution to people on Council's database; and through Council events.

Table 2: Marketing approach

Item	Medium	Target audience	Reach
Print Advertisements	Manly Daily (Weekly)	General community	144,000
	Peninsular Living (Monthly)		70,000
	Pittwater Life (Monthly)		30,000
	Covered - Double page spread (Quarterly)		30,000

Bulk Emails	Community Engagement Register	Target groups and those who have previously engaged	12,000
	Campaign Manager		TBC
Electronic Mail Distribution	'What's On' Email List	General community, Youth	60,000
	Council News Email List		60,000
	Childcare Weekly Update – 'Educa' app		700
Website	Featured on front page of Council Website	General	26,700
Social Media	Facebook (General and Sponsored) Twitter and LinkedIn	Youth, Young Adults, Time-Poor	36,000

Submissions Analysis Approach

All submissions have been recorded and treated equally in the analysis. The following criteria gave direction to an assessment of whether change as a result of the submissions was warranted:

- Must be consistent with original intent
- Must be consistent with general sentiment of the broad community
- Changes to be based on a merit assessment (not purely on numbers).

Submissions

A total of 32 submissions were received. A summary of the overall findings are below:

- All of the submissions except three appeared to accept the overall structure/logic and general content of the draft CSP. Three identical submissions (from CABPRA, Pittwater Forever and Newport Residents Association) requested that the current content be restructured or expanded to include an additional section exclusively dedicated to 'Pittwater'.¹ This suggestion is not supported as the CSP must refer to the whole Northern Beaches Local Government Area.
- One specific suggestion was made to change the wording of the vision statement (to include a reference to 'bicycle friendly community'). The suggested wording is not supported as it would make the statement too narrow; the vision must include the whole of the Northern Beaches community.
- The vast majority of comments related to a concern about the current state (e.g. need to look after the environment) and/or need for assurance that Council will take action and implement the goals and strategies. The most prevalent theme raised was a concern about the impact of development on the environment. There was a strong desire to find a better balance between population growth, housing, environmental protection and transport/economic development. Other themes raised in the submissions included:
 - Improve public transport/reduce congestion
 - Emphasise safety (especially in Manly and during night time)
 - Promotion of night time economy

¹ The submissions did not specify in which sense 'Pittwater' was to be referenced (e.g. geographically in relation to the water body 'Pittwater'; as a past local government area; or as a current Ward).

- Protection of the village feel and identity of Pittwater
- Encourage/discourage cycling (divided opinions)
- Expand opportunities for dog exercise areas throughout the LGA
- Air pollution and banning of woodfire heating
- Promotion of tourism and local cottage economy (e.g. accommodation, establish a surfing museum).
- Ten submissions from key stakeholders were received, all which express general support and collaboration (with five of these submissions commending Council on the document)².
- Two people commented positively on the engagement process. There were no negative comments about the community engagement process.

The Community Engagement Report at Attachment 2 provides further details.

Results

The engagement resulted in a CSP that is clearer. Most of the specific comments and suggestions for improvement have been taken on board in the attached revised CSP, see Attachment 1. However the overall structure and direction of the CSP Framework has not changed substantially, as the community was generally satisfied with the logic and sentiment of the document.

An overview of the key changes to the draft CSP is presented in Table 3 below:

Table 3: Summary of key changes

Section	Summary of feedback	Key changes
Introduction (p8) Understanding our community	Needs to be updated to reflect the final stage of community engagement	Revised to reflect the completion of the third stage of engagement
Northern Beaches Today (p10) Our Community: Who we are	Statistics on the demographic profile or our community needs to be updated	Demographic profile revised with 2016 ABS Census
Northern Beaches Today (p11) Our Community: Transport and Infrastructure	Suggested that the commencement of the B-Line service should be referenced	Reference to B-Line included

² With the exception of one submission from Football NSW, these stakeholders were all NSW Government agencies and include: Environment Protection Authority (EPA); Rural Fire Service (NSW RFS); Audit Office NSW; NSW Health; Transport for NSW (TfNSW); Office of Environment and Heritage (OEH); Greater Sydney Commission (GSC); Northern Sydney Local Health District; and NSW Department of Family and Community Services – Land and Housing Corporation.

Section	Summary of feedback	Key changes
Northern Beaches Today (p11) Our Community: Our economy	Statistics on workforce need to be updated	Workforce statistics updated with 2016 ABS Census
On the Horizon (p17) Planning in partnership	Clarification of partnership opportunities with Office of Environment and Heritage.	Under NSW Government partnership the 4 th bullet point amended to read: 'Environmental and biodiversity protection (e.g. EPA, OEH)
New Section following 'Planning in partnership'	Suggestion the CSP show alignment with the Greater Sydney Region Plan and the revised Northern District Plan	Additional content included showing alignment of the CSP with Northern District Plan
Protection of the Environment (p21)	Needs to address air pollution and ban wood fire heating	Strengthened Strategy 3a to emphasise the need to minimize pollution (covers all types of pollution including littering)
Environmental Sustainability (p23)	Clarifications to Key Partners section	Office of Environment and Heritage needs added as Key Partner
Places for People (p25)	Clarifications to Key Partners section	'Family and Community Services added instead of NSW Housing. Social housing providers and managers (e.g. Bridge Housing Ltd)' also added
Community and Belonging (p27)	Clarifications to Key Partners section	Northern Sydney Local Health District as a Key Partner
Vibrant Local Economy (p29)	<ul style="list-style-type: none"> • Correction to Key Partners section • The wording of Goal 15 needed to be strengthened to better reflect the strategies 	<ul style="list-style-type: none"> • Change 'Department of Health' to 'NSW Health' and add 'Transport for NSW' • Reword Goal 15 to read 'Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and socialising'
Transport, Infrastructure and Connectivity (p31)	<ul style="list-style-type: none"> • Suggestion that the fourth paragraph be reworded to more positively highlight that Council and the NSW Government need to work together to tackle this problem • Statistics on job containment rates need to be updated 	<ul style="list-style-type: none"> • Reworded to read 'Council and the NSW Government will need to work together to address the transport challenges on the Northern Beaches' • Job containment rates updated with 2016 ABS Census

Section	Summary of feedback	Key changes
Good Governance (p33)	<ul style="list-style-type: none"> Strategy 19(a) suggested wording change as it is important for community trust and involvement that any reporting provide adequate time for the community to review and comment. 	<ul style="list-style-type: none"> Strengthened Strategy 19(a) by including the word 'timely'
Tracking our Progress (p38)	<ul style="list-style-type: none"> Submission made a range of suggestions on how progress could be measured 	<ul style="list-style-type: none"> Strengthened by adding measure that will be used to assess progress

Tracking our Progress

Council is required to identify assessment methods for determining whether the objectives are being achieved. This framework is required to be in place to monitor progress. In this case progress reporting will be via an End of Term Report presented to Council in August 2020 ahead of the local government elections.

One of the major challenges in adopting a framework is ensuring that reliable data will be available for incorporation in the End of Term Report and that the measures are meaningful.

For each community outcome a range of measures have been identified see Attachment 3. For each measure the scope of influence is shown (control, influence and concern) as well as the expected target/trend. As Council's service delivery is in our control, the related 'control' measures largely use our own data and directly reflect our own performance. For other areas of 'concern' and 'influence', the longer-term achievements are affected by partnerships, lobbying of State and Federal governments, and external pressures - thus often external data sources are used.

The community and key stakeholders have suggested measures for incorporation in the framework. Some of these have been included.

FINANCIAL CONSIDERATIONS

Implementation of the directions in the CSP will be via Council Delivery Program and annual Operational Plan. Council will need to prioritise its response to the CSP over time based on its financial capacity. The Long Term Financial Plan, Asset Management Strategy and Workforce Management Plan will help guide these decisions.

SOCIAL CONSIDERATIONS

The CSP includes goals and strategies aimed at creating a safer and more inclusive and connected community.

ENVIRONMENTAL CONSIDERATIONS

The CSP includes goals and strategies aimed at protecting the environment and improving the environmental sustainability of the Northern Beaches.

GOVERNANCE AND RISK CONSIDERATIONS

The adoption of the CSP is integral to the governance framework of Council. The CSP has been prepared in accordance with s402 of the *Local Government Act 1993* and the Office of Local Government's *Integrated Planning Report Guidelines for local government in NSW (March 2013)* and *Integrated Planning and Reporting Manual for local government in NSW (March 2013)*.

ITEM 7.2	DRAFT DELIVERY PROGRAM 2018 - 2021, OPERATIONAL PLAN AND BUDGET 2018/19 AND RESOURCING STRATEGY
REPORTING MANAGER	CHIEF FINANCIAL OFFICER & EXECUTIVE MANAGER TRANSFORMATION AND PERFORMANCE
TRIM FILE REF	2018/201806
ATTACHMENTS	1 ⇒Draft Delivery Program and Operational Plan (Included In Attachments Booklet 2) 2 ⇒Draft Resourcing Strategy (Included In Attachments Booklet 2) 3 ⇒Draft Fees & Charges 2018/19 (Included In Attachments Booklet 2) 4 ⇒Community Engagement Report - Delivery Program (Included In Attachments Booklet 2)

EXECUTIVE SUMMARY

PURPOSE

To seek approval to place on exhibition the draft Delivery Program 2018-2021, Operational Plan and Budget 2018/19 and Resourcing Strategy.

SUMMARY

The Council's Integrated Planning and Reporting (IP&R) framework needs to be adopted by 30 June 2018. The framework consists of a suite of documents including the Community Strategic Plan which is subject of a separate report to Council, see Item 7.1.

The draft Delivery Program 2018-2021 outlines the actions Council will undertake over the next three years to deliver the goals identified in the Community Strategic Plan. It addresses Council's operations and allocates responsibility areas for each action.

The draft Operational Plan and Budget 2018/19 (including Fees and Charges 2018/19) outlines the specific actions which Council will deliver during that year. The two plans have been integrated into one document. The development of the Delivery Program/Operational Plan has been informed by initial community engagement undertaken in October-November 2017.

The draft Resourcing Strategy comprises a Workforce Management Plan 2018-2022, Long Term Financial Plan 2018-2028 and Asset Management Strategy 2018-2028.

Before the framework can be finalised Council needs to exhibit the documents for a minimum of 28 days and consider submissions in accordance with the *Local Government Act 1993*.

RECOMMENDATION OF ACTING CHIEF EXECUTIVE OFFICER

That the following be placed on exhibition for a minimum of 28 days:

- A. Delivery Program 2018-2021, Operational Plan and Budget 2018/19 (including Fees and Charges 2018/19)
 - B. Resourcing Strategy - Long Term Financial Plan, Workforce Management Plan and Asset Management Strategy.
-

REPORT

BACKGROUND

Under the *Local Government Act 1993* Council must endorse a 10-year Community Strategic Plan (CSP) and four-year Delivery Program by June 30 in the year following a Council election. The first Delivery Program for the Northern Beaches Council will be for a three year period (1 July 2018 to 30 June 2021) in accordance with the *Local Government (Council Amalgamations) Proclamation 2016*.

The Delivery Program 2018-2021 details the principal activities to be undertaken by Council over the next three years to implement the goals outlined in the CSP. It is a statement of commitment to the community for of the newly elected Council for their term of office.

The one-year Operational Plan is the annual sub-plan for the Delivery Program and must be adopted before the beginning of the financial year. The Operational Plan details the actions that Council will undertake within the financial year. It includes an estimate of income for the year, rates, domestic waste charge, borrowings and fees and charges.

Each plan must be placed on exhibition for 28 days.

In addition, Council also needs to prepare a Resourcing Strategy. This comprises:

- Workforce Management Plan – covers a four year period and ensures Council has the skills and resources available to achieve the CSP goals.
- Asset Management Strategy – covers a ten year period and demonstrates how Council manages assets using a lifecycle approach to support services provided to the community.
- Long Term Financial Plan – covers a ten year period and ensures that Council is a financially viable, adequately funded and sustainable organisation.

CONSULTATION ON DELIVERY PROGRAM PRIORITIES

Initial consultation to inform the development of the Delivery Program occurred between 6 October and 12 November 2017. It involved 1,438 people participating in workshops, focus groups or via an online survey.

Participants were invited to prioritise 17 outward facing Council services. The aim was to identify the four services over the next three years where the community want to see more effort from Council.

A summary of the results of the engagement is below with more detail in the Community Engagement report at Attachment 4.

Across all engagement, Transport, Traffic and Active Travel and Road and Parking infrastructure came out as a top community priority – followed closely by Strategic Land Use Planning (slight variation re survey results) and Environmental Protection.

There was discussion/diverging views around the following services:

- Economic Development and Events ranked highly in workshops where discussions centred on Council's role in economic development.
- Parks and Recreation – people generally felt that there was good supply and overall good service provision (though opportunity to have a look at 'more equitable' uses).

- Property and Management ranked fairly highly in the workshops particularly in the Manly workshop where participants expressed high dissatisfaction with provision and maintenance of public toilets.
- Sustainability and Resilience was deemed as critical to the future of Northern Beaches – the main reason why it didn't rank higher was a combination of views regarding Council's role and current service delivery.
- Development Assessment – generally not thought as a high strategic priority. But many participants (based on their personal experience) felt that it would be a quick win for Council to improve its processes and therefore should be prioritised.

DELIVERY PROGRAM AND OPERATIONAL PLAN

The Delivery Program 2018-2021 and Operational Plan and Budget 2018/19 (Attachment 1) are structured around 16 key services. For each service the following is shown over a three year period:

- Ongoing services and programs - aligned to the CSP
- Operational and capital works - aligned to the CSP
- Performance measures
- Income and expenditure.

A section titled Transforming the Northern Beaches is also included in the Plan. It outlines Council's priorities across a number of programs over the next three years to progress key aspects of the CSP. Under each program a range of initiatives are listed including State projects where Council will be working with the NSW Government to ensure delivery. These programs directly respond to community priorities from the engagement on the CSP as well as the initial engagement on the delivery program above. The programs are:

- Sustainable precincts
- Supporting business and creating vibrant centres
- Connected transport
- Arts and cultural improvements
- Recreational improvements
- Environmental sustainability.

BUDGET OVERVIEW AND FINANCIAL FORECASTS

The 2018/19 budget projects total expenditure of \$436.5 million, including a capital works program of \$109.7 million. It shows that our financial position is sound, with a projected surplus before Capital Grants and Contributions of \$8.9 million.

The Budget is focused on maintaining 'business as usual', delivering on key capital projects and maintaining service levels to the community.

As noted, some \$109.7 million will be spent this year on capital works. This includes investing nearly \$60.1 million in asset renewal to improve the overall condition of our assets, thereby reducing ongoing operational costs associated with asset repair and maintenance.

REVENUE POLICY

Rating Structure 2018/19

The total income that can be raised from levying rates on property is capped by the State Government based on a determination by the Independent Pricing and Regulatory Tribunal (IPART). IPART determined that general income from rates in 2018/19 may be increased by a maximum of 2.3%

In accordance with the *Local Government (Council Amalgamations) Proclamation 2016* the current rate structure including category and sub-categories of the former councils will be maintained and rate assessments will be based entirely upon property valuations (ad valorem) but with minimum rates applying where appropriate. Rates for 2018/19 will be assessed on land values having a date of 1 July 2016.

The increase allowed by IPART relates to general income in total and not to individual ratepayers' rates. Individual rates are also affected by other factors such as land valuations. As such rates for individual ratepayers may vary by more or less than the percentage allowable depending on how an individual ratepayers' land valuation has changed in a particular year compared to the land values of other ratepayers.

Rating of land for the Northern Beaches Council is based on the rating structure of the former Manly, Pittwater and Warringah local government area (LGA). The ad valorem rate, the minimum rate and anticipated revenue for residential, business and business subcategories in the former Manly, Pittwater and Warringah LGAs is as follows:

Table 1: Rating Structure for the former Manly LGA

Type	Category/Subcategory	Number	Ad Valorem Rate	Minimum \$	Rate Income \$
Ordinary	Residential	17,641	0.119329	816.78	23,394,218
Ordinary	Business – Manly CBD	623	0.621130	1,066.48	3,703,373
Ordinary	Business – other	526	0.347631	1,066.48	1,672,533
Special	Manly Business Centre Improvement	623	0.212361		1,223,374
Special	Balgowlah Business Centre Improvement	84	0.141270		83,637
		19,497			30,077,135

For rating purposes, land in the former Manly Council is categorised as residential or business. The business category has a further sub category of Manly CBD and other.

There are also two special rates applying in the former Manly LGA. The special rate for Manly Business Centre Improvement is for planned capital and maintenance works, including the Manly Business Centre, The Corso and Ocean Beach Front. It is proposed to fully expend the special rate income of \$1,223,374 during the financial year.

The special rate for Balgowlah Business Centre Improvement is for planned capital and maintenance works, including the off-street car parks in Condamine Street. Maps showing properties subject to the special rate are contained in the Delivery Program/Operational Plan at Attachment 1.

Table 2: Rating Structure for the former Pittwater LGA

Type	Category/Subcategory	Number	Ad Valorem Rate	Minimum \$	Rate Income \$
Ordinary	Residential	23,322	0.158200	884.00	37,336,804
Ordinary	Business	1,898	0.358700	1,129.00	4,420,646
Ordinary	Business - Warriewood Square	1	0.389300		92,653
Ordinary	Farmland	7	0.061799	884.00	15,586
		25,228			41,865,689

For rating purposes, land in the former Pittwater LGA is categorised as residential, farmland or business. The business category has a further sub category of Warriewood Square.

Table 3: Rating Structure for the former Warringah LGA

Type	Category/Subcategory	Number	Ad Valorem Rate	Minimum \$	Rate Income \$
Ordinary	Residential	53,149	0.152721	970.93	73,826,446
Ordinary	Business	3,913	0.560496	1,246.55	16,335,522
Ordinary	Business – Warringah Mall	1	0.999207		814,353
Ordinary	Ordinary Business – Strata Storage Units	229	0.677247	571.75	130,931
		57,292			91,107,252

For rating purposes, land in the former Warringah LGA is categorised as residential or business. The business category has a further two sub-categories – Warringah Mall Regional Shopping Centre Sub-Category and Strata Storage Units Sub-Category.

Domestic waste Management Charge 2018/19

Council provides Domestic Waste Management (DWM) Services to all residential properties on the Northern Beaches. The service/charge for individual residential properties reflects where the property is located in the former Manly, Pittwater or Warringah LGA. The charges are as follows:

Table 4: Premises in the former Manly LGA

Description	Charge/Fee \$	Income \$
Availability charge - vacant land	187	748
Domestic Waste Management Service (first or additional garbage bins)	536	10,059,648
Clean up – exceed two services and/or 3m3 capacity	102	25,500
Supply of additional vegetation recycling bin	102	5,100
Total Income		10,090,996

Table 5: Premises in the former Pittwater LGA

Service	Charge/Fee \$	Income \$
Availability charge - vacant land	123	36,900
Availability charge - premises using private collection	123	103,566
Domestic Waste Management Service (including offshore)	518	12,515,996
Retirement villages	405	187,110
Supply of additional vegetation recycling bin	102	5,100
Total Income		12,848,672

Table 6: Premises in the former Warringah LGA

Service	Charge/Fee \$	Income \$
Availability charge - vacant land	95	47,025
Per 80 litre garbage bin (first or additional garbage bins)	389	13,954,986
Per 120 litre garbage bin (first or additional garbage bins)	581	12,488,595
Service increase fee - applies when delivering a larger capacity or additional bin, compared to base 80 litre service or existing service level	26	N/A
Supply of additional vegetation recycling bin	102	36,822
Total Income		26,527,428

Draft Fees & Charges 2018/19

The Operational Plan includes a range of proposed Fees and Charges for 2018/19 (see Attachment 3). Underlying this is Council's Pricing Policy to ensure Council recovers its costs in delivering a service, while also allowing for fees and charges to be discounted where appropriate in recognition of Council's community service obligations.

Fees and charges relate mainly to the recovery of service delivery costs through the charging of fees to users. These include use of leisure, entertainment and other community facilities and the provision of human services such as long day care, vacation care and family day care. In setting the budget, the key principle for determining the level of user charges has been to ensure that increases relate directly to the costs incurred in providing the service.

CONSULTATION

The Local Government Act 1993 (Sections 404 and 405) require a minimum exhibition period of 28 days. The draft documents will be placed on exhibition from Friday 20 April to Sunday 20 May 2018.

Consultation will include:

- Notices in the Manly Daily and social media
- Information at the Customer Service Centres and Council libraries
- Information on the Council website.
- Information sessions during May – five proposed.

Submissions can be made online as well as via letter and email. Submissions received will be reported to the Council meeting on 26 June 2018 where Council will adopt the documents.

FINANCIAL CONSIDERATIONS

The 2018/19 budget projects total expenditure of \$436.5 million, including a capital works program of \$109.7 million. It shows that our financial position is sound, with a projected surplus before Capital Grants and Contributions of \$8.9 million.

The 10 year Long Term Financial Plan (LTFP) shows that the annual surplus before Capital Grants and Contributions can be maintained each year.

SOCIAL CONSIDERATIONS

The Delivery Program and Operational Plan include initiatives aimed at creating a safer and more inclusive and connected community.

ENVIRONMENTAL CONSIDERATIONS

The Delivery Program and Operational Plan include initiatives aimed at protecting the environment and improving the environmental sustainability of the Northern Beaches.

GOVERNANCE AND RISK CONSIDERATIONS

The development of the Delivery Program, Operational Plan and Resourcing Strategy is integral to the governance framework of Council. These documents have been prepared in accordance with Sections 402-405 of the *Local Government Act 1993* and the Office of Local Government's *Integrated Planning Report Guidelines for local government in NSW (March 2013)* and *Integrated Planning and Reporting Manual for local government in NSW (March 2013)*.

ITEM 7.3	MONTHLY INVESTMENT REPORT MARCH 2018
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2018/214487
ATTACHMENTS	NIL

EXECUTIVE 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*.

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 \$238,498,965 comprising:

- Trading Accounts \$1,657,464
- Investments \$236,841,501

Performance over the period from 1 July 2017 to date was strong having exceeded the benchmark: 2.69%pa vs. 1.76%pa.

Certification – Responsible Accounting Officer

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

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2017 to date was \$4,209,620 compared to budgeted income of \$3,313,800, a positive variance of \$895,820.

POLICY CONSIDERATIONS

In accordance with Council's Investment Policy, the Policy was reviewed by the Audit, Risk and Improvement Committee at the Committee meeting on 14 November 2017. No changes to the Policy were required following this review.

The Policy has also been reviewed by Council's Investment Advisors (Laminar Capital Pty Ltd). They confirmed that the "current policy is in alignment with a policy fit for governing the investments of Council funds" and that they "do not envisage for any changes to be made" to the existing policy.

The Policy is due to be reviewed again in September 2018.

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 strategy was reviewed by Council's Investment Advisors (Laminar Capital Pty Ltd) in August 2017. They confirmed that Council's investment portfolio is prudently managed and consists of assets appropriate for a Local Government entity and fully comply with legislation and Investment Policy limits.

RECOMMENDATION OF ACTING CHIEF EXECUTIVE OFFICER

That:

- A Council receives and notes the Investment Report as at 31 March 2018, including the certification by the Responsible Accounting Officer.
 - B Council notes that no change to Council's Investment Policy was required following the review of Council's Investment Policy by Council's Audit, Risk and Improvement Committee and by Council's Investment Advisors.
-

REPORT

INVESTMENT BALANCES

INVESTMENT BALANCES				
As at 31-Mar-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	425,692		1.30%
Commonwealth Bank of Australia Ltd	A1+	105,347		1.30%
Commonwealth Bank of Australia Ltd	A1+	82,159		1.55%
National Australia Bank Ltd	A1+	<u>321,901</u>		1.50%
		935,098		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	7,440,948	At Call	1.85%
Commonwealth Bank of Australia Ltd	A1+	1,466,331	At Call	1.85%
National Australia Bank Ltd	A1+	<u>1,200,000</u>	At Call	2.00%
		10,107,280		
Mortgage Backed Securities				
Weighted Avg Life *				
Emerald Series 2006-1 Class A	AAA	<u>876,723</u>	21-Aug-51	2.215%
		876,723		
Term Deposits				
Bank of Queensland Ltd	A2	2,000,000	03-Apr-18	2.65%
National Australia Bank Ltd	A1+	2,000,000	05-Apr-18	2.73%
National Australia Bank Ltd	A1+	2,000,000	10-Apr-18	2.55%
Bank of Queensland Ltd	A2	2,000,000	12-Apr-18	2.72%
Bank of Queensland Ltd	A2	1,000,000	17-Apr-18	2.55%
National Australia Bank Ltd	A1+	1,000,000	17-Apr-18	2.71%
National Australia Bank Ltd	A1+	2,000,000	19-Apr-18	2.60%
Bank of Queensland Ltd	A2	1,000,000	19-Apr-18	2.55%
Bank of Queensland Ltd	A2	2,000,000	23-Apr-18	2.68%
National Australia Bank Ltd	A1+	2,000,000	26-Apr-18	2.55%
Bank of Queensland Ltd	A2	3,000,000	26-Apr-18	2.75%
Members Equity Bank Ltd	A2	2,000,000	01-May-18	2.54%
National Australia Bank Ltd	A1+	2,000,000	03-May-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	08-May-18	2.55%
Bank of Queensland Ltd	A2	2,000,000	10-May-18	2.56%
Members Equity Bank Ltd	A2	1,000,000	15-May-18	2.60%
Defence Bank Ltd	A2	2,000,000	15-May-18	2.65%
Members Equity Bank Ltd	A2	1,000,000	15-May-18	2.57%
Defence Bank Ltd	A2	2,000,000	22-May-18	2.55%
Bank of Queensland Ltd	A2	1,000,000	22-May-18	2.60%
Members Equity Bank Ltd	A2	1,000,000	24-May-18	2.65%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-May-18	2.55%
National Australia Bank Ltd	A1+	2,000,000	29-May-18	2.60%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	05-Jun-18	2.65%
Auswide Bank Limited	A3	1,000,000	05-Jun-18	2.55%
National Australia Bank Ltd	A1+	2,000,000	07-Jun-18	2.65%
Members Equity Bank Ltd	A2	2,000,000	12-Jun-18	2.60%
Members Equity Bank Ltd	A2	1,000,000	12-Jun-18	2.75%
Bank of Queensland Ltd	A2	2,000,000	14-Jun-18	2.80%
Bank of Queensland Ltd	A2	1,000,000	19-Jun-18	2.65%

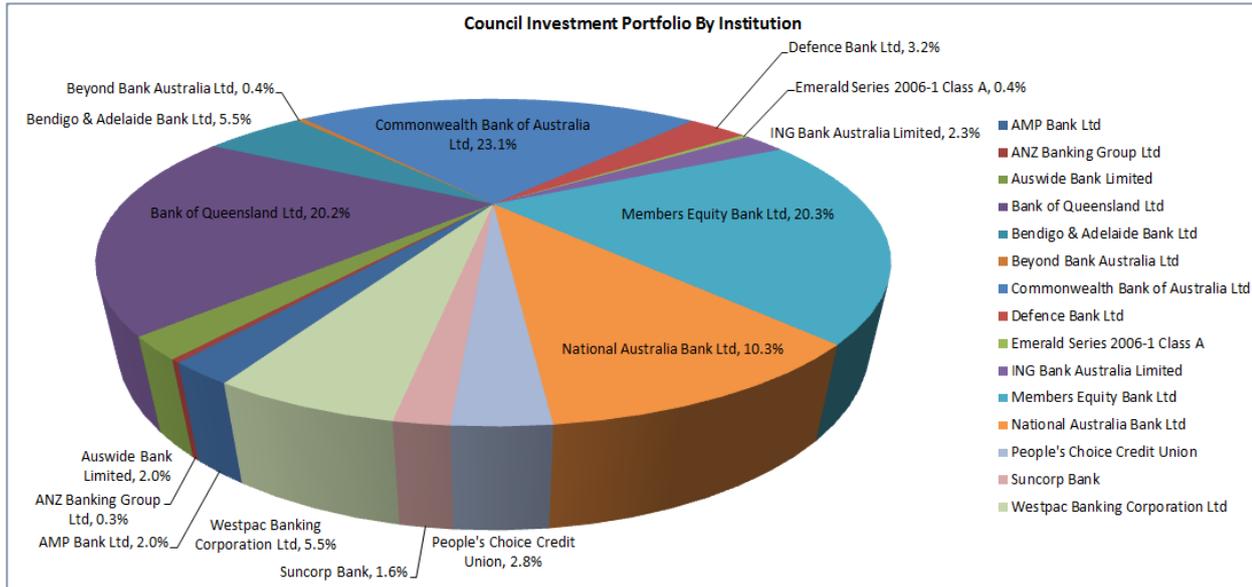
INVESTMENT BALANCES				
As at 31-Mar-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Members Equity Bank Ltd	A2	1,000,000	21-Jun-18	2.80%
Bank of Queensland Ltd	A2	2,000,000	21-Jun-18	2.60%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	26-Jun-18	2.65%
Bank of Queensland Ltd	A2	1,000,000	26-Jun-18	2.54%
Members Equity Bank Ltd	A2	2,000,000	28-Jun-18	2.55%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	29-Jun-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	29-Jun-18	2.70%
Bank of Queensland Ltd	A2	3,000,000	03-Jul-18	2.57%
Suncorp Bank	A1	2,000,000	05-Jul-18	2.65%
Bank of Queensland Ltd	A2	719,877	10-Jul-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	10-Jul-18	2.60%
People's Choice Credit Union	A2	2,500,000	12-Jul-18	2.60%
Members Equity Bank Ltd	A2	1,000,000	17-Jul-18	2.65%
Members Equity Bank Ltd	A2	2,000,000	19-Jul-18	2.60%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	24-Jul-18	2.80%
ING Bank Australia Limited	A2	1,000,000	24-Jul-18	2.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Jul-18	2.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jul-18	2.75%
Defence Bank Ltd	A2	1,000,000	31-Jul-18	2.65%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Aug-18	2.60%
Bank of Queensland Ltd	A2	2,000,000	07-Aug-18	2.61%
Bank of Queensland Ltd	A2	2,000,000	07-Aug-18	2.70%
Bank of Queensland Ltd	A2	2,000,000	09-Aug-18	2.60%
Members Equity Bank Ltd	A2	1,000,000	14-Aug-18	2.66%
Members Equity Bank Ltd	A2	3,000,000	14-Aug-18	2.65%
People's Choice Credit Union	A2	2,500,000	16-Aug-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	21-Aug-18	2.70%
Members Equity Bank Ltd	A2	1,000,000	28-Aug-18	2.70%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	28-Aug-18	2.59%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	04-Sep-18	2.55%
Members Equity Bank Ltd	A2	2,000,000	06-Sep-18	2.70%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	11-Sep-18	2.59%
ING Bank Australia Limited	A1	1,000,000	18-Sep-18	2.70%
Members Equity Bank Ltd	A2	2,000,000	18-Sep-18	2.60%
Bank of Queensland Ltd	A2	1,000,000	20-Sep-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	25-Sep-18	2.65%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	27-Sep-18	2.62%
Members Equity Bank Ltd	A2	1,000,000	27-Sep-18	2.66%
Members Equity Bank Ltd	A2	1,000,000	02-Oct-18	2.62%
Members Equity Bank Ltd	A2	2,000,000	02-Oct-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	04-Oct-18	2.61%
Auswide Bank Limited	A3	2,000,000	09-Oct-18	2.60%
Members Equity Bank Ltd	A2	2,000,000	11-Oct-18	2.62%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	16-Oct-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	16-Oct-18	2.65%
Members Equity Bank Ltd	A2	3,000,000	25-Oct-18	2.61%
Defence Bank Ltd	A2	2,000,000	30-Oct-18	2.60%
Members Equity Bank Ltd	A2	1,000,000	01-Nov-18	2.60%
AMP Bank Ltd	A1	3,000,000	06-Nov-18	2.63%

INVESTMENT BALANCES				
As at 31-Mar-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Nov-18	2.57%
Bank of Queensland Ltd	A2	2,000,000	13-Nov-18	2.62%
AMP Bank Ltd	A1	2,000,000	13-Nov-18	2.63%
Bank of Queensland Ltd	A2	2,000,000	15-Nov-18	2.67%
Bank of Queensland Ltd	A2	2,000,000	22-Nov-18	2.62%
Westpac Banking Corporation Ltd	A1+	1,000,000	04-Dec-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	06-Dec-18	2.60%
Auswide Bank Limited	A3	2,000,000	11-Dec-18	2.75%
Bank of Queensland Ltd	A2	2,000,000	18-Dec-18	2.62%
Bank of Queensland Ltd	A2	1,000,000	20-Dec-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	03-Jan-19	2.60%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	08-Jan-19	2.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Jan-19	2.65%
Bank of Queensland Ltd	A2	1,000,000	15-Jan-19	2.60%
Westpac Banking Corporation Ltd	A1+	1,000,000	17-Jan-19	2.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Jan-19	2.70%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jan-19	2.60%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Feb-19	2.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Feb-19	2.65%
Westpac Banking Corporation Ltd	A1+	2,000,000	14-Feb-19	2.62%
Westpac Banking Corporation Ltd	A1+	2,000,000	19-Feb-19	2.60%
Westpac Banking Corporation Ltd	A1+	2,000,000	26-Feb-19	2.65%
Westpac Banking Corporation Ltd	A1+	2,000,000	07-Mar-19	2.61%
Commonwealth Bank of Australia Ltd	A1+	<u>2,000,000</u>	19-Mar-19	2.61%
		174,719,877		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	<u>722,366</u>		0.90%
		722,366		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	461,363	At Call	1.45%
Commonwealth Bank of Australia Ltd	A1+	<u>631,772</u>	At Call	1.45%
		1,093,136		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Apr-18	1.94%
Commonwealth Bank of Australia Ltd	A1+	5,744,486	27-Apr-18	2.40%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	30-Apr-18	1.92%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-May-18	2.36%
Commonwealth Bank of Australia Ltd	A1+	4,000,000	28-Jun-18	2.43%
Commonwealth Bank of Australia Ltd	A1+	<u>1,000,000</u>	16-Jul-18	2.39%
		15,744,486		
New Council Implementation Fund				
Term Deposits				
ING Bank Australia Limited	A1	<u>900,000</u>	20-Sep-18	2.65%
		900,000		

INVESTMENT BALANCES				
As at 31-Mar-2018				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Stronger Communities Fund				
Term Deposits				
Bendigo & Adelaide Bank Ltd	A2	500,000	13-Apr-18	2.70%
Bank of Queensland Ltd	A2	900,000	17-May-18	2.60%
Defence Bank Ltd	A2	1,000,000	12-Jun-18	2.85%
ANZ Banking Group Ltd	A1+	750,000	15-Aug-18	2.55%
ING Bank Australia Limited	A1	650,000	13-Sep-18	2.65%
Bank of Queensland Ltd	A2	2,000,000	20-Sep-18	2.62%
Members Equity Bank Ltd	A2	1,000,000	18-Oct-18	2.62%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	18-Dec-18	2.62%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	14-Feb-19	2.60%
Westpac Banking Corporation Ltd	A1+	500,000	13-Aug-19	2.71%
ING Bank Australia Limited	A1	2,000,000	19-Dec-19	2.90%
		12,300,000		
Stronger Communities Fund Round 2				
Term Deposits				
People's Choice Credit Union	A2	2,000,000	12-Jun-18	2.67%
Members Equity Bank Ltd	A2	2,000,000	12-Jul-18	2.61%
Members Equity Bank Ltd	A2	2,000,000	14-Aug-18	2.60%
Members Equity Bank Ltd	A2	4,000,000	13-Sep-18	2.62%
Westpac Banking Corporation Ltd	A1+	5,100,000	13-Dec-18	2.60%
Bank of Queensland Ltd	A2	3,000,000	05-Mar-19	2.65%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	11-Jun-19	2.77%
		21,100,000		
Total Cash and Investments		238,498,965		

* Weighted Average Life is the anticipated date of repayment of Council's full principal in mortgage backed securities based upon the expected repayment of a critical balance of underlying mortgages. It is calculated by professional actuaries and its use is market convention for securities such as these. Council's investment policy recognises Weighted Average Life dates as appropriate maturity dates for these securities.

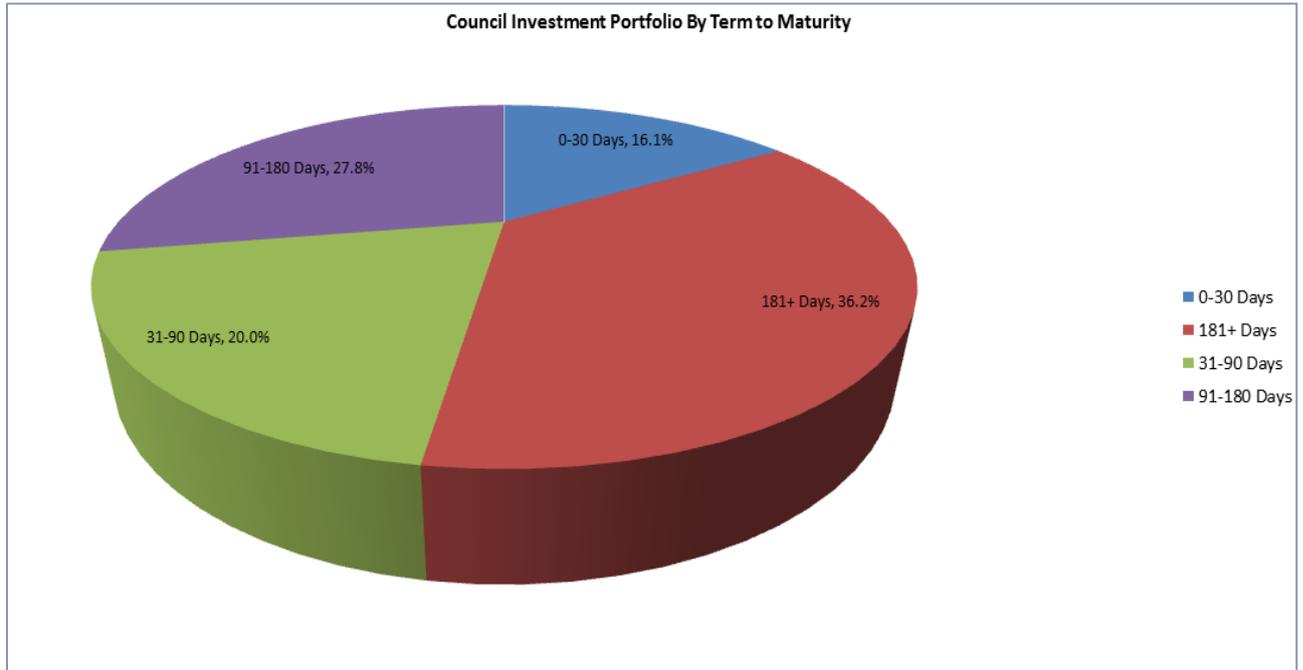
PORTFOLIO ANALYSIS



Institutional Credit Framework – Compliance with Investment Policy Requirements

Clause 4.2.2 of Council's Investment Policy requires that exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

Long Term Rating	Short Term Rating	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	50%	Yes
AA+			
AA			
AA-	A-1	40%	Yes
A+			
A			
A-	A-2	30%	Yes
BBB+			
BBB			
BBB-	A-3	10%	Yes
Unrated	Unrated	10%	Yes (\$Nil)

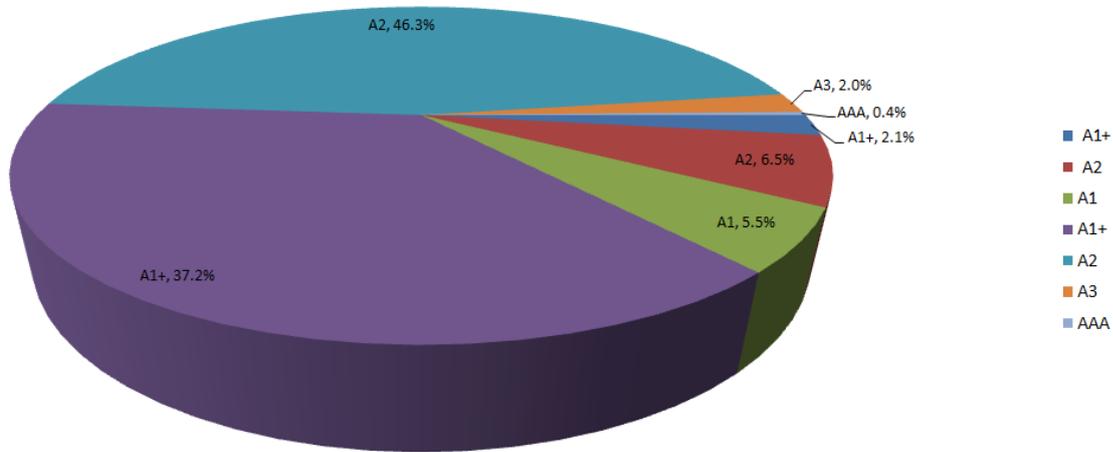


Term to Maturity Framework – Compliance with Investment Policy Requirements

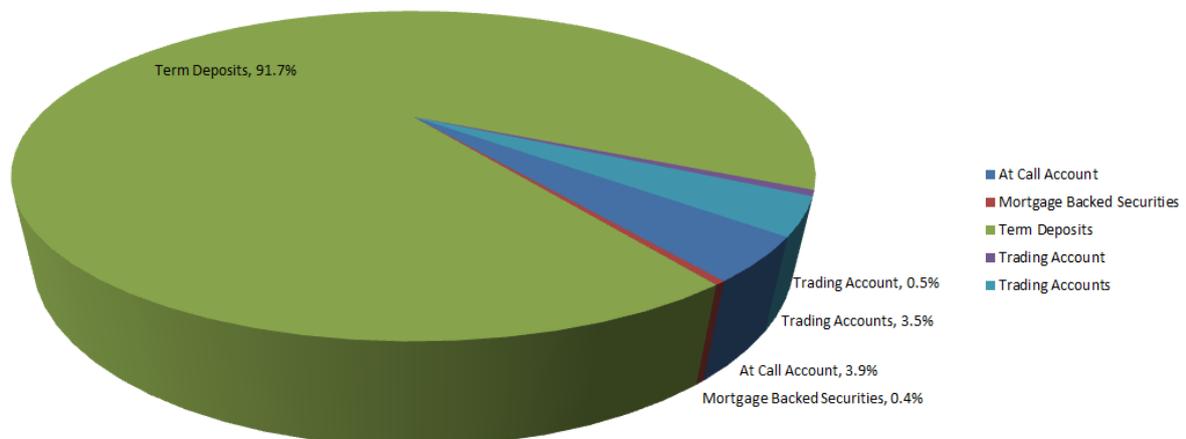
Clause 4.2.3 of Council’s Investment Policy requires Council’s investment portfolio is to be invested within the following maturity constraints:

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

Council Investment Portfolio By Institution Rating



Council Investment Portfolio By Type of Investment

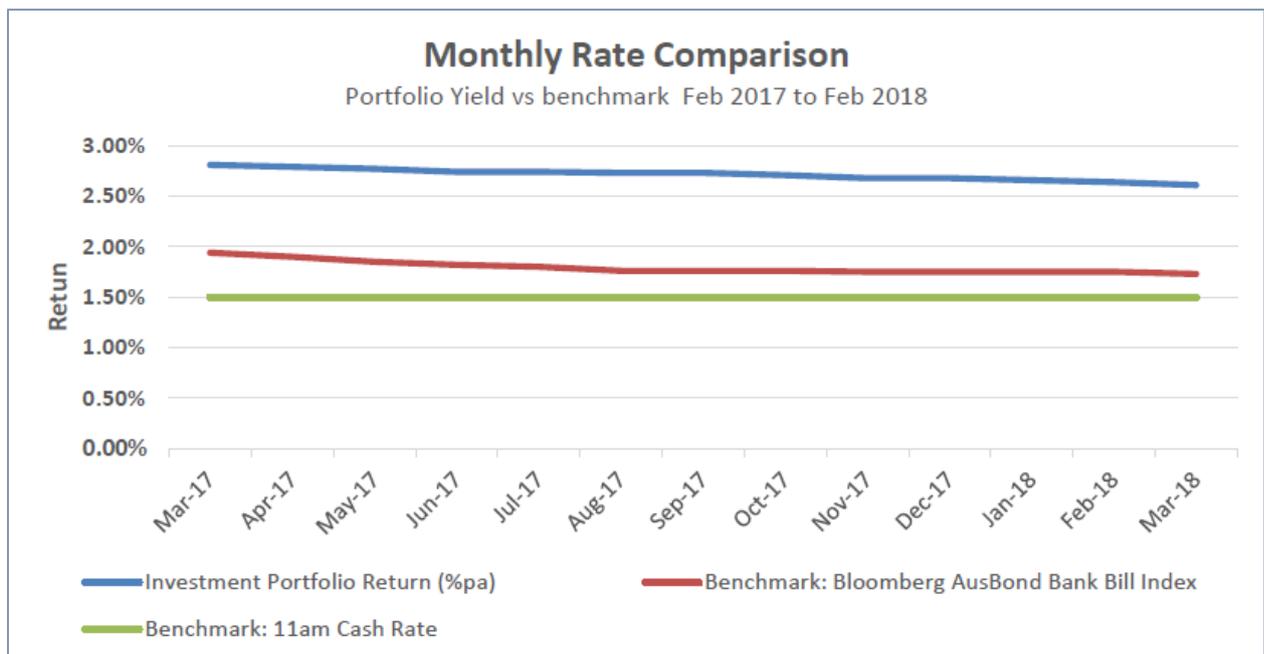


INVESTMENT PERFORMANCE VS. BENCHMARK

	Investment Portfolio Return (%pa)*	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	2.61%	1.73%	1.50%
3 Months	2.64%	1.74%	1.50%
6 Months	2.66%	1.75%	1.50%
FYTD	2.69%	1.76%	1.50%
12 Months	2.69%	1.78%	1.50%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

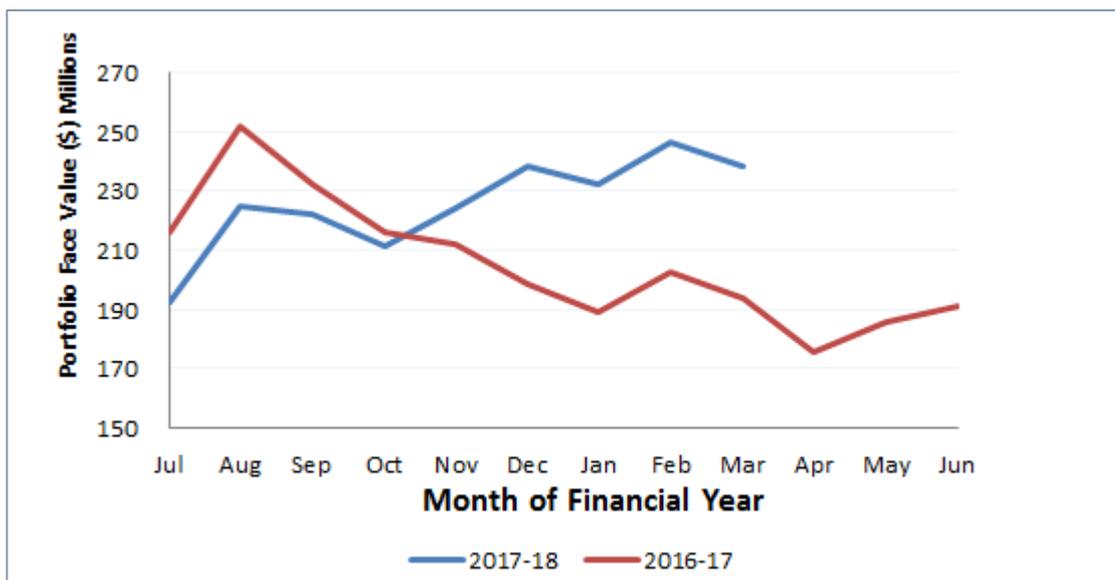


MONTHLY INVESTMENT INCOME* VS. BUDGET

	31 Mar 18 \$	Year to Date \$
Investment Income	556,921	4,180,906
Adjustment for Fair Value	12	28,714
Total Investment Income	556,932	4,209,620
Budgeted Income	302,400	3,313,800

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2017-18	2016-17
Jul	192,788,320	215,990,303
Aug	224,541,055	251,531,098
Sep	221,786,511	232,095,990
Oct	211,440,341	216,050,498
Nov	224,335,322	212,330,937
Dec	238,474,454	198,502,037
Jan	231,952,491	188,834,164
Feb	246,219,499	202,286,100
Mar	238,498,965	193,666,747
Apr		175,905,576
May		185,799,425
Jun		190,957,843
Average Portfolio Balance	225,559,662	205,329,227



Statement of Compliance

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

Investment Policy Compliance

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

ECONOMIC NOTES

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

Most economic statistics released around the world in March still indicate strong global economic growth. The US Federal Reserve (Fed) lifted the funds rate by 25bps to 1.75% at its March policy meeting but made few changes to its growth and inflation forecasts. The US announced a raft of import tariffs on goods from China and China retaliated announcing tariffs on some US goods. If these moves broaden into an international trade war the consequences could extend to both weaker global growth prospects and higher inflation.

In the US economy, economic readings and survey readings have become mixed-strength in March. Employment is still very strong with non-farm payrolls up by 313,000 in February with the unemployment rate stable and low at 4.1%. Wages growth, however, settled back a touch rising only 0.1% for the month in February and pulling down the annual change to mid-2% territory presenting less push for inflation. Most leading indicators of US economic activity remained strong in March including purchasing manager reports and consumer sentiment readings.

China's economic readings remained promising in March and consistent with GDP growth of at least 6.5% per annum in Q1. February data was distorted by the influence of lunar new year celebrations so the incredible 44.5% annually lift in China's exports in February will fall back when March data are released. Nevertheless, there is little doubt that China's international trade has been growing very well. China's industrial production was up a better-than-expected 7.2% per annum in February. Prospects for retail sales and fixed asset investment spending, up in February respectively by 9.7% annually and 7.9% are brighter and undoubtedly the authorities in China will use policy to compensate for set-backs to exports and industrial production by boosting urban investment spending and encouraging stronger retail spending.

In Europe, economic readings released through March showed a touch less strength than evident in January and February. March purchasing managers' reports for the manufacturing and services sectors moved from very strong readings around 57 and 58 in February to not quite so strong readings of 56.6 for the manufacturing sector in March and 55.0 for the services sector. European retail sales and industrial production in January both took a softer turn falling respectively 0.1% month on month and 1.0%. Europe's economy is still generating good growth in jobs and GDP growth around 0.6% quarterly in Q1. Also the European Central Bank at its latest policy meeting was confident enough about European growth prospects to tweak the wording in its commentary away from a bias to ease policy towards a more neutral stance.

Australian economic growth is slowly improving but economic prospects are still challenging with uncertainty surrounding spending by the heavily-indebted household sector compounded by a softer outlook for housing activity and still soft wages growth. There are strong points in the economy too. Commodity prices have mostly been firmer than expected improving incomes for the farming and mining sectors. Business investment spending is starting to rise and government infrastructure spending is lifting. Jobs growth has been very strong with more than 400,000 jobs added over the past 12 months, providing a boost to household disposable income even while wages growth has languished. Most recently, there is just a hint of slightly better wages growth up to 2.1% annually in Q4 2017 from 2.0% in Q3. Most likely the tight labour market will see wages lift a little more through 2018. The Federal Government is also hinting at income tax cuts in the May Budget. Annual GDP growth in Q4 reduced to 2.4% per annum from an upwardly revised 2.9% annually registered in Q3. International trade, however, may contribute positively given better exports so far in the quarter.

The investment portfolio return over the period 1 July 2017 to 31 March 2018 was 2.69% versus the benchmark AusBond Bank Bill Index return of 1.76%.

ITEM 7.4	EXPRESSIONS OF INTEREST - NORTHERN BEACHES UNIVERSITY CAMPUS
REPORTING MANAGER	EXECUTIVE MANAGER TRANSFORMATION AND PERFORMANCE
TRIM FILE REF	2018/219068
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

To undertake a program to secure a university campus on the Northern Beaches.

SUMMARY

There are significant economic and social benefits in having a university campus based in your geography.

There have been several efforts over the years by the former Councils on the Northern Beaches to secure a university in their LGAs. As a benefit of amalgamation the new Northern Beaches Council is in a position to look holistically at the viability and sustainability of securing a university on the Northern Beaches.

Council has a range of buildings in its asset portfolio which may be suitable for locating a campus for a university. There is the opportunity to explore with the higher education industry the suitability and viability of locating a campus on the Northern Beaches.

RECOMMENDATION OF ACTING CHIEF EXECUTIVE OFFICER

That Council seek an Expression of Interest from universities to establish a presence on the Northern Beaches.

REPORT

BACKGROUND

There have been several efforts over the years by the individual Councils on the Northern Beaches to undertake a feasibility study for locating a university in their LGAs. As a benefit of amalgamation the new Northern Beaches Council is in a position to look holistically at the viability and sustainability of securing a university on the Northern Beaches.

The Department of Planning & Environment (DP&E) is exploring the potential of locating a university on the Northern Beaches as part of the Planned Precinct at Frenchs Forest.

This is a critical piece of work for the Northern Beaches and will potentially highlight medical, sciences and nursing, amongst other disciplines, as opportunities at the Frenchs Forest site.

However realising this opportunity may be several years away and in the interim it may be feasible to create a satellite campus to establish a university presence on the Northern Beaches using Council's property asset portfolio.

Creating a satellite campus on the Northern Beaches could be achieved through a series of classrooms and office space. In securing a university to have a presence on the Northern Beaches it is highly unlikely that a full campus would be established and more likely a satellite campus could be established. This would place a focus on seeking scope and a site allowing for future growth and expansion.

There is the potential to secure opportunities with universities across a range of academic disciplines and schools. This is particularly the case when considering that Council has a significant range of buildings on the asset register that could be utilised or repurposed.

As an example one property for consideration could be the Seaforth Village Community Centre which has a range of facilities such as community rooms with kitchenettes, reading / breakout space, café space and administration office space available.

The below is a range of sites that could represent opportunity to the higher education industry in establishing a presence on the Northern Beaches.

Potential Location	Description
Seaforth	On Sydney Rd, just off the Burnt Bridge Creek Deviation, are Seaforth and the Seaforth Village Community Centre. Council's centre already has a configured space suitable for classrooms and offices. The space is available immediately and is also just down Wakehurst Parkway from the Frenchs Forest Hospital and on the bus route.
Frenchs Forest	The NSW Government has classified Frenchs Forest as a Planned Precinct. The new town centre has potential to house higher educational facilities within the Precinct and be highly accessible to the new hospital and transport on Warringah Road.

Dee Why	Current and future property developments in Dee Why could provide ample space for a university campus which would be on the B-Line / bus route and within walking distance to the beach. There is a potential for Council to in the future consider the optimal use of its properties such as relocating the current Dee Why Library or Civic Centre as part of overall planning for this area.
Manly	Located at the intersection of the bus and ferry transport systems is Manly. In 2018 it is anticipated that the State Government, RMS will call for Expressions of Interest (EOI) for the RMS owned aquarium site on West Esplanade. The site has the potential to be repurposed for higher education particularly within specific schools/disciplines, such as maritime, science and marine.
Warriewood	Council owns administration offices at Vuko Place which could be made available with the relocation of current administrative services. Located on Pittwater Rd near the B-Line stop in a semi-industrial space that could be re-configured with capital investment to create classroom space.
Other	Other locations as identified in the EOI process could be examined if the opportunity was right and provided significant community benefit.

The scope of any Council EOI would encompass the whole Northern Beaches and be considered and informed by the NSW Government's planning project and engagement for universities and any proposed RMS EOI process to avoid confusion in the marketplace and leverage the activities of both State and Local Agencies.

It is recommended that Council undertake a feasibility study and an Expression of Interest (EOI) from universities to establish a presence on the Northern Beaches.

CONSULTATION

Broad community consultation will be undertaken in the feasibility phase of the proposed project. A broad expression of interest (EOI) would also be undertaken with the Higher Education industry.

TIMING

It is proposed that an EOI would commence in the 2018-2019 financial year.

FINANCIAL CONSIDERATIONS

Any required budget to be defined and identified during project initiation and the feasibility study.

SOCIAL CONSIDERATIONS

Currently students travel out of the region to gain a tertiary education with the exception of Brookvale TAFE and the International College of Hotel Management, Manly.

Popular choices are Macquarie University (27km)*, UNSW (35km), University of Sydney (32k), UTS Broadway (31k), Australian Catholic University North Sydney (26km) and Notre Dame University (31km). *Distances calculated from Warriewood.

Some students attend universities further afield and live on campus or near campus.

There are a range of social considerations in securing a University on the Northern Beaches, these include:

- Commute times for students reduced
- Less pressure on road infrastructure
- Students staying at home reduces housing demand
- Creation of employment
- Increased local spending.

ENVIRONMENTAL CONSIDERATIONS

Any environmental considerations will be identified in the feasibility study.

GOVERNANCE AND RISK CONSIDERATIONS

No governance or risks appear in the initial phase of the project. A full commercial and legal review will be considered at the part of the next phase of the project.

8.0 CUSTOMER & CORPORATE DIVISION REPORTS

ITEM 8.1	COMMUNITY LIBRARY FUNDING FOR THE BOOKLOVER'S CLUB NORTHERN BEACHES INC
REPORTING MANAGER	EXECUTIVE MANAGER LIBRARY SERVICES
TRIM FILE REF	2018/213313
ATTACHMENTS	NIL

REPORT

PURPOSE

Seek approval to provide the 2017/18 funding allocation of \$1,300 to The Booklovers Club Northern Beaches Inc.

The funding will assist this community based library to purchase books for its members.

SUMMARY

Council provides an annual subsidy to this community library as it is seen as a cost effective approach to delivering basic library services.

FINANCIAL CONSIDERATIONS

Funding budgeted in the current financial year Northern Beaches Library operational budget.

ENVIRONMENTAL CONSIDERATIONS

There are negligible environmental impacts.

SOCIAL CONSIDERATIONS

The Booklovers Club Northern Beaches Inc. is an important social and community asset which provides library services to residents in the council area.

GOVERNANCE AND RISK CONSIDERATIONS

There are negligible governance and risk impacts.

RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That Council approves the 2017/18 funding allocation of \$1,300 for The Booklovers Club Northern Beaches Inc.

ITEM 8.2	SUSPENSION OF ALCOHOL FREE ZONE FOR TASTE OF MANLY 2018
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ENGAGEMENT & COMMUNICATIONS
TRIM FILE REF	2018/164003
ATTACHMENTS	1 ↓ Liquor Licence Map - Taste of Manly 2018

EXECUTIVE SUMMARY

PURPOSE

To suspend the Alcohol Free Zone and Alcohol Prohibited Area in Manly CBD in specific locations within the event site for the 2018 Taste of Manly (food and wine festival) to be held on Saturday 26 and Sunday 27 May, 2018.

SUMMARY

Taste of Manly, now in its 32nd year, will be held on Saturday 26 and Sunday 27 May 2018 from 11.30am – 5.00pm daily. As per the attached map, the festival will be presented along Manly Beachfront promenade and within a road closure along North and South Steyne between Raglan Street and Wentworth Street, as well as along The Corso pedestrian mall from the beachfront to Darley Road. Due to popular demand from stallholders and increasing numbers of visitors, the festival area in 2018 will expand to also include Sydney Road from The Corso to Whistler Street and Manly Plaza (Short Street) from Sydney Road to the end of the pedestrianized area.

As with the nature of this event, alcohol will be sold from designated festival stalls and consumed within the licensed area. This festival area is situated within the existing Alcohol Free Zone and Alcohol Prohibited Area in the Manly CBD and as such persons who consume alcohol in this area would be committing an offence if Council was not to suspend these restrictions in the event location for the period of the event.

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

RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That:

- A. Council suspend the Alcohol Free Zone and Alcohol Prohibited Area for the Taste of Manly 2018 event only; within the designated festival area in Manly on Saturday 26 and Sunday 27 May 2018 between the hours of 11.30am and 5.00pm daily.
 - B. Council, in accordance with s645(i) of the *Local Government Act, 1993*, provide appropriate notice through a local newspaper of the suspension of the Alcohol Free Zone and Alcohol Prohibited Area.
 - C. Northern Beaches Council Events Staff continue to liaise with police from the Northern Beaches Local Area Command in relation to safe management of the area during the suspensions.
-

REPORT

BACKGROUND

There have been no incidents noted by Police or Council from the suspension of the Alcohol Free Zone or Alcohol Prohibited Area for Taste of Manly in recent history. The event has been running successfully for over 30 years.

CONSULTATION

Council has worked and continues to work closely and successfully with Northern Beaches Police Local Area Command to ensure the safe operation of the area during the event.

Council will contract an appropriately qualified and experienced agent to hold and operate the liquor license for the event. RSA-certified staff from Council's Events Team will oversee the operation of the event and license and RSA-certified contract security guards will be onsite throughout the event to liaise with stallholders and authorities to ensure the responsible service of alcohol and licensing conditions are adhered to.

TIMING

The Alcohol Free Zone and Alcohol Prohibited Area will be suspended in the designated event area only between the hours of 11.30am and 5.00pm on Saturday 26 and Sunday 27 May 2018. The Alcohol Free Zone and Alcohol Prohibited Area will remain in place outside of these days, times and locations.

FINANCIAL CONSIDERATIONS

All costs associated with the responsible management of alcohol service have been included in the 2017 event budget.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

Event participants can only consume drinks in the reusable glasses purchased at the event. Council will provide increased waste services for the festival to manage the disposal of food, alcohol and other products.

GOVERNANCE AND RISK CONSIDERATIONS

A comprehensive risk assessment is prepared for the event and forwarded to Council's insurance agency for assessment and approval. A broad variety of aspects are assessed and a range of controls are put in place to reduce or remove risks in areas such as public, staff and contractor safety; transport and traffic management; venue security; food handling; and alcohol management. Council staff also work closely with the Police Local Area Command and contracted security/RSA professionals to put in place extensive measures to ensure responsible service of alcohol and crowd safety across the event.

TASTE OF MANLY 2018

Liquor license area marked in yellow



ITEM 8.3	POLICY FOR THE APPOINTMENT OF COMMUNITY AND STAKEHOLDER REPRESENTATIVES TO COUNCIL COMMITTEES - OUTCOMES FROM PUBLIC EXHIBITION
REPORTING MANAGER	BUSINESS PERFORMANCE EXECUTIVE CUSTOMER & CORPORATE
TRIM FILE REF	2018/174971
ATTACHMENTS	1 Final Policy Appointment of Community and Stakeholder Representatives to Committees April 2018

EXECUTIVE SUMMARY

PURPOSE

To report on the submissions received and seek adoption of the Appointment of Community and Stakeholder Representatives to Council Committees Policy, following deferral at the 27 February Council meeting.

SUMMARY

An overarching Committee Framework was approved by Council on 28 November 2017. The Appointment of Community and Stakeholder Representatives to Council Committee Policy (the draft Policy) supports this framework. The draft Policy ensures that appointments to committees are based on merit by an assessment panel to ensure the integrity of the appointment process.

The draft Policy was placed on public exhibition from 2 December 2017 to 4 February 2018 with a total of 6 submissions received during this period.

A summary of submissions and responses are included in this report. Only minor changes are recommended to the draft Policy. Once adopted the draft Policy replaces former Warringah Council policy Appointment of Community & Other Stakeholder Representatives - Council Committees, Policy Number PL755.

The submissions and draft Policy was reported to Council on 27 February 2018 and was deferred until the April meeting.

RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That:

- A. Council adopt the 'Appointment of Community and Stakeholder Representatives to Council Committees Policy' to replace the former policy 'Appointment of Community & Other Stakeholder Representatives - Council Committees', (former Warringah Council) Policy Number PL755.
 - B. Council revoke the policy 'Precinct Community Forums', (former Manly Council) Policy Number P70.
-

REPORT

BACKGROUND

At its meeting on 28 November 2017, Council adopted a Community Committee Framework to support the overall community engagement approach adopted in February 2017. As part of this new framework a draft Appointment of Community and Stakeholder Representatives to Council Committee Policy (the Policy) was prepared to provide guidance on how community and stakeholder representatives are appointed to council committees.

The draft policy was endorsed for public exhibition of at least 28 days. In the interim period, appointments to Committees and Strategic Reference Groups have been made according to the draft Policy.

The draft Policy ensures appointment based on merit via an assessment panel if required, and is an essential mechanism of the proposed framework. The assessment panel includes the Head of Integrity and Complaints Resolution Unit (or delegate), a member of Human Resources (or other nominee of the CEO) and a relevant Executive Manager. This was a recommendation from the exhibition of the new Council's Community Engagement Policy in 2016.

Once adopted the draft Policy will replace the former Warringah Council policy Appointment of Community & Other Stakeholder Representatives - Council Committees, Policy Number PL755. Also following the adoption of the Community Committee Framework in November 2017, the former Manly Council policy Precinct Community Forums, Policy Number P70 no longer applies and is recommended for revocation.

The draft Policy and the summary of submissions were reported to Council on 27 February 2018 and deferred until the meeting in April 2018. As is normal practice the submissions received were considered and collated into themes with responses and a proposed recommendation detailed against each submission theme.

Many of the comments received relate to the specific Terms of Reference or Charters for specific Committees or Strategic Reference Groups rather than the Policy itself. The draft Policy relates to all Council Committees not just Strategic Reference Groups (SRGs).

Details relating to SRG terms of office, replacement of members, meeting protocols and membership composition are detailed in the relevant Terms of Reference and Charters. The SRG Terms of Reference and Charters were adopted at the meeting on 28 November 2017.

Following the February Council meeting, a copy of the verbatim submissions, the initial February Council Report and submission summary were forwarded to Councillors for further consideration.

We are satisfied that we have considered the submissions made and included relevant changes as recommended in the previous council report.

CONSULTATION

The draft Policy was on public exhibition for comment from 2 December 2017 to 4 February 2018. This has included:

- Information and online submissions form on the Your Say page included 221 visits, 215 downloads and 6 submissions.
- A number of advertisements in the Manly Daily on: 2, 16 and 23 December 2017 and again on 27 January 2018.
- Bulk emails to the Community Engagement Database of over 17,200 members across the Northern Beaches.

Once adopted the draft Policy will be displayed publicly on our website and communicated to all business units for future use and consideration.

An email update with the final outcome will be sent to all people who made a submission on the draft Policy.

SUBMISSION SUMMARY

In total 6 submissions were received during the exhibition period. The submissions received are summarised in the table below.

Only minor changes are proposed to the draft Policy as detailed in the table below:

Number of Comments	Key Point raised on Policy	Response
2	General Support for the Policy	Noted - No change to Policy recommended
1	Request to re-form a governing committee to manage Narrabeen Lagoon, including members from former committees.	Council's Committee Framework includes the establishment of an overarching Strategic Flood Management Committee. Refer Council Item 8.4 for Terms of Reference. Nominations for this new committee will be open in the next few months. In addition a Flood working groups will be established for all Flood Risk Management Studies. There are a number of flood catchments across the Northern Beaches and a working group will be established as required when a flood study is in development. No change to Policy recommended
1	Request that members representing Organisations and Groups are clearly identified in the Committee Minutes.	Agreed. This is normal Minute protocol. No change to Policy recommended
1	Confirmation and support of replacing the Ward based committees in Manly with Councillor Catch up sessions.	The new Committee Framework has replaced all former committees from all former Council areas. The Precinct Groups previously in Manly were not officially council committees. Over the past 18 months, many have merged or reformed as community groups or resident associations. No change to Policy recommended
1	General comment requesting that Council Reports are clear in their recommendations and use plain English.	Noted - No change to Policy recommended
2	Request to include information about how membership opportunities will be promoted to encourage nominations. Ensure promotion is broad to whole area to ensure positions are filled.	A range of advertising is proposed to ensure a broad range of applicants. Policy amended to include: <i>Opportunities for Nomination will be advertised in the Local Paper. Emails will be sent to target groups and the Community Engagement Database. The nomination forms will be available on the website. Ideally nominations will be open for 28 days and a minimum of 14 days.</i>

1	Request to ensure that members are independent, have no political affiliations or association with council activities. Members should represent a balanced view and exclude people with self-interests i.e. town planners, developers, builders, contractors or self interest groups where self-interest maybe the main motivation.	<p>The Charter and Terms of Reference for each committee set out the membership composition. The information requested during the nomination process collects relevant information to enable merit based appointment by an assessment panel.</p> <p>We do not support excluding applicants based on their political or professional basis. This would be discriminatory and not reflect a balanced view, in addition we would not be able to collect or verify this information. It is often not possible to determine their underlying motivation but this is a question asked on the application form.</p> <p>Membership is encouraged from a range of diverse views and interests that include relevant stakeholders, businesses and groups.</p> <p>No change to Policy recommended</p>
3	<p>General support for the principle of membership diversity.</p> <p>Support for candidates based on merit and desire to serve the community</p>	Noted - No change to Policy recommended
1	Encourage membership turnover by consideration of new members or revised criteria each term.	Noted - No change to Policy recommended
1	Exclude prior service on an SRG as a favourable consideration in the merits-based selection process.	<p>The selection of members by a panel is based on the input provided on the application form. The panel will consider all information provided to ensure that the membership reflects the charter. Whilst we support the principle of encouraging turnover in Council committees and new members we also acknowledge the benefit of ongoing expertise and input. All of these factors will be considered by the Panel in their selection.</p> <p>No change to Policy recommended</p>
1	Request to view the SRG Charters and ToRs to ensure that the criteria for membership supports merit based selection	<p>This comment was received early in the submission period, prior to promotion of the SRG Terms of Reference and nomination process. These comments were addressed in the application form with questions that directly related to the proposed membership in the Charters.</p> <p>No change to Policy recommended</p>
		The Panel has Council and Complaints Resolution staff on the Assessment Panel including the Office of Integrity & Complaints Resolution but has no external independent members. Amend policy to change the wording 'Independent' Panel to 'Assessment' Panel
		Amend Policy to reflect effective date as April 2018

TIMING

The draft Policy was on public exhibition for comment from 2 December 2017 to 4 February 2018.

Once approved, the Policy will be in effect immediately and govern how Committee members are appointed.

FINANCIAL CONSIDERATIONS

There are no financial considerations.

SOCIAL CONSIDERATIONS

Encouraging a diverse range of community and stakeholders to be part of Council Committees provides the opportunity for a diverse range of views to support recommendations to, and decisions made, by Council on behalf of the entire community.

ENVIRONMENTAL CONSIDERATIONS

There are no financial considerations.

GOVERNANCE AND RISK CONSIDERATIONS

This policy supports open and transparent practices within local government and ensures that committee appointments are based on merit, fair and impartial, free from bias and political intervention.



Northern Beaches Council Policy

Appointment of Community and Stakeholder Representatives on Committees

Policy Statement

To prescribe the process for the appointment of individuals to Council Committees, as either representing organisations, groups or other stakeholders, or the general community, where the composition of the Committee is established in the relevant Committee Terms of Reference (ToR) or Charter.

To ensure representatives are objectively selected on merit, thereby removing any claim of political patronage.

Principles

The following principals and procedure shall be followed in the appointment of organisational, stakeholder and general community representatives to Committees established by the Council or on behalf of other agencies.

- All appointments to Committees are to have due regard not only to the provisions of the relevant Committee Charter or ToR but also to the general principles of merit-based selection, gender balance, equality and diversity of membership.
- The selection of community representatives on Council Committees is a function best administered independently of the elected Council, and in accordance with the ToR of the relevant Committee. This approach avoids both the perception and reality of political interference in the appointment process. Committee representatives shall be entitled to be appointed without influence from political beliefs, philosophical reasons, affiliations or community standing. They are entitled to be considered for appointment because of their interest or involvement in the work of the Committee or because they have particular skills or professional training of benefit to the Committee's deliberations.

Scope and Application

- It is appropriate that organisations, the general community and other relevant stakeholders be represented on Committees to assist Council in its ongoing planning and decision-making processes.
- Council is responsible for adopting the Charter of each Committee established by it, including the composition of the Committee and any specific skills or requirements to be included in that composition.

Organisational and Stakeholder Representatives:

Where an organisation, community group, interest group, user group or other stakeholder is, according to a Committee Charter or ToR, to be represented on that Committee:

- The organisation or group shall nominate its representative in writing to the Chief Executive Officer (CEO).
- The written nomination is to be made, as appropriate, by a duly authorised office bearer or office holder of the organisation/group concerned using the template provided by Council for that purpose including evidence of constitution and membership.

- The CEO shall appoint such nominated representatives and reserves the right to reject such nominated representatives should there be any non-compliance with requirements in the relevant Committee Charter or ToR.

Individual Community Representatives:

- Nominations will be publicly invited for appointment to a Committee.
- All nominees will be required to make written application to Council using the template provided by Council for that purpose. Any particular skills, experience or expertise required of members by the relevant Committee Charter or ToR must be addressed in any nomination submitted to Council.
- Where complying nominations received are equal to or less than available positions on a Committee, the CEO may appoint such nominees to the relevant Committee.
- Where the number of complying nominations exceeds the number of individuals required for appointment, the CEO shall arrange for an assessment panel to make a direct appointment(s) based on merit. In such cases the Panel, comprising the Head of Integrity and Complaints Resolution Unit (or delegate), a member of Human Resources (or other nominee of the CEO) and the relevant Executive Manager, is to have regard to any membership requirements outlined in the relevant Committee ToR or Charter as well as those detailed in this Policy.

Term of Appointment

- A person appointed to a Committee shall continue as a member of the Committee for the period outlined in the relevant Committee ToR or Charter.
- Where a person has been nominated to represent a particular organisation or group on the Committee, a duly authorised representative of the organisation may request a change to its nominated representative during the relevant term.

Community Notification

- Opportunities for Nomination will be advertised in the local newspaper. Emails will be sent to target groups and the Community Engagement Database. Detailed information and nomination forms will be available on the website. Ideally nominations will be open for 28 days and a minimum of 14 days.

Delegation of Authority

By adoption of this Policy, the Council specifically and hereby delegates authority to the CEO to exercise all functions, powers or actions required to implement this policy.

Responsible officer

Executive Manager Governance and Risk

References and related documents

- NSW Local Government Act 1993

Definitions

- **Committee:** For the purposes of this Policy, Committee refers to any Strategic Reference Statutory Committees and Joint Stakeholder committees or other advisory committees that have councillors and community members represented.

Effective Date: 18 April 2018

Review Date: November 2021

Revision History: Replaces former PL-755 Policy.

ITEM 8.4	COUNCILLOR NOMINATION FOR NORTHERN BEACHES STAKEHOLDER SAFETY ADVISORY COMMITTEE
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE & RISK
TRIM FILE REF	2018/212977
ATTACHMENTS	↓ 1 ↓ Northern Beaches Stakeholder Safety Advisory Committee Terms of Reference 2018

REPORT

PURPOSE

Northern Beaches Council is seeking Councillor nominations for membership to the Community Safety Advisory Committee.

REPORT

The Northern Beaches Stakeholder Safety Advisory Committee was established on 28 November 2017 to advise Council on all aspects of community safety.

In line with the Terms of Reference for this Committee (Attachment 1), the composition/membership requires the Mayor (Chair) and four appointed Councillors (one per Ward).

A Councillor vacancy on the Northern Beaches Stakeholder Safety Advisory Committee has arisen for a Frenchs Forest Ward Councillor.

The Northern Beaches Stakeholder Safety Advisory Committee meets six times per year and advises Council on community safety including:

- Security of open spaces and public areas, lighting, transport and event strategy
- Community safety and crime reduction, prevention and detection initiatives
- Alcohol-related crime and anti-social behaviour
- Local crime hot spots and areas of community concern
- Relevant grant funding applications
- Community Safety and Crime prevention Plan.

Due to the vacancy a call for nominations from the three (3) Frenchs Forest Ward members has been solicited.

FINANCIAL CONSIDERATIONS

There are no financial considerations.

SOCIAL CONSIDERATIONS

Filling the vacancy with a Councillor from the Frenchs Forest Ward ensures that equal representation is fulfilled across the Northern Beaches locality in accordance with the Terms of Reference.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations relating to the appointment of a Councillor to the Committee.

GOVERNANCE AND RISK CONSIDERATIONS

The Terms of Reference and draft Policy for Appointing Community and Stakeholder Representatives to Committees outline the process for transparent and equitable appointments.

RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That Council appoint one Councillor (1) to represent the Frenchs Forest Ward as a member of the Northern Beaches Stakeholder Safety Advisory Committee.



Northern Beaches Stakeholder Safety Advisory Committee

Terms of Reference

February 2018

1 NAME

Northern Beaches Stakeholder Safety Advisory Committee.

2 PURPOSE

The purpose of the Northern Beaches Stakeholder Safety Advisory Committee (the Committee) is to collaborate, consider and advise Council on ways to maintain, improve, resolve and progress issues that impact on community safety and crime prevention across the Northern Beaches.

The Committee provides input on:

- Safety issues, including security of open spaces & public areas, lighting, transport and event safety advice
- Collaborative approaches to community safety and crime reduction, prevention and detection initiatives
- Alcohol-related crime and anti-social behaviour issues
- Investigation of local crime hot spots and areas of community concern
- Official crime statistics
- Relevant grant funding applications
- Development and implementation of a Community Safety and Crime Prevention Plan

The role of this Committee is purely advisory and may not commit Council resources. The Committee is to work within the framework of the Community Strategic Plan and does not deal with operational matters. It should be noted that employees of the Council are not subject to the direction of the Advisory Committee or any of its members.

3 COMMITTEE CHARTER

The Northern Beaches Stakeholder Safety Advisory Committee operates according to these Terms of Reference and to their relevant Charter. Terms of Reference and Charters are adopted by resolution of Council and may also be amended by Council from time to time. The scope of the Committee is detailed in the respective Charter (refer Attachment 1).

4 MEMBERSHIP

- Membership of the Committee comprises of up to 24 members representing a range of community and stakeholder groups who wish to contribute to the Northern Beaches Stakeholder Safety Advisory Committee. The membership composition is detailed in the Charter (refer Attachment 1).
- All members of this Committee have an obligation to:
 - Review relevant documents and provide feedback to the Committee where necessary
 - Objectively consider and actively participate in group deliberations by attending all meetings and facilitated workshops scheduled for the Committee

5 ELIGIBILITY

- All Councillors are eligible to nominate for membership on the Committee. Appointments will be determined and endorsed by Council.
- Community representatives and other members of groups / associations must possess such skills, expertise, experience or special affiliation as detailed in the objectives.
- Council will advertise nominations for community representation on the Committee.
- The selection of members will be undertaken in accordance with Council's Policy for Appointment of Community and Stakeholder Representatives on Committees.
- Should a representative vacancy occur during the terms of appointment, a new representative will be selected from eligible applications received from the original call for Expressions of Interest.
- Membership to be reviewed every quarter and if necessary, will be adjusted in accordance with the recommendation from the Committee.
- If no suitable alternative representatives can be found from the original Expressions of Interest, vacancies would be filled via a further call for Expressions of Interest.

6 TERM OF OFFICE

To assist with maintaining effectiveness and the continuity of knowledge within the Committee the terms of Councillors and community members have been staggered. The aim is for established members to provide assistance to incoming Councillors after the council election and 12 months later, reciprocally from Councillors to incoming community members.

- a) The term for Councillors on the Committee is two (2) years or 12 months following the election of new Council.
- b) The term for other members on the Committee is four (4) years commencing within 12 months after the election of Council.
- c) All Councillor memberships will cease during the election care taker period. New Councillors should be appointed to Committees at the earliest opportunity following the election.
- d) The terms above are subject to the conclusion of the Committee, when all memberships cease.

7 SUPPORT PROVIDED

- a) Council will provide necessary resources to the groups. This will include the venue and administrative support such as facilitating and running the meeting, preparation and distribution of the notice of meeting, agenda and the recording of the minutes.
- b) The Community, Arts & Culture Business Unit is responsible for managing the committee and will be the main point of contact for members on committee related matters. Specialist staff in the areas of Community Services and Environmental Compliance will be available to provide expertise. The role of these representatives is to provide advice on:
 - Status of current issues
 - Broad policy objectives
 - Local Government regulations and relevant legislation.

8 TIMETABLE FOR MEETINGS

- a) The Committee is to meet bi-monthly (six (6) times) throughout the year.
- b) A meeting will be limited to a maximum of two (2) hours duration unless the Group resolves to extend the meeting to a particular time or until the completion of business.
- c) The schedule of meeting dates and venues will be provided to the members in advance and an agenda will be provided at least 7 days prior to meeting.

9 ATTENDANCE AT MEETINGS

- a) All members are expected to attend the meetings, or otherwise tender their apologies to either the Chair or Committee liaison person.
- b) If members are unable to attend - members may delegate their position to another member of their organisation, with the approval of the Chairperson.
- c) No member should be absent for more than two (2) consecutive meetings without first seeking, and being granted leave by the Chair. Without being granted such leave in these circumstances, the person's membership will be re-evaluated.
- d) While other Councillors may attend Group meetings as observers, the meetings will not be open to other members of the public.

10 MEETING PRACTICES AND PROCEDURES

- a) The Council will ensure that each meeting is properly recorded with the use of minutes, which will be reported to Council.
- b) The quorum for each meeting will be one half plus the Mayor or another Councillor. If a quorum is not present within 30 minutes within the commencement time of the meeting, it will become an informal meeting with no recommendations or decisions made.
- a) The Mayor is the Chair of the Committee or their nominated representative.
- b) The Chair directs the progress of the Committee meeting. Subject to any determination by the Chair, each item is to be dealt with in the order in which it appears on the agenda.
- c) The Chair role is to facilitate the conduct of the meetings and ensure the Committee focuses on its primary goal and objectives.
- c) This committee is advisory in purpose and should have the intention of reaching consensus when endorsing items and recommendations. It has no authority to make decisions on behalf of Council.
- d) It will be at the discretion of the Chair when a matter is to be put to the vote. In such circumstances voting is to be by way of a show of hands. For a vote to be carried the matter must be supported by a majority of members present, with the Chair having a casting vote in the event the vote is tied.

11 MODEL CODE OF CONDUCT FOR COMMITTEES

- a) All members of the Committee are required to observe the adopted Model Code of Conduct and any other policy or requirement applicable to the proper functioning of the committee.
- b) Members shall act in a professional and responsible manner with the information they obtain.
- c) Members must respect each other (often despite differences) and work together to create an open and trusting atmosphere. The group requires openness and honesty in order to function well and members should feel free to express their opinions and views without fear of recrimination.
- d) A breach of the Terms of Reference may lead to the member being removed from the Committee by the Chair.
- e) Members of Committee do not have the authority to make representations to the media on Council or the Committee's' behalf. In accordance with Council's Media Policy, the Mayor is the only person permitted to speak to the media on behalf of the Council and the Committee.
- f) Conflicts of Interest: Council recognises that community representatives join such Groups and Committees because of special interests they may have, and Council welcomes their expertise. Nevertheless, it is important that Council understands the basis of advice it receives from the Groups, so members will be requested to declare any organisation they may represent. Disclosures of Conflicts of Interest, particularly pecuniary interests need to be made by members of the Group and recorded in the minutes in accordance with section 442 and 443 Local Government Act 1993.
- g) Confidentiality and Privacy: Members may have contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, unless the member is authorised to do so.

12 COUNCIL VALUES

All members of the Committee and all meeting attendees are expected to observe Northern Beaches Council Values outlined below:

- **Trust**: Because being open brings out our best.
- **Integrity**: Because we are proud to doing what we say.
- **Teamwork**: Because working together delivers.
- **Service**: Because we care as custodians for the community.
- **Respect**: Because valuing everyone is how we make

13 NEXT REVIEW DATE:

- This Terms of Reference will be reviewed prior to the establishment of a new Committee.
- Amendments to this Terms of Reference may only be determined by Council.

ATTACHMENT 1	
CHARTER: Northern Beaches Stakeholder Safety Advisory Committee	
Established: February 2018	Function: To act in an advisory role to Northern Beaches Council to collaborate, consider and advise Council on ways to maintain, improve, resolve and progress issues that impact on community safety, crime prevention across the Northern Beaches.
Stakeholder Representative Term: <ul style="list-style-type: none"> • Councillors: Appointment for 2 Years or until election care taker period. • Community and Stakeholder Representatives: Appointment for 4 years including one year following council election 	
Quorum and Voting <ul style="list-style-type: none"> • The quorum for each meeting will be one half. • If a quorum is not present within 30 minutes within the commencement time of the meeting, the meeting shall become an informal meeting with no recommendations or decisions made. • The Committee should have the intention of reaching consensus when endorsing items and recommendations. 	Composition/Membership Membership of the Committee comprises of up to 24 representatives of organisations, groups and community members. The Chairperson is the Mayor or his nominated delegate on this group and Deputy Chair as elected by the Mayor. The following Council members will be appointed: <ul style="list-style-type: none"> • Mayor (Chair) and 4 appointed Councillors (1 per Ward) The group will consist of up to 14 members of the following Northern Beaches organisations: <ul style="list-style-type: none"> • Northern Beaches Police Local Area Commander and/or a delegate • Northern Sydney Area Health Service • Corrections NSW • 2 x Community Service Providers • NSW Family and Community Services • Northern Beaches Liquor Accord • Transport NSW • Drug and Alcohol Service • 2 x Chamber of Commerce • 1 Surf Life Saving Sydney Northern Beaches representative • Youth agency representative • 1 State Member (representing all 4 State MP's) 5 Community members or groups interested in representing a broad range of strategic views in this topic across the Northern Beaches (* Ideally one member per ward).
Reporting Procedures: Minutes of meetings to be reported to Council.	
Meetings: <ul style="list-style-type: none"> • The Committee are to meet bi-monthly (six (6) times) throughout the year. • The schedule of meeting dates will be distributed at the formation of the Committee. • Agenda items, time and venue will be provided to the members in an agenda at least 7 days prior to the meeting. 	
Ex Officio Advisors: Officers of Government and Statutory Corporations or other advisors as required. <ul style="list-style-type: none"> • Lead Council Officer: Community Safety Coordinator, Executive Manager Community, Arts and Culture • Business Unit: Community, Arts and Culture 	Council Members Appointed:

9.0 ENVIRONMENT & INFRASTRUCTURE DIVISION REPORTS

ITEM 9.1	PUBLIC EXHIBITION OF THE DRAFT MANLY TO SEAFORTH FLOOD STUDY
REPORTING MANAGER	EXECUTIVE MANAGER NATURAL ENVIRONMENT & CLIMATE CHANGE
TRIM FILE REF	2018/197644
ATTACHMENTS	1 ☞ Draft Manly to Seaforth Flood Study - March 2018 (Included In Attachments Booklet 3)

EXECUTIVE SUMMARY

PURPOSE

To seek approval to publicly exhibit the Draft Manly to Seaforth Flood Study.

SUMMARY

The Draft Manly to Seaforth Flood Study has been prepared for Northern Beaches Council to define existing and future flood behaviour in the study area and to establish how best to manage identified flood risks.

The study area includes sub-catchments that drain to Middle Harbour, North Harbour and the Tasman Sea and encompasses the whole of Balgowlah Heights and Clontarf, and parts of Seaforth, Balgowlah, Fairlight and Manly. A consolidated flood study has not previously been conducted for the area. The study considers current catchment conditions, the potential impacts of climate change, overland flow paths and utilises the most up-to-date topographical data and floodplain modelling techniques.

The study has identified areas of flood hazard, which have the potential to endanger life and property. Public exhibition of the draft report is necessary to ensure all members of the community have an opportunity to comment. Submissions from the public exhibition will be addressed in the final Flood Study, which will be reported back to Council later this year.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council place the Draft Manly to Seaforth Flood Study (March 2018) on public exhibition for a period of at least 28 days.

REPORT

BACKGROUND

NSW Government’s Flood Prone Land Policy and Council’s Obligations

Under the NSW Government’s Flood Prone Land Policy, the management of flood affected land is the responsibility of local government. The State Government subsidises flood mitigation works to alleviate existing problems, and provides specialist technical advice to assist Councils to undertake their floodplain management responsibilities.

The NSW Government’s Flood Prone Land Policy provides:

- a framework to ensure the sustainable use of floodplain environments
- solutions to flooding problems
- a means of ensuring new development is compatible with the flood hazard.

The Flood Prone Land Policy is implemented in 5 sequential stages. These are described below, and this report refers to Step 2 of the process.

NSW Government Flood Prone Land Policy recommended steps	Council has complied with the Policy as follows:
<p>1. Formation of a committee: forum for discussing technical, social, economic and environmental issues.</p>	<p>The Manly LGA Flood Study Working Group was utilised to advise and oversee the completion of the Flood Study.</p> <p>Membership consisted of representatives of the Office of Environment & Heritage (OEH), former Manly Councillors, Environmental Groups and Community Members.</p>
<p>2. Flood Study: determines the nature and extent of the flood problem and is publicly exhibited upon completion.</p>	<p>This Flood Study defines the existing flood behaviour in the study area, and establishes the basis for subsequent floodplain management activities.</p>
<p>3. Floodplain Risk Management Study: evaluates management options for the floodplain in respect of both existing and proposed development and is publicly exhibited upon completion.</p>	<p>The next stages of the process are the Floodplain Risk Management Study and Plan, which will investigate risk management options and provide recommendations to reduce flood hazard.</p> <p>OEH has offered Council two thirds funding for a Manly to Seaforth Floodplain Risk Management Study and Plan, which is proposed to commence in the 2018/19 financial year if the Flood Study is adopted.</p>
<p>4. Floodplain Risk Management Plan: involves preparation of a formal plan to guide Council’s management of the floodplain, using information from the flood study and FRMS, and formal adoption by Council after a period of public exhibition</p>	<p>To be commenced in 2018/19.</p>

NSW Government Flood Prone Land Policy recommended steps	Council has complied with the Policy as follows:
<p>5. Implementation of the Plan: construction of any recommended flood mitigation works to protect existing development, and the use of Local Environmental Plans to ensure that new development is compatible with the flood hazard.</p>	<p>The future plan will be implemented according to Council resources.</p>

The Study Area

The study area encompasses the whole of Balgowlah Heights and Clontarf, and parts of Seaforth, Balgowlah, Fairlight and Manly, as represented in Figure 1. It covers an area of 10.6 square kilometres and is characterised by residential urban development. The study area includes sub-catchments that drain to Middle Harbour, North Harbour and to the Tasman Sea. The study area excludes the Manly Lagoon Catchment, for which the Manly Lagoon Flood Study was adopted in 2013. The Manly Lagoon Flood Risk Management Study and Plan is currently underway and is also proposed to be released on public exhibition, subject to a separate report to Council.

A flood study has not previously been conducted for the area, however climate change impact mapping was undertaken in the report titled “Climate Change Action for the Manly LGA 2008-2038” (Cardno 2008).

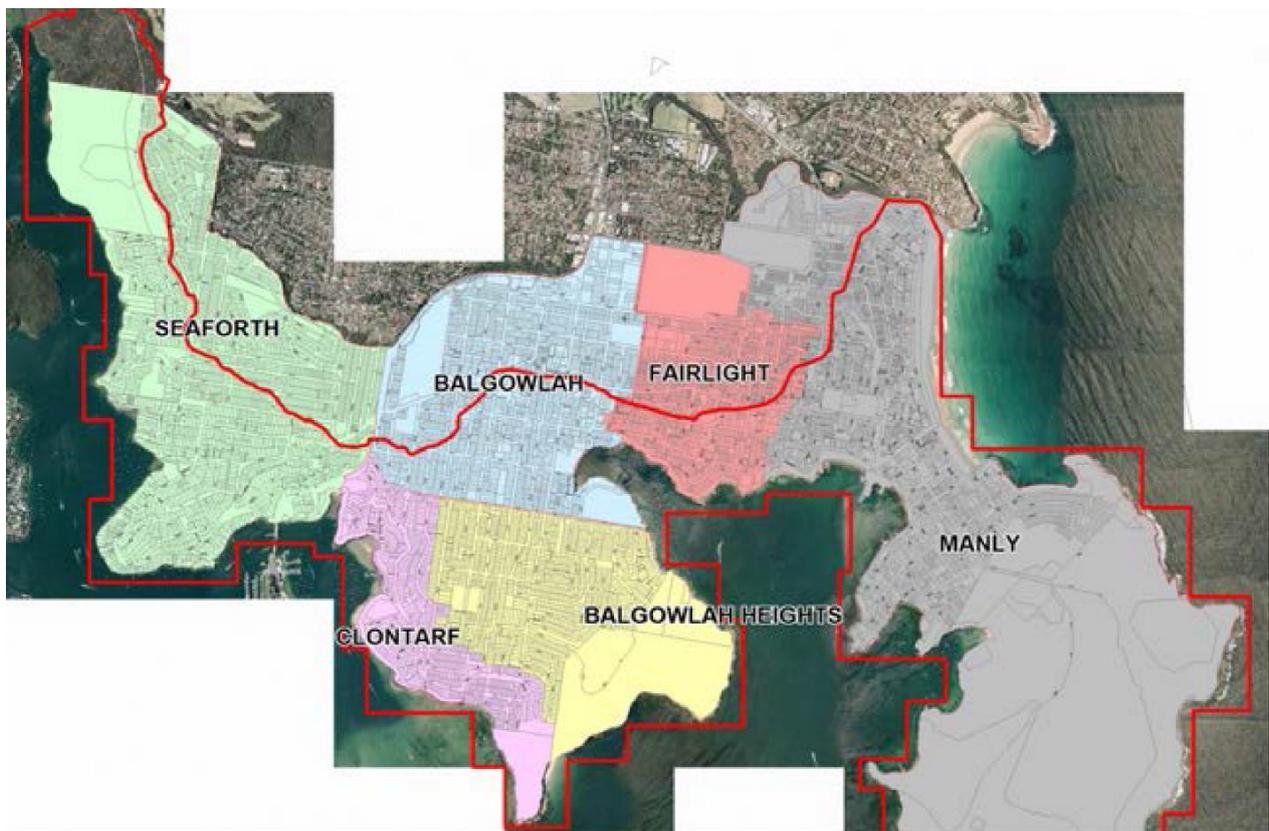


Figure 1 – Manly to Seaforth Flood Study Area (red outline)

The Manly to Seaforth Flood Study

The key objective of the Flood Study is to gain a comprehensive understanding of flooding risk in the flood study area.

The Flood Study involved:

- Collection of flood related data
- The establishment and calibration of the flood model
- Undertaking modelling for a range of flood events of various magnitudes
- Undertaking sensitivity analysis of the model results
- Identification of the level of flood risk throughout the flood study area
- Undertaking scenario modelling of potential impact of climate change and pipe blockages.

The study included a survey of all pit and pipes in the study area and detailed ground survey of forty (40) locations. Historical flood data, photos and local rain gauge records were reviewed. Information on the study and a questionnaire of community experiences of flooding were delivered via mail-out to 5,500 properties in potentially flood affected areas. It was also distributed via e-newsletter to Manly Council's database of registered emails and promoted on Council's online platforms. Council received 204 responses, with valuable flood and stormwater management information, with 108 of the community members requesting to be kept informed with the progress of the flood study and future consultation activities.

A Flood Study Working Group was established in 2015, which included representatives of the community, local and regional SES, Manly Chamber of Commerce, National Parks and Wildlife and the NSW OEH. The working group was discontinued following the proclamation of the Northern Beaches Council.

The flood model was established by Cardno using the SOBEK hydrodynamic modelling software. It was validated against flood records and photos from several past flood events, including the 12th February, 2010 storm event that was estimated at 10-20 year rainfall event for the study area. Less intense storms on 2 June, 2013 and 28th October, 2013 were also used for the validation of the model. Photos of actual flood levels from these storms and observations provided in many of the 204 community consultation responses helped validate the model's accuracy.

The key study outputs of the flood study include the identification of design flood information such as peak flood levels and velocities, provisional flood hazards, preliminary hydraulic categorisation and preliminary flood planning extents.

The number of properties affected by the draft flood extents are shown below in Table 1. The 1% Annual Exceedance Probability (AEP) is the flood that occurs on average once every 100 years. The Flood Planning Area is the area encompassed of the 1% AEP Flood Extent plus a freeboard. The Probable Maximum Flood (PMF) is the largest conceivable flood for the study area.

Table 1: Number of Lots Affected by the Draft Flood Extents

Flood Extent	Residential	Business	Special Uses	Open Space and Other	Total
1% AEP Flood	497	119	16	93	725
Flood Planning Area	753	165	39	106	1063
Probable Maximum Flood	1342	204	47	126	1719

Summary of Impacts

Flooding in the study area (Figure 2) is a result of steep overland flows and low-lying topography. Several areas were highlighted by the Study as impacted in the 20% AEP (or 1 in 5 year) flood event and significantly affected by the 1% AEP (or 1 in 100 year) flood event. In Manly, Kangaroo Lane (near Raglan St) and the corner of Eustace Street and Gilbert Street are the worst affected areas with peak road depths of over 1m in a 1% AEP event. Central Ave, Smith St, Belgrave Street (at Raglan St and Sydney Road) and North Steyne (at Pacific St) are also heavily affected.

In Balgowlah and Balgowlah Heights, a prominent flow path begins near Ernest St and flows to the waterfall at Jilling Cove, North Harbour, affecting several properties along its course. Between New Street and Lower Beach Street, a flow path affects properties before also flowing into Jilling Cove at North Harbour Reserve. At Clontarf, near Monash Avenue and Holmes Avenue, there is significant ponding in the 20% AEP event with depths around 1m in the 1% AEP event.

The Study found that sea level rise and increased rainfall intensities caused by climate change, resulted in minor changes to the peak 1% AEP flood levels. In areas not directly on the foreshore, peak flood levels generally increased by less than 0.1m, with a few isolated areas seeing about 0.2m increases in the peak 1% AEP flood levels.

The Study will be used to make sound flood-related planning decisions for existing and future developments and to inform property owners of the potential flood risk in the study area.

Planning Certificates

Council is required to place a 'notation' on a Planning Certificate if a property is subject to flood related development controls. Prior to adopting the Final Study, Council adds optional information to Planning Certificates for areas within the area affected by the Probable Maximum Flood (PMF). To date the following notation has been added onto Planning Certificates:

"Council is in receipt of updated flood information for areas of the former Manly LGA draining to Middle Harbour, North Harbour and the Tasman Sea. The Draft Manly to Seaforth Flood Study (Cardno, 2018) is currently considered the best available information for flooding for the suburbs of Balgowlah Heights, Clontarf and parts of Balgowlah, Fairlight, Manly and Seaforth. This information is considered to be draft however, it may be used for development assessment purposes. Please contact Council's Stormwater and Floodplain Engineering team for information, including flood information on specific properties."

Following adoption of the Final Manly to Seaforth Flood Study the above wording would be deleted and compulsory formal notations would be placed on Planning Certificates (formerly Section 149 (2) certificates) to confirm that flood related development controls apply to identified properties.

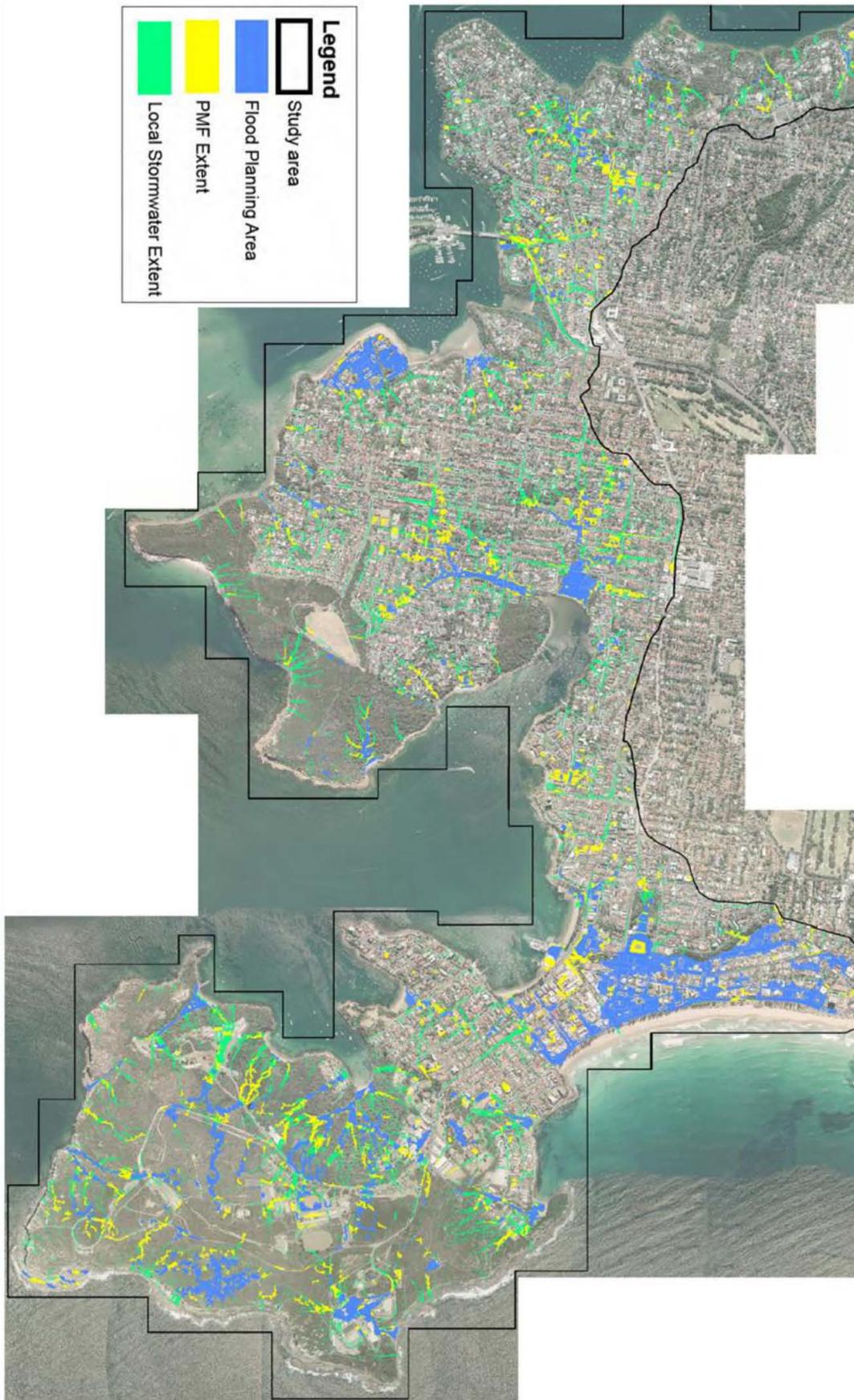


Figure 2 – Manly to Seaford Flood Prone Land

CONSULTATION

The aim of the public exhibition is to inform the residents of the risks and hazards associated with flooding.

The consultation process will include:

- Briefings for local MPs as required
- Community one-on-one information sessions, where property owners are able to book an individual appointment to discuss their property and how the results of the Flood Study apply to them
- Information on the 'Have Your Say' Council web page including online submission form
- Copies of Flood Study available in all Customer Service centres and library locations
- Advertisements in the Manly Daily
- Emails to our community engagement database, registered community groups and other key stakeholders
- Mail-out of letters to all owners and residents of properties in the draft PMF extent.

TIMING

The public exhibition period is scheduled to run for at least 28 days.

FINANCIAL CONSIDERATIONS

Funding has been allocated in the existing 2017/18 budget for the public exhibition, review of submissions and preparation for the Final Report.

SOCIAL CONSIDERATIONS

The Study will provide Council with better flood information and knowledge for this area and will provide effective management of flood risk for future development. Publicly available flood information can assist in raising community awareness to flooding and promote a more resilient community.

ENVIRONMENTAL CONSIDERATIONS

No environmental impacts are expected at this stage as the Flood Study is an investigation of existing and future flood behaviour with no on-ground works proposed.

GOVERNANCE AND RISK CONSIDERATIONS

The Northern Beaches Flood Management Committee will be consulted during the finalisation of the Flood Study. The preparation of a Flood Study fulfils Council's obligation to identify flood risk in accordance with the NSW Floodplain Development Manual and provides a level of protection for Council under the *Local Government Act, 1993*.

ITEM 9.2	PUBLIC EXHIBITION OF THE MANLY LAGOON FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN
REPORTING MANAGER	EXECUTIVE MANAGER NATURAL ENVIRONMENT & CLIMATE CHANGE
TRIM FILE REF	2018/136476
ATTACHMENTS	1 ⇒ Manly Lagoon Floodplain Risk Management Study & Plans - Draft Stage 4 (Included In Attachments Booklet 4)

EXECUTIVE SUMMARY

PURPOSE

To seek approval to publicly exhibit the Draft Manly Lagoon Floodplain Risk Management Study and Plan.

SUMMARY

Northern Beaches Council is undertaking a Floodplain Risk Management Study and Plan (FRMS&P) for the Manly Lagoon Catchment which extends from Frenchs Forest in the west and flows generally south-east to the entrance to the Tasman Sea at Manly Lagoon.

The FRMS&P identifies options to address the flooding identified in the Manly Lagoon Flood Study which was adopted in 2013. The FRMS&P is receiving financial and technical support from the NSW Office of Environment and Heritage.

A range of structural, property modification and flood response options have been assessed using detailed economic and multi-criteria analysis which includes various parameters such as environmental impacts, community acceptance, technical feasibility etc.

Public exhibition of the FRMS&P will ensure residents in the catchment have an opportunity to provide feedback on the options and the management of flooding. Submissions from the public exhibition will be addressed in the final FRMS&P, which will be reported back to Council.

The Floodplain Risk Management Study and Plan recommends a range of options to manage flood risk, including flood related development controls, improvement to flood warning systems, levee feasibility assessments and strategies to manage storage of floodwaters in Manly Dam.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council place the Draft Manly Lagoon Floodplain Risk Management Study & Plan (March 2018) on public exhibition for a period of at least 28 days.

REPORT

BACKGROUND

NSW Government’s Flood Prone Land Policy and Council’s Obligations

Under the NSW Government’s Flood Prone Land Policy, the management of flood affected land is the responsibility of local government. The State Government subsidises flood mitigation works to alleviate existing problems, and provides specialist technical advice to assist Councils to undertake their floodplain management responsibilities.

The NSW Government’s Flood Prone Land Policy provides:

- a framework to ensure the sustainable use of floodplain environments
- solutions to flooding problems
- a means of ensuring new development is compatible with the flood hazard.

The Flood Prone Land Policy is implemented in 5 sequential stages. These are described below, and this report refers to Steps 3 and 4 of the process.

NSW Government Flood Prone Land Policy recommended steps	Council has complied with the Policy as follows:
<p>1. Formation of a committee: forum for discussing technical, social, economic and environmental issues.</p>	<p>The Manly Lagoon Catchment Coordinating Committee was utilised to advise and oversee the completion of the Flood Study.</p> <p>Membership consisted of representatives of the Office of Environment & Heritage (OEH), the State Emergency Service (SES), former Warringah and Manly Councillors, Environmental Groups and Community Members.</p>
<p>2. Flood Study: determines the nature and extent of the flood problem and is publicly exhibited upon completion.</p>	<p>The Flood Study was completed in June 2013.</p>
<p>3. Floodplain Risk Management Study: evaluates management options for the floodplain in respect of both existing and proposed development and is publicly exhibited upon completion.</p>	<p>The Floodplain Risk Management Study commenced in March 2015. It involved the following:</p> <ul style="list-style-type: none"> ▪ Review of existing flood information and updating of modelling with best available information ▪ Identification of management options for investigation through workshops with a diverse range of internal stakeholders. ▪ Feasibility assessment of options through economic, social and environmental impact investigation. ▪ Ranking of options through a multi-criteria assessment matrix approach. <p>The FRMS&P is now in a final draft and suitable for public exhibition.</p>

NSW Government Flood Prone Land Policy recommended steps	Council has complied with the Policy as follows:
<p>4. Floodplain Risk Management Plan: involves preparation of a formal plan to guide Council's management of the floodplain, using information from the flood study and FRMS, and formal adoption by Council after a period of public exhibition.</p>	<p>A draft Floodplain Risk Management Plan is contained within the document recommended for public exhibition.</p>
<p>5. Implementation of the Plan: construction of any recommended flood mitigation works to protect existing development, and the use of Local Environmental Plans to ensure that new development is compatible with the flood hazard.</p>	<p>The plan will be implemented according to Council resources.</p>

Description of Manly Lagoon Catchment

The Manly Lagoon catchment is situated towards the south of the Northern Beaches Council Local Government Area. The Manly Lagoon catchment occupies a total area of approximately 18km², extending from Frenchs Forest and flowing generally south-east to the entrance to the Tasman Sea via Manly Lagoon.

The topography of the catchment is varied. From an elevation of around 160m AHD at the top of the catchment, the topography grades relatively steeply from the upper slopes (including the suburbs of Frenchs Forest, Allambie Heights, North Balgowlah and Beacon Hill) to the floodplain areas west of Manly Lagoon. From an elevation of around 50m AHD to the north and south of Manly Lagoon (including the suburbs of Balgowlah, Fairlight, and Queenscliff) the topography also grades relatively steeply to the floodplain areas surrounding the Lagoon. The elevation of the floodplain grades gradually to the sea level at the Lagoon entrance at Queenscliff Beach.

The catchment of Manly Lagoon is predominantly urbanised, with industrial, commercial and residential development. There are two major commercial centres located within the catchment, namely Warringah Mall and Manly Vale. The Manly Lagoon floodplain is primarily open space, with a combination of golf courses, parks and reserves dominating the lower catchment. Manly Dam is located in the catchment with a catchment area of approximately 500 hectares. The dam catchment is predominantly bushland and accounts for approximately 25% of the total Manly Lagoon catchment area.

Manly Lagoon is fed primarily by Burnt Bridge Creek, Brookvale Creek and Manly Creek. These three waterways each form a distinct sub-catchment, with the Manly Creek sub catchment incorporating inflows from Manly Dam and Curl Curl Creek in the upper catchment. The main basin of Manly Lagoon is long, narrow and up to 2 metres deep, but is only approximately 10% of its original size having been extensively filled for fields and development.



Figure 1 – Manly Lagoon study area

Why undertake a FRMS for the area?

The Manly Lagoon Flood Study, 2013 updated the Manly Lagoon Flood Study, 1990 and reinforced the presence of significant flood risk within the catchment, particularly the lower catchment around Manly Lagoon. It also highlighted that during a 1 in 100 year flood particular streets, such as Riverview Parade, Campbell Parade, Lakeside Crescent, Pittwater Road, Cameron Avenue and Kenneth Road, would be subject to flood depths and velocities that could prevent evacuation, pose difficulty for an able-bodied adult to wade to safety, and potentially result in structural damage to buildings.

Due to the identified high flood risk and parts of the catchment including Frenchs Forest and Brookvale currently undergoing structure planning processes, the Manly Lagoon FRMS&P is deemed a high priority.

The FRMS&P is the stage in the formal floodplain management process to investigate options to manage the identified risk. It includes an assessment of the social, environmental and economic impact of structural hard engineering options, as well as flood warning and flood education as modifiers of people's behaviour during a flood event.

Assessing the economic impacts of options

Structural options are modelled to determine their impact in reducing damages from flooding. This reduction in flood damages combined with the costs of construction and maintenance can be used to produce a cost/benefit ratio. This ratio determines whether the option produces greater savings in flood damages compared to its costs. For non-structural measures broad cost estimates were made for the purpose of ranking the options.

The benefit/cost ratio works in the following way:

- Where the benefit-cost is greater than 1 the economic benefits are greater than the cost of implementing the measure
- Where the benefit-cost is less than 1 but greater than 0, there is still an economic benefit from implementing the measure but the cost of implementing the measure is greater than the economic benefit
- Where the benefit-cost is equal to zero, there is no economic benefit from implementing the measure
- Where the benefit-cost is less than zero, there is a negative economic impact of implementing the measure.

Potential management options for the catchment

In selecting management options a wide range of potential management actions were considered, including flood education and flood warning and structural options.

Non-structural options:

The top recommended non-structural options are:

- Investigation into providing additional storage for floodwaters in Manly Dam
- Flood proofing implemented in Council's development controls for new applications
- Future land use zoning to consider whether the use is compatible with flood risk
- Working collaboratively with the NSW SES to develop a Local Flood Plan
- Improving existing flood information networks and awareness.

These non-structural options are common in such reports, and are considered a high priority for implementation. Property modification measures including voluntary house raising schemes and voluntary purchase are not considered feasible for the Manly Lagoon Catchment due to the majority of properties being slab-on-ground construction or prohibitively expensive for voluntary purchase.

Structural options:

Structural management options investigated in the FRMS&P and their respective ranking are found in the following table:

Option	Ranking
DM01 - Twin 0.6m Diameter pipe along Balgowlah Road Mainstream Event	18
DM02 - Installing a new pipe system (2 x 0.6m pipes) along Balgowlah Road	17
DM03 - Installing tidal flap valve where the pipe at Keirle Park discharges into the lagoon	18
DM04 - Twin 0.6m Diameter pipe from Pitt Street to Quirk Road	14

Option	Ranking
DM05 - Twin 0.6m Diameter pipe from Roseberry Street to Quirk Road	12
DM06 - Twin 0.6m Diameter pipe from William Street to Brookvale Creek	12
DM07 - Box Culvert from Clearview Place to Brookvale creek	9
RT01 - Retention Basin Millers and David Thomas Reserve	9
RT02 – Installing underground detention tank in Keirle Park	4
DR01 - Dredging Option Pittwater Bridge	14
DR02 - Dredging Option Stuart Somerville Bridge	18
DC01 - New flowpath south of Pittwater Road bridge	21
CM01 - Creek lowered at Clearview Place	9
CM02 - Channel lowered upstream Warringah Mall	6
CM03 - Rock Channel extended upstream of Stuart Somerville bridge	6
CM04 - Rock Bar lowered at Stuart Somerville Bridge	4
LV01 - Levee around Riverview Parade	22
LV02 - Levee at Clearview Place	2
LV03 - Levee at Balgowlah Road	14
LV04 – Levee located around Campbell Parade	6
TB01- Use of temporary flood barriers to protect small areas	3
MD01 – MD04 – Further investigation into increased storage at Manly Dam	1

Ranking of Options

Whilst each proposed option has been assessed by inputting into the existing detailed flood model and assessing its flood benefits, a holistic assessment of each structural option provides a better and more informed selection of options.

To achieve this, a multi-criteria analysis has been used in the Study to score and rank the various structural options investigated. Evaluation was based on a range of criteria to assess all potential benefits and impacts associated with future works. Examples of the parameters that each option has been assessed against include: flood mitigation, environmental benefits, community acceptance, risk to life, economic merits etc. Further details on the multiple-criteria matrix approach are found in Section 9.5 of the report.

Of the above investigated options the only two that received positive scores in the multi-criteria analysis and are recommended for further investigation are MD01-04 and LV02. This is subject to feedback from the community during the public exhibition period.

CONSULTATION

Public exhibition of the draft Manly Lagoon FRMS&P is necessary to ensure members of the community have an opportunity to provide feedback on the options. Effective consultation is regarded as a basic principle of good floodplain risk management by the NSW State Government. In accordance with the NSW Flood Prone Land Policy, the draft FRMS&P is now recommended to Council for public exhibition.

Exhibition is proposed to begin in May 2018. The technical aspects of the document will be reproduced in an easy to read summary document. The community will be invited to participate in the review of the document through a range of mechanisms such as:

- Provide briefings to local State MPs as required
- A letter and summary document being sent to all home owners and residents within the extent of the Probable Maximum Flood, inviting them to provide feedback on the proposed options
- The create of a 'Have Your Say' project page with links to all relevant documentation
- Posting of the draft report on the project web site, with a link from Council's web site
- Displays in the Customer Service foyer of the customer service centres, and all Council libraries
- An advertisement in the Council Notices section of 'The Manly Daily'
- Drop-in information sessions with posters and information boards to explain the study.

All submissions received during the exhibition period will be considered and the final FRMS&P will be updated accordingly.

Prior to seeking Council approval for adoption of the final Floodplain Risk Management Study and Plan, it is proposed to present the report to the Northern Beaches Flood Management Committee and seek their endorsement.

TIMING

The public exhibition period is scheduled to run for at least 28 days.

FINANCIAL CONSIDERATIONS

Funding has been allocated in the existing 2017/18 budget for the public exhibition, review of submissions and preparation of the final Floodplain Risk Management Study and Plan.

SOCIAL CONSIDERATIONS

The Floodplain Risk Management Study and Plan provides an additional understanding of the specific risks posed by flooding in the catchment, including appropriate emergency response arrangements. This will assist in reducing the risk to the community in future flood events.

ENVIRONMENTAL CONSIDERATIONS

Any structural options recommended for further investigation will require thorough feasibility assessments which will include detailed environmental studies.

GOVERNANCE AND RISK CONSIDERATIONS

The Northern Beaches Flood Management Committee will be consulted during the finalisation of the Study and Plan. The preparation of a Flood Risk Management Study and Plan fulfils Council's obligation to identify and manage flood risk in accordance with the NSW Floodplain Development Manual and provides a level of protection for Council under the Local Government Act, 1993.

ITEM 9.3	CHURCH POINT WHARF PRECINCT UPGRADE
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT & CIVIL INFRASTRUCTURE
TRIM FILE REF	2018/196025
ATTACHMENTS	1 Church Point Wharf Precinct Upgrade (Included In Confidential Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To seek endorsement from Council to reallocate savings in Council's Road resheeting program into the reconstruction of the Cargo Wharf at Church Point and the reallocation of funds from the New Traffic program for the Church Point boardwalk extension project.

SUMMARY

The Church Point Plan of Management was adopted by the Minister for Lands in 2010 and details the future development in the area to ensure it reflects the recreational, social and natural values of Church Point.

This Plan of Management was the culmination of over six years of community engagement and highlighted the extension of the boardwalk around the General Store as being integral to the ongoing transformation of the foreshore.

The Plan of Management also highlights the improper, unsafe use of the Cargo Wharf as well as its unsightly configuration as a matter for consideration. The cargo wharf is a hub for offshore commercial activity and is critical infrastructure for both public and commercial enterprises. A condition assessment of the existing Cargo Wharf was recently undertaken by Council and the wharf was found to be nearing the end of its design life. Currently the wharf's operating load limit has been reduced to significantly less than what is required for ongoing offshore operations including the garbage service to over 500 properties and the transportation of building materials to these offshore properties.

Both of these projects are included and funded in the 2017/18 budget in order to tie in with the evolution of the area through the Church Point Carpark, Seawall and Boardwalk projects. Council recently packaged these two projects together in an open tender to achieve the best value for money in their delivery and received prices to undertake the works. The details of these tenders are outlined in the confidential portion of this report which also provides an overview of Council's current budget allocation and forecasts for these projects.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That

- A. Council endorses the reallocation of a portion of Council's road resheeting program to the Cargo Wharf reconstruction project to enable its reconstruction to better meet the needs of the commercial and public enterprises it services.
 - B. Council endorses the reallocation of funding from the deferred New Traffic program to the Boardwalk Extension project.
-

REPORT

BACKGROUND

The Church Point Plan of Management was adopted by the Minister for Lands in 2010 and details the future development in the area to ensure it reflects the recreational, social and natural values of Church Point. It responds to the challenge of integrating the sometimes conflicting outcomes of economic, environmental and social values and establishes a responsible planning approach to managing these conflicts.

Council is currently undertaking significant works in the area in line with the Plan of Management including the construction of a carpark, seawall and boardwalk which has transformed the foreshore and will provide significant benefits to both the onshore and the offshore communities in the form of increased parking in the precinct and enhancements to the foreshore via the new boardwalk.

The Plan divided Church Point into three precincts with each with their own distinct challenges and outcomes. Precinct 1 primarily involves the northern foreshore which is a critical hub for transport, recreational boating and commercial activity. The outcomes of precinct aim towards maintaining its commercial and public value whilst improving the visual amenity of the area and enabling recreational opportunities on the foreshore. Precinct 2 balances the General Store area as well as acting as the transport gateway for offshore community through the Ferry Wharf. Precinct 3 contains the existing commuter carpark and eastern foreshore.

Two projects fundamental to the outcomes of Precinct 1 and 2 are the management of Cargo Wharf Renewal and the New Boardwalk Extension around the General Store.

Precinct 1 Cargo Wharf Renewal

A condition report was undertaken by Taylor Lauder Bersten to determine the current condition and load capacity of the existing Cargo Wharf as well as provide advice on both the expected service life and what repairs would be required to restore the wharf to its intended design load capacity.

The report found that condition of the piles and headstocks insufficient for the intended use of the structure, especially the eastern side of the structure. Based on their assessment the distributed load capacity of the wharf was reduced by Council from 1000kg/m² to 500kg/m². It was also determined that no vehicles were to drive on the eastern side of the wharf. Several repair recommendations were made including replacing headstocks and piles however even with these repairs the service life of the piles and headstocks would be 1-5 years.

Since the load restrictions have been implemented it has become apparent that the users of the Cargo Wharf are disregarding the new load limits creating a significant safety hazard. This risk is considered unacceptable to Council and requires the upgrade or closure of Church Point Cargo Wharf to mitigate it. The closure of Cargo Wharf would have significant impacts on the offshore and maritime community over a prolonged period of time and would also affect basic services such as waste disposal services for offshore communities which operate from Cargo Wharf. The closest alternative to Cargo Wharf is the boat ramp at Rowlands Reserve, Bayview which is approximately 45min away by barge.

The reconstruction of Cargo Wharf presents an opportunity to meet the outcomes of the Church Point Plan of Management whilst removing this safety risk and is also included in the 2017-18 budget funded as a renewal.

Precinct 2 New Boardwalk Extension

The old timber building at the General Store accommodates the Church Point Post Office, café and general store. Access to the water's edge and small beach area is currently hindered by the temporary location of the ferry accessible pontoon with ramp access. In addition unregulated 'dinghy' mooring impedes access to the water and often interferes with commercial and recreational activities. The works outlined in the Church Point Plan of Management aim to enhance the recreational and commercial benefits in the area through the relocation of the ferry wharf and creation of a large central deck around the General Store. This project forms part of the 2017-18 budget funded from a combination of Council working capital funds and state government grants.

These projects were packaged together as part of a tender for the entire area to achieve value for money through efficiencies given that the work required is of a similar nature. Council released these works in a single open tender and received prices to undertake the works. The details of these tenders are outlined in the confidential portion of this report which also provides an overview of Council's current budget allocation and forecasts for these projects.

Council has recognised efficiencies in its road resheeting renewal program by packaging individual projects into a single contract which was competitively tendered. This presents an opportunity to reallocate renewal funding to the Cargo Wharf Renewal project to realise greater benefits to the community as well as mitigate a significant safety and logistical risk.

It is also recommended that the shortfall in the funding for the new boardwalk extension be made available by the reallocation of funds from the New Traffic programs. A portion of this funding is to serve as a contingency for the boardwalk construction with the remainder being required to secure an RMS Grant for the commuter pontoon through Council contributions to the project.

There are significant advantages to undertaking both projects concurrently as it will reduce the overall timeframe of the work as well as minimise on the ground disruption from contractor activities.

CONSULTATION

The Church Point Plan of Management was the culmination of over six years of development and community engagement about how the precinct should be managed. For these specific projects Council Officers have had detailed discussions with the Maritime branch of Roads and Maritime Services about how to improve boating safety as well as with the leaseholders of the General Store to ensure the works have no negative economic impact. Similar discussions have been had with the key users of the Cargo Wharf and adjacent lease holders which will continue through the detailed design development.

TIMING

Based on programs received as part of the Tender process this is achievable however due to risks involving approvals of the final design and consultation with the critical stakeholders it is likely that the works will commence in 2017/18 and conclude in early 2018/19. Priority will be given to the delivery of the Cargo Wharf due to its importance to the community and the recognised safety risks.

FINANCIAL CONSIDERATIONS

The net financial impact to the renewals program is nil as \$ 463,825 is proposed to be reallocated from the road resheeting program to the wharves renewal program. This funding is available due to a reduced expenditure in the road renewal program which was achieved through efficient procurement and the packaging of works into larger contracts.

Council currently has \$ 225,000 remaining in its existing New Traffic program that is available due to deferment of projects as a result of works currently being undertaken by RMS at Frenchs Forest. It is proposed that this budget be redirected to help fund the New Boardwalk Extension.

Through the reallocation of \$225,000 of Council working capital funds from the New Traffic program to the New Boardwalk Extension project the 20% Council contribution required to secure the RMS grant is achieved. Provision for the continuance of the New Traffic program in the Frenchs Forest area has been made within the proposed 2018/19 capital program.

The works are likely to continue into the 2018/19 financial year. As a result the residual value of the contract will need to be rolled into the 2018/19 budget as part of the third quarter adjustments.

SOCIAL CONSIDERATIONS

As outlined in the Church Point Plan of Management the works will have a positive impact on the social and recreational opportunities for residents of both the onshore and offshore community at Church Point. The works will improve the visual amenity of the foreshore and encourage passive recreational activities as well as a space for the enjoyment of the foreshore. The relocation of the Ferry Wharf will also open up the beach between the General Store and Church Point for residents.

ENVIRONMENTAL CONSIDERATIONS

The works will be undertaken in accordance with the Review of Environmental Factors which includes an aquatic ecology impact assessment for each project. The works will maintain or benefit the existing underwater ecosystems. The heritage value of the General Store will also not be impacted by the works.

GOVERNANCE AND RISK CONSIDERATIONS

The Church Point Precinct upgrade has no Governance considerations however a condition assessment of the existing Cargo Wharf was recently undertaken by Council and the wharf was found to be nearing the end of its design life and as such a significant risk to safety, the environment and the community.

ITEM 9.4	MONA VALE SURF LIFE SAVING CLUB FEASIBILITY AND BUSINESS CASE
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2018/160971
ATTACHMENTS	1 Mona Vale SLSC Renewal Feasibility Study and Business Case (Included In Attachments Booklet 6)

EXECUTIVE SUMMARY

PURPOSE

To obtain Council endorsement for the concept plans for the planned renewal of the Mona Vale Surf Life Saving Club and for the project to proceed to community engagement.

SUMMARY

Former Pittwater Council identified the need for a full renewal of the Mona Vale Surf Club building and resolved on 21 December 2015 to provide in principle support for the rebuild of Mona Vale Surf Life Saving Club and to undertake preliminary investigations, a detailed business case for the project including scope, costings and timeframes and for it to be brought back to Council for consideration.

Northern Beaches Council has worked closely with the Surf Club and key stakeholders to develop a project concept and business case and the project is now considered ready for community engagement.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That:

- A. Council, having considered the information and evidence contained in the Business Case, continue to support the project to provide a new surf club building at Mona Vale Beach.
 - B. Council approve for the concept plans to be placed on Public Exhibition and to proceed with the next stages of the project.
-

REPORT

BACKGROUND

Former Pittwater Council resolved on 21 December 2015 to provide in principle, support for the rebuild of Mona Vale Surf Life Saving Club and to undertake preliminary investigations, a detailed business case for the project including scope, costings and timeframes and be brought back to Council for consideration.

The existing surf club building is in need of constant repairs due to its age and condition. A new larger building is proposed to address the needs of the Mona Vale Surf Life Saving Club and the local community, and to develop commercial activities to fund the project and surrounding precinct.

The project includes the demolition and rebuild of a new surf club building. The new building is proposed to be constructed on the existing surf club building site and the total floor area is approximately twice the size of the existing facility. The building will cater for the surf club's current and future needs, the professional and volunteer lifeguards and the community in general.

A portion of the new building will be leased to the Mona Vale Surf Life Saving Club and other commercial spaces for a cafe and restaurant will be leased to external operators. The income generated from these commercial activities will assist in funding the project.

CONSULTATION

Community engagement was undertaken by Council starting in June 2017 that included two drop-in information sessions on 8 and 17 June 2017.

A Working Group comprising members of the community including representatives from the Mona Vale Surf Life Saving Club, key user/hirer, local resident group, board rider group, cafe operator, local business and SLS Sydney Northern Beaches was formed in July 2017 to assist with the development of the concept design phase. Monthly meetings were organised from July and Stage 1 of the consultation process concluded with a preferred concept plan agreed by the Working Group in November 2017.

TIMING

Stage 2 of the community engagement process with the public exhibition of the concept plans will commence once Council approves the business case. The current timeline is shown below:

Council approval	- April 2018
Public Exhibition	- May 2018
Development Application Lodgement	- July 2018
DA Assessment	- October 2018
Tender	- November to January 2019
Contract Award	- February 2019
Construction	- April 2019

FINANCIAL CONSIDERATIONS

The funding confirmed to date is \$3.454m that includes funds from Council Capital Works Program, Council Active Play Program, Mona Vale Surf Life Saving Club contribution and a State Government grant from the Stronger Communities Fund. The project cost estimate prepared by a quantity surveyor and based on the concept plans is in the order of \$6,350,000.

The proposed funding for the project is detailed in the attached Feasibility and Business Case report.

SOCIAL CONSIDERATIONS

The project will provide a fit for purpose facility that suits the needs of the surf club and the community. The new building will address ongoing storage issues, improve accessibility and safety, and provides commercial activities to generate revenue for Council.

ENVIRONMENTAL CONSIDERATIONS

The design team includes for a coastal engineer to provide specialist advice with regards to construction of the building in a coastal environment, installation of solar panels and rainwater tanks. Matters relating to flooding, inundation and the effects of climate change are also considered in the design process.

GOVERNANCE & RISK CONSIDERATIONS

The project is still in concept phase and it is not considered there are and unmanaged governance or risk issues.

ITEM 9.5	TENDER - CONSTRUCTION SERVICES FOR NORTH NARRABEEN RESERVE SPORTS AMENITIES
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2018/206717
ATTACHMENTS	1 Tender - Construction Services for North Narrabeen Reserve Sports Amenities (Included In Confidential Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To consider the tenders received for RFT 2018/041 – Major Works for Construction Services for North Narrabeen Reserve Sports Amenities Building.

SUMMARY

Council is planning a replacement North Narrabeen Reserve Sports Amenities Building that meets the needs of relevant sporting clubs, the community and Council.

Council ran a public open tender process for Major Works for Construction Services for North Narrabeen Reserve Sports Amenities Building as detailed in RFT2018/041. The tender closed on 22 March 2018 and four submissions were received with one being considered non-conforming.

The lump sum tender price of all three conforming tenders substantially exceeds Councils approved project budget.

This report outlines the tender outcomes and proposes a recommended way forward. Options Council may consider include:

- decline all tenders and negotiate with one or more tenderers to reduce the price either using the originally tendered specification or by reducing the scope of works
- increase the budget and to accept the tender that is most suitable
- choose not to proceed with the project.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council adopts the recommendations included in the confidential attachment.

REPORT

BACKGROUND

The Pittwater Baseball Club and the Narrabeen Tigers Junior Rugby Union Club building is located to the north-east of the main pitch within North Narrabeen Reserve.

The existing building is a prefabricated structure that was installed in the 1990s. It has been deteriorating over the years to the extent that the veranda and deck have been removed to allow the central section to remain in use.

An adjacent building provides a kiosk, storage and male and female toilets and is also in a poor state of repair and due for replacement.

The project is to provide a new replacement sports amenities building that meets the needs of the Clubs, the community and Council.

The project has an approved budget of \$750,000 made up of \$300,000 contributed by the Clubs with the balance to be funded by Council. The Clubs' contributions include a grant of \$80,000 from NSW state government Community Building Partnership funds. The grant remains available for the project until September 2018.

The tender was released to the public on 27 February 2018 and closed on 22 March 2018. It was advertised in the Sydney Morning Herald on 27 February 2018 and the Manly Daily on 3 March 2018.

At the close of tender on 22 March 2018 at 2.00pm, four tenders were received from the following company:

- TCM Construction Group
- Dezin Interiors
- Bermagui Constructions
- Peloton Constructions.

The Evaluation Committee commenced the stage 1 (initial culling) and stage 2 (detailed evaluation) on 26 March 2018 of the evaluation process with preliminary findings detailed in the confidential attachment.

Prior to finalising the stage 3 (comparative analysis) of the evaluation process, it is noted that the lump sum tender price of all three conforming tenders, substantially exceeds Council's approved project budget.

Due to the timescale for uptake of the grant, it is not recommended re-tendering the works. Consequently, it is recommended that Council adopt the recommendations included in the confidential attachment.

CONSULTATION

The Clubs were engaged extensively through the design process, including concept planning and design development. The Project Steering Committee and Council's Parks & Recreation team were also consulted throughout the project. During the concept stage, a community engagement process was also conducted including through local letter drops and via Council's YourSay project page. Council and the Club have sought to constrain costs through the project development.

TENDERERS BRIEFING

A tender site briefing was organised on 6 March 2018 at 2pm and three companies attended that meeting. The tenderers were advised to upload all queries on the Tenderlink forum to obtain a formal response.

TENDERS RECEIVED

At the close of tender on 22 March 2018 at 2.00pm, listed in alphabetical order, the four tenders were received.

Tender amount details are included in the confidential attachment.

Tenderer	Submission On time / Late	Mandatory Tender Site Briefing Attend or Not
Bermagui Constructions	On time	Yes
Dezign Interiors	On time	Yes
Peloton Constructions	On time	No
TCM Construction Group	On time	Yes

EVALUATION OF TENDERS

The tenders were evaluated using the methodology outlined in the evaluation plan and the mandatory criteria:

Details are included in the confidential attachment.

The evaluation plan was agreed and signed off on 1 March 2018 by all Evaluation Committee (EC) members.

The EC met on 26 March 2018 to assess and score the tenders received. There were no declarations relating to conflicts of interest from any of the EC members or from the tenderers.

FINANCIAL CONSIDERATIONS

Financial considerations are included in the confidential attachment. All tenders received are higher than estimated (by a third party quantity surveyor) and exceed the funds allocated for this project.

SOCIAL CONSIDERATIONS

The project will provide new facilities to support the activities of both the Baseball Club and the Junior Rugby Club and will be available for use by school groups and ground users.

ENVIRONMENTAL CONSIDERATIONS

All appropriate environmental reports have been completed for this project and details for methane management have been included within the construction requirements for this building.

GOVERNANCE AND RISK CONSIDERATIONS

Appropriate tender processes have been followed and the proposed way forward adheres with Council's procurement policies and guidelines.

ITEM 9.6	APPOINTMENT OF DIRECTORS - PITTWATER ENVIRONMENTAL FOUNDATION
REPORTING MANAGER	EXECUTIVE MANAGER NATURAL ENVIRONMENT & CLIMATE CHANGE
TRIM FILE REF	2018/204666
ATTACHMENTS	1 Report on Evaluation and Selection (Included In Confidential Attachments Booklet)

EXECUTIVE SUMMARY

PURPOSE

To appoint Directors to the Pittwater Environmental Foundation for a period of three (3) years.

SUMMARY

Pittwater Environmental Foundation (the Foundation) is a Registered Environmental Organisation that was established in 2006 by Pittwater Council to enable donations, grants and bequests to be collected and distributed from the Pittwater Environmental Trust (the Trust), to projects that benefit the former Pittwater Local Government Area.

Council is responsible for appointing Directors to the Foundation and at its meeting of 24 October 2017, resolved to appoint three (3) interim Directors for a period of six (6) months until 27 April 2018. Council has since advertised for all Director roles and must appoint a minimum of three (3) Directors and a maximum of seven (7) Directors. It is recommended that Council appoint Directors from the list compiled in the confidential memo, and are appointed for a period of three (3) years.

RECOMMENDATION OF GENERAL MANAGER ENVIRONMENT & INFRASTRUCTURE

That Council appoint a minimum of three (3) and a maximum of seven (7) community members listed in the confidential attachment as Directors of the Pittwater Environmental Foundation for a period of three (3) years.

REPORT

BACKGROUND

Pittwater Environmental Foundation (the Foundation) is a Registered Environmental Organisation that was established in 2006 by Pittwater Council to enable donations, grants and bequests to be collected and distributed from the Pittwater Environmental Trust (the Trust), to projects that benefit the former Pittwater Local Government Area.

Purpose of the Foundation and Trust

The purpose of the Foundation is to pursue charitable purposes in Australia associated with the purposes of the Trust which states:

Clause 3.1 The Trust is established and must be maintained exclusively for public charitable purposes in Australia, being the purposes of providing money, property or benefits for:

- (a) the conservation, protection, restoration, creation, expansion and enhancement of the natural environment, or a significant aspect of these, within the Pittwater local government area*
- (b) the provision of access and associated infrastructure to ensure the enjoyment and use of the natural environment by the community*
- (c) the carrying on of research about the natural environment or a significant aspect of the natural environment*
- (d) promoting and encouraging knowledge, understanding and enjoyment of the natural environment, and public participation and interest in sustainability action which, without limiting the foregoing, includes:*
 - (i) the provision of information or education about the natural environment or a significant aspect of the natural environment*
 - (ii) facilitating the conduct of schools, lectures, courses, seminars or other forms of education regarding the natural environment and/or education for sustainability*
 - (iii) facilitating the teaching, training and instruction of persons and the promotion of education and research in respect of the natural environment and/or education for sustainability*
 - (iv) providing or assisting in providing premises, equipment and expertise for the presentation of information or research relating to any aspect of the natural environment and/or education for sustainability and/or research into any aspect of the natural environment, and*
 - (v) the development, construction, use, operation, maintenance and promotion of land or premises used to further education, information provision and/or research in respect of education for sustainability and conservation of the natural environment.*
- (e) the acquisition and restoration of environmentally sensitive land.*

Clause 3.2 The Trustee may apply capital as well as income of the Trust for the objects referred to in this clause.

Control of the Trust

The elected Council has the sole power to determine, appoint and remove the Directors of the Foundation, and the Foundation is required by the Trust Deed to ensure:

- (a) *the majority of its Directors must be Qualified Persons*
- (b) *the number of Directors for the time being in office must not be less than three, and*
- (c) *If the number of Directors in office falls below three the Trustee may not act in the affairs of the Trust until that number is filled by the election or appointment of further Directors.*

The administration of the Trust Fund is via a Committee of Management appointed by the Trustees. Under the Federal Government requirements, the majority on that Committee must be "Responsible Persons". Note that a "Responsible Person" automatically includes anyone who is a "Qualified Person".

Current Directors

Seven original Directors were appointed in 2006 of which only Marita Macrae and David Poppleton remain in office. At its meeting of 24 October 2017, Council resolved to appoint three (3) interim Directors for a period of six (6) months until 27 April 2018, namely David James, Conny Harris and Cathy Griffin. Mr James subsequently resigned on 23 March 2018. As such the Trust can continue to operate until 27 April 2018 after which time, the number of Directors will fall below the minimum three (3) required.

CONSULTATION

Applications were advertised for two (2) weeks in the Manly Daily and on Council's website and invitations were sent to Councillors, the Environment Strategic Reference Group and existing Directors of the Foundation.

TIMING

Directors are proposed to be appointed immediately for a period of up to three (3) years.

FINANCIAL CONSIDERATIONS

The Director roles are voluntary and unpaid. Council does, from time to time, make applications to Pittwater Environmental Foundation for funding support for environmental projects in the former Pittwater Local Government Area.

SOCIAL CONSIDERATIONS

There are no particular social considerations related to the appointment of the Directors to the foundation.

ENVIRONMENTAL CONSIDERATIONS

The Pittwater Environmental Foundation continues to support important local environmental projects in the former Pittwater Local Government Area. Directors need to be appointed to ensure this work is able to continue.

GOVERNANCE AND RISK CONSIDERATIONS

Through the appointment of Directors Council completes its responsibility under the Trust Deed. If a minimum of one (1) new Director is not appointed by 27 April 2018, the Foundation will no longer be able to administer the affairs of the Trust until the total number of Directors returns to three (3) or more.

10.0 PLANNING PLACE & COMMUNITY DIVISION REPORTS

ITEM 10.1	PLANNING PROPOSAL - 75-79 OLD PITTWATER ROAD & 19 CROSS STREET, BROOKVALE TO PERMIT ADDITIONAL USES AND INCREASE MAXIMUM BUILDING HEIGHT
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2018/191849
ATTACHMENTS	1 Applicant's Planning Proposal (Included In Attachments Booklet 5) 2 SEPP Assessment (Included In Attachments Booklet 5) 3 Ministerial Directions (Included In Attachments Booklet 5) 4 Submissions Summary (Included In Attachments Booklet 5)

EXECUTIVE SUMMARY

PURPOSE

To report on the assessment of a Planning Proposal lodged for 75-79 Old Pittwater Road and 19 Cross Street, Brookvale to permit and to seek Council's approval to reject the Proposal.

SUMMARY

Council received a Planning Proposal from Harrison Investments Pty Ltd on 10 January 2018 to amend the Warringah Local Environmental Plan (WLEP 2011) to allow business premises, office premises, residential premises and local open space as additional permitted uses on the subject site, and to allow building heights of up to 17 storeys.

The proposal includes a concept masterplan that envisages:

- 7 main buildings ranging in height from 10-17 storeys (5 with office/business premises on the lower 1-3 storeys and residential towers above)
- 507 dwellings
- 11,893sqm of office/business floorspace
- public parkland alongside the creek
- a civic plaza and a public pedestrian spine.

Harrison Investments Pty Ltd has used the site for industrial purposes, manufacturing and distributing specialised greases and lubricating products, since 1963. The company is considering relocating its industrial activities to a suitable site elsewhere that can accommodate its long term growth and expansion.

The Planning Proposal was publicly exhibited for 17 days from 27 January to 12 February 2018. 74 submissions were received. 72 submissions raised objection to the proposal, with the main concerns relating to overdevelopment (excessive building height and dwelling numbers), and traffic impact (congestion and lack of parking). Two submissions gave general support.

The site (2.65ha) is one of the largest IN1 General Industrial zoned landholdings in the Brookvale-Dee Why Strategic Centre. Protection of employment land in the business and industrial zones is a fundamental tenet of planning for Strategic Centres, made explicit from the State Government's Regional and District Plans, as well as Council's Draft Brookvale Structure Plan.

The Draft Brookvale Structure Plan recognises the vital economic and employment role that Brookvale performs for the Northern Beaches and the wider metropolitan area, and is focused on guiding future development to enhance the employment functions. Protection of industrial land is a key principle and the Draft Structure Plan retains almost all of Brookvale's IN1 (General Industrial) zoning, including the subject site. It expresses a clear strategic intent for IN1 land that there be no uses that may potentially conflict with employment opportunities. The only change that the Draft Brookvale Structure Plan puts forward for the site is to allow business premises and office premises as additional permitted uses. Residential uses remain prohibited under the Draft Brookvale Structure Plan.

The Draft Brookvale Structure Plan provides for a limited amount of housing growth (around 670 dwellings) as mixed-use development in a Town Centre extending either side of Pittwater Rd, north of Cross St, to support local business and the industrial area, whilst not diminishing employment opportunities and still being within the identified traffic carrying capacities of the road network.

The proposal represents a significant departure from regional, district and local planning policy for Brookvale-Dee Why Strategic Centre and for industrial lands in general. There is no site-specific or strategic merit to justify this departure. The proposal would enable a conversion of the site from industrial to residential/commercial use, and fails to protect the important employment and economic functions associated with the IN1 (General Industrial) zoning. It would effectively consume 75% of the housing growth allocated to the Town Centre in the Draft Brookvale Structure Plan and would undermine the achievement of that plan's objectives and intent for Brookvale.

The proposal seeks to introduce residential uses that are inconsistent with the objectives of the General Industrial zone. The substantial increase in building height that is sought exacerbates this inconsistency and enables a scale of development far in excess of what the LEP currently allows and what is envisaged by the Draft Brookvale Structure Plan. The proposal fails to adequately address the likely impacts, including economic, traffic, and visual/character impacts.

RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council reject the Planning Proposal and not submit it to the NSW Department of Planning & Environment for a Gateway Determination for the following reasons:

- A. The proposal is inconsistent with regional and district planning for Brookvale as established by the Greater Sydney Region Plan and the North District Plan.
 - B. The proposal is inconsistent with Council's endorsed Draft Brookvale Structure Plan (2017).
 - C. There is no need for the planning proposal.
 - D. The proposal has not demonstrated strategic merit or site-specific merit.
 - E. The Planning Proposal is inconsistent with the following Local Planning Directions:
 - a. 1.1 Business and Industrial Zones
 - b. 3.4 Integrating Land Use and Transport
 - c. 5.10 Implementation of Regional Plans
 - d. 7.1 Implementation of *A Plan for Growing Sydney*.
 - F. The proposal is not an appropriate strategic and development outcome, in particular:
 - a. it will introduce a non-conforming (residential) use in the General Industrial zone that is inconsistent with the zone's objectives and would set an undesirable precedent
 - b. it will alienate from industrial use land in an industrial zone, and in doing so fails to protect important employment land and undermines the planned growth of the Brookvale-Dee Why Strategic Centre
 - c. it will introduce new housing in an inappropriate location.
 - G. The information provided in support of the proposal does not adequately address the likely impacts of the proposal, particularly with regards to the economic and traffic impacts.
-

REPORT

BACKGROUND

Council received a Planning Proposal from Harrison Investments Pty Ltd on 10 January 2018 to amend the Warringah Local Environmental Plan (WLEP 2011) to allow business premises, office premises, residential premises and local open space as additional permitted uses on the subject site, and to allow building heights of up to 17 storeys.

The proposal includes a concept masterplan that envisages:

- 7 main buildings ranging in height from 10-17 storeys (5 with office/business premises on the lower 1-3 storeys and residential towers above)
- 507 dwellings
- 11,893sqm of office/business floorspace
- public parkland alongside the creek
- a civic plaza and a public pedestrian spine.

Description of Site and Surrounds

The subject site is located at 75-79 Old Pittwater Road and 19 Cross Street, Brookvale (Fig.1). It comprises Lot A DP 166808, Lot 2 DP 600059 and Lot 1 DP 204107, with a total area of 2.65ha.

The main part of the site is an irregular shaped parcel with an 83m frontage to Old Pittwater Road and side and rear boundaries adjoining Brookvale Creek, Warringah Mall and a number of office and industrial properties. Lot 1 is situated on the other side of Brookvale Creek with a 20.3m frontage to Cross Street. The land slopes gently toward the creek and is partly affected by 1:100 year flooding.

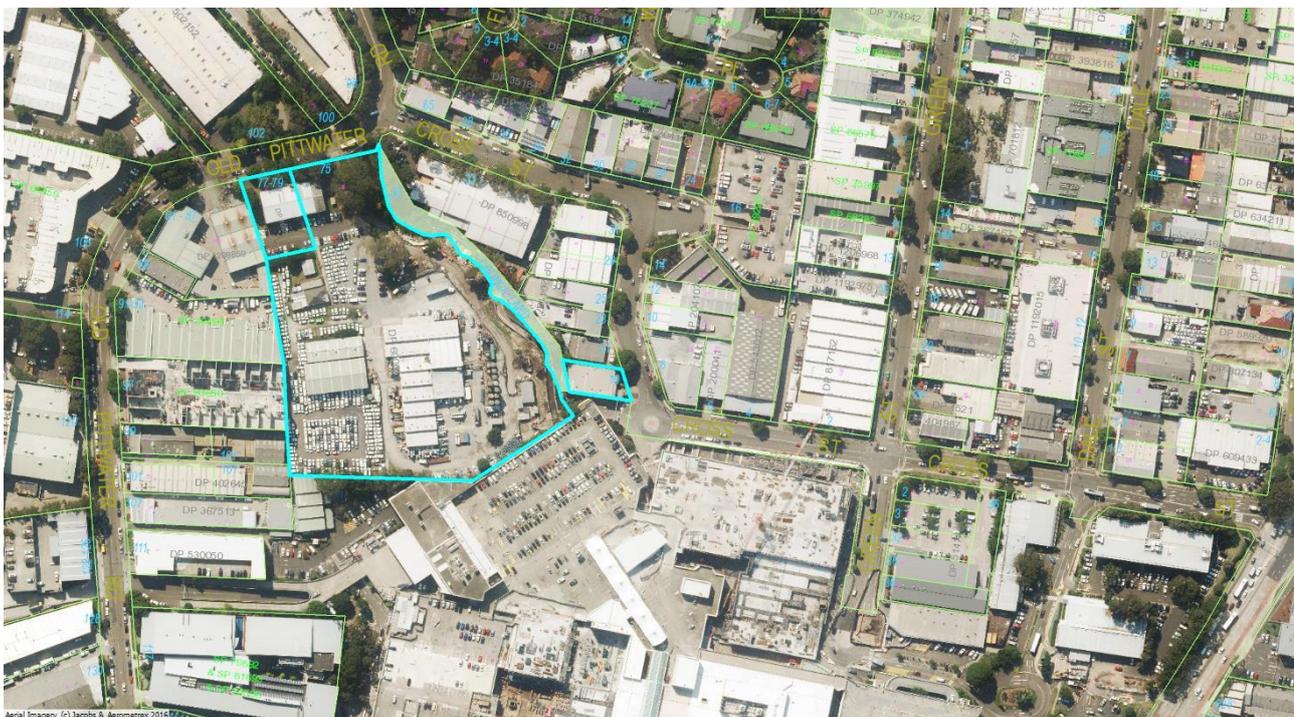


Figure 1 - Location of Subject Site

The site is occupied by the head office and manufacturing operations of Harrison Manufacturing Company Pty Ltd. It has been used by Harrison for the manufacture and distribution of specialised greases and lubricating products since 1963.

Built form structures on the site include a large brick factory building, an office building, bitumen car parks, and various sheds, structures and storage areas associated with the manufacturing activities. 76 jobs are currently provided on site. The smaller part (Lot 1) on the other side of the creek is developed with a building used for a gymnasium.

As the site will not be able to accommodate Harrison's long term growth and expansion, the company is considering relocation of its industrial activities to a suitable site elsewhere. The stated objective of the Planning Proposal is to facilitate the re-development of the site. It is put forward as a major urban renewal opportunity, providing office and business employment and new housing supply within the Brookvale-Dee Why Strategic Centre.

Local Planning Framework

Zoning

The subject site is zoned IN1 General Industrial under Warringah LEP 2011 (Fig.2).

The objectives of the IN1 zone are:

- To provide a wide range of industrial and warehouse land uses
- To encourage employment opportunities
- To minimise any adverse effect of industry on other land uses
- To support and protect industrial land for industrial uses
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area
- To enable a range of compatible community and leisure uses
- To maintain the industrial character of the land in landscaped settings.

Residential Accommodation and Commercial Premises are prohibited in the zone.

The surrounding zoning consists of IN1 General Industrial for properties to the west, north and east fronting Old Pittwater Rd and Cross St, and B3 Commercial Core for Warringah Mall to the south, and RE1 Public Recreation for Brookvale Creek where it adjoins the site.

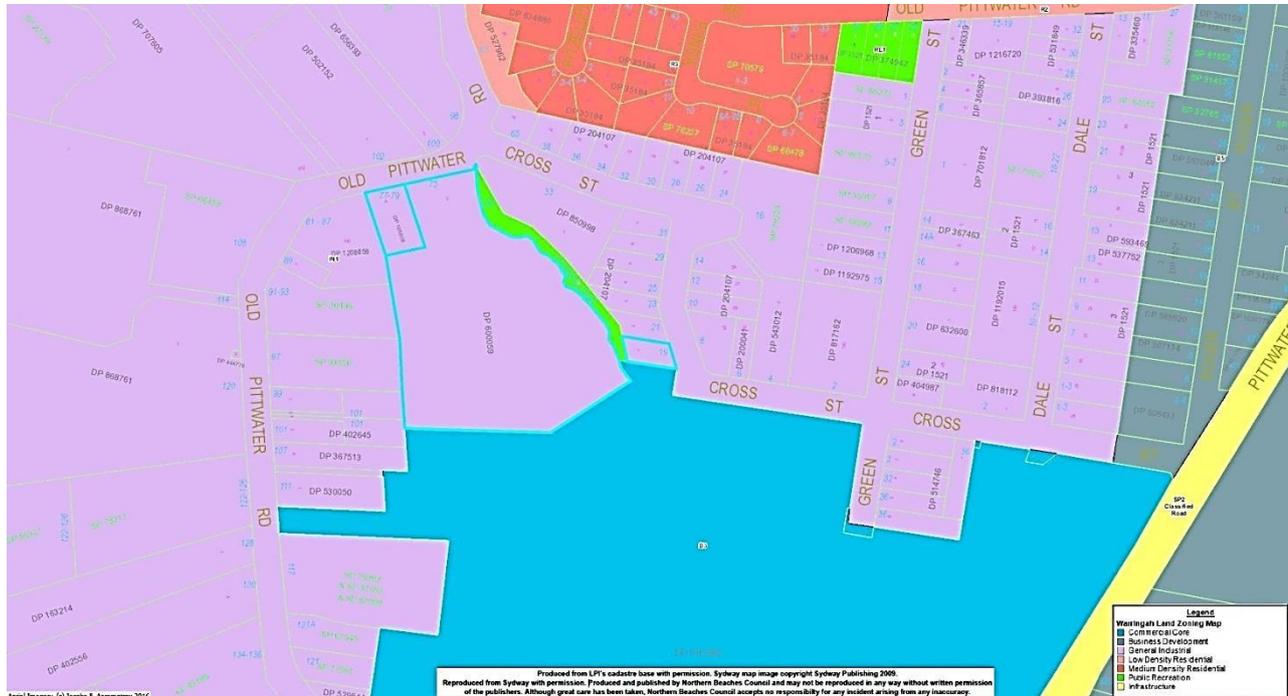


Figure 2 – Zoning (site outlined in blue)

Building Heights

A maximum building height of 11m applies to the General Industrial zoned land in Brookvale, including the subject site. Depending on the floor to ceiling heights, this control typically results in buildings of 3 storeys. The objectives of the height limits relate to compatibility with surrounding development and minimising visual impact and loss of views, privacy and solar access.

Brookvale Structure Plan

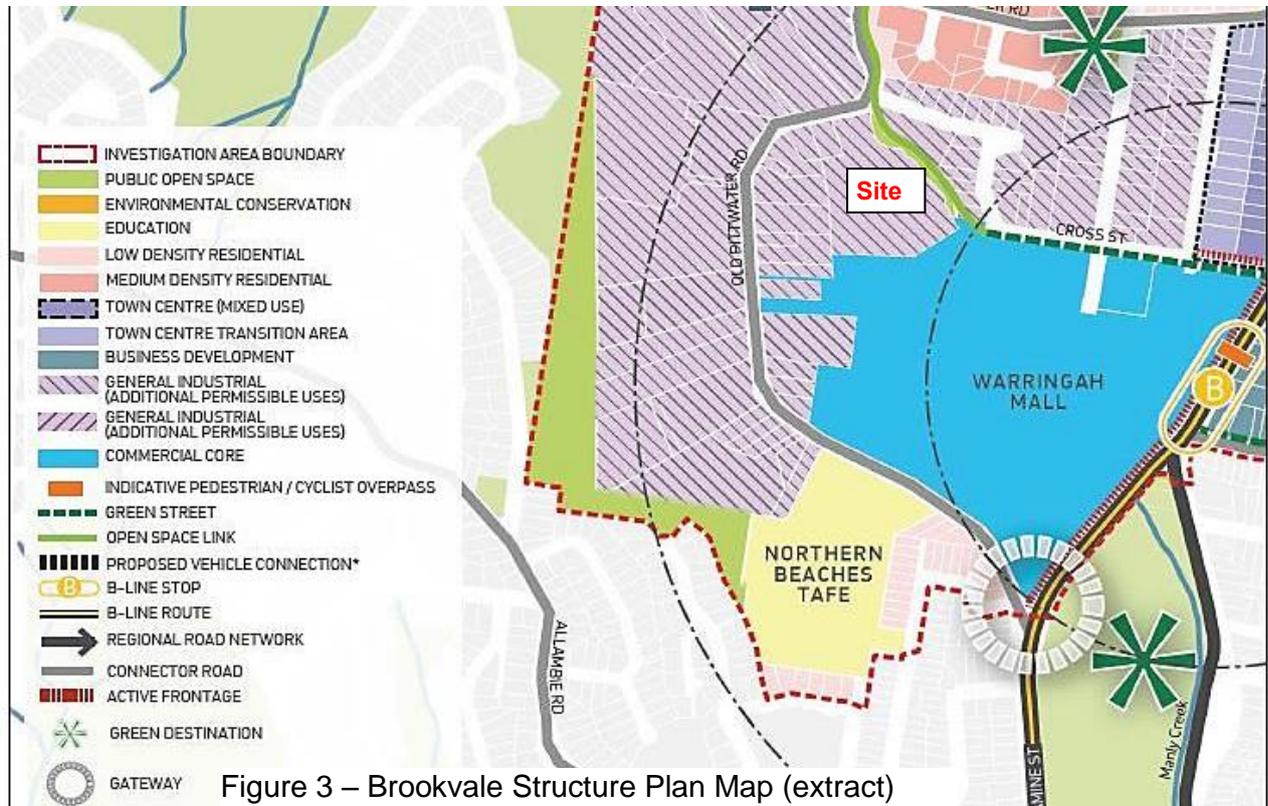
In August 2015, Council (former Warringah) resolved to prepare a Structure Plan for Brookvale. Extensive research and analysis was undertaken to understand how Brookvale functions and its role as an economic and employment centre. Extensive community engagement took place, along with detailed traffic and transport modelling and development feasibility testing.

At its meeting on 8 August 2017, Council endorsed the Draft Brookvale Structure Plan for public exhibition. The exhibition took place from 25 September to 20 November 2017. 119 submissions were received and a response to these submissions is currently being prepared.

Once complete, the Structure Plan will guide future development within Brookvale and recommend any land use changes necessary to ensure that it continues to function as a vibrant, sustainable employment-focused centre.

In line with regional and district planning objectives, the Draft Brookvale Structure Plan is focused on securing Brookvale as an employment centre. It recognises the vital economic and employment role the Brookvale-Dee Why Strategic Centre plays for the Northern Beaches and the metropolitan area. It describes Dee-Why's role as providing for housing, civic functions and supporting retail, service and commercial functions, and reinforces Brookvale's role in providing for employment within the industrial, commercial, retail, service and education sectors.

Protection of industrial zoned land is a key principle of the Draft Brookvale Structure Plan. The Structure Plan retains almost the entire General Industrial zone in Brookvale, including all of the IN1 zoned land on the subject site (Fig.3).



The Draft Brookvale Structure Plan expresses a clear strategic intent for the industrial land that there be no uses that may potentially conflict with employment opportunities, specifically no residential uses. The only proposed change for the site is to allow business and office premises as additional permitted uses, to build on emerging trends and provide more flexibility for job generating activities. Residential uses are to remain prohibited and building height limits are unchanged for the site.

The Draft Brookvale Structure Plan provides for a limited amount of housing growth in the area of the traditional town centre either side of Pittwater Road generally north of Cross St and Powells Rd to Winbourne Rd. Around 670 additional dwellings are provided for as mixed-use development in this location, based on a balancing of residential and employment floorspace that recognises that a component of residential growth is necessary for the viability of local business and to support the surrounding industrial functions. This housing growth is planned and located so as to preserve employment opportunities and to be within identified traffic carrying capacities of the surrounding road network. The designated 'Town Centre' location for the additional dwellings is in close proximity to the B-Line Bus Stop and is central to the industrial areas to the east and west and builds on existing land use patterns and planning controls applying in this area. A B4 Mixed Use zoning and building heights up to 6 storeys are proposed.

ASSESSMENT OF PLANNING PROPOSAL

The following assessment has been undertaken in accordance with s3.33(2) of the Environmental Planning and Assessment Act, and the Department of Planning and Environment's *A guide to preparing planning proposals (2016)* which sets out requirements for preparing a planning proposal.

The Planning Proposal includes a development concept that is described in an urban design report by Thrum Architects titled *Village on the Brook*. The report contains a concept master plan and other diagrams that depict how the site could be developed under the proposed new LEP controls. The diagrams show 7 main buildings of 10-17 storeys, achieving yields of 507 dwellings and 11,893sqm of office/business floorspace (see Figures 4 & 5).

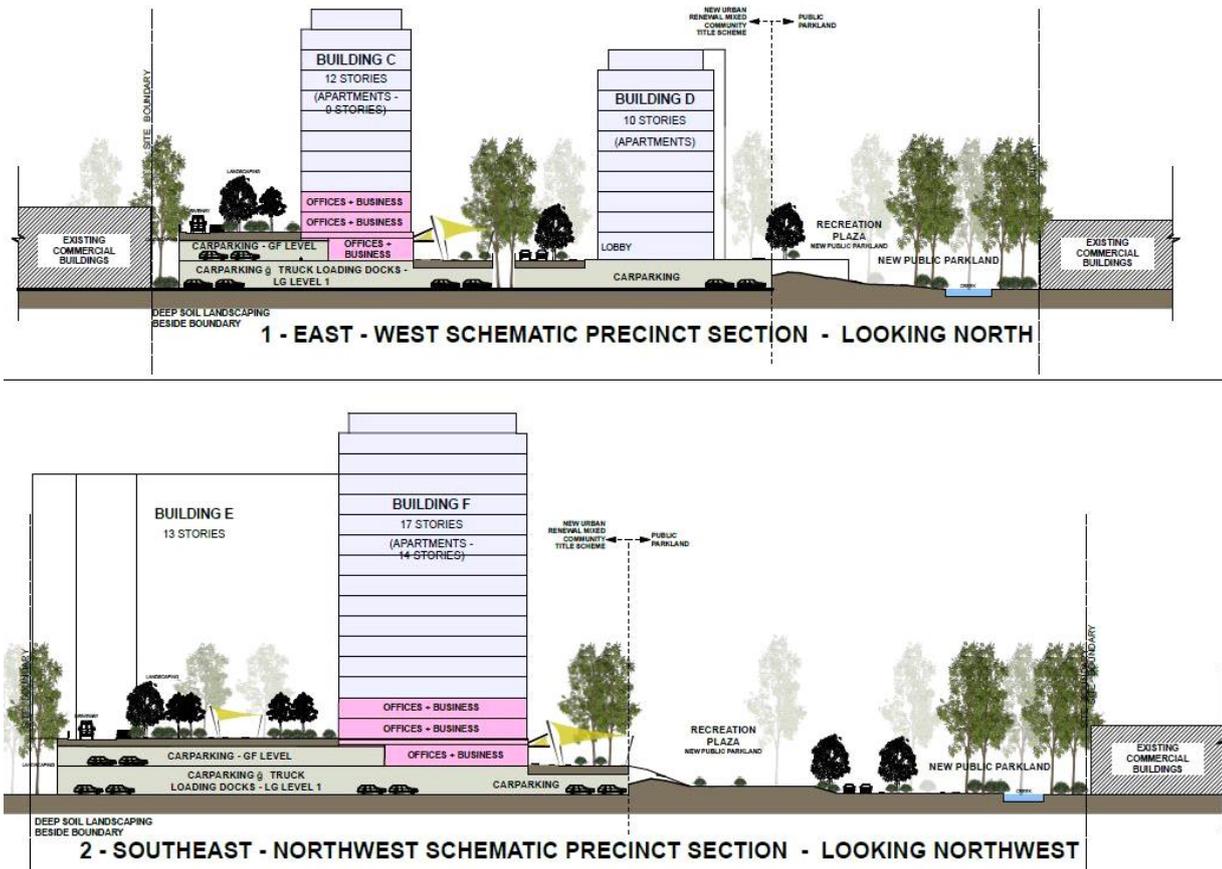


Figure 4 Sections - Thrum Architects Nov 2017 (extract)

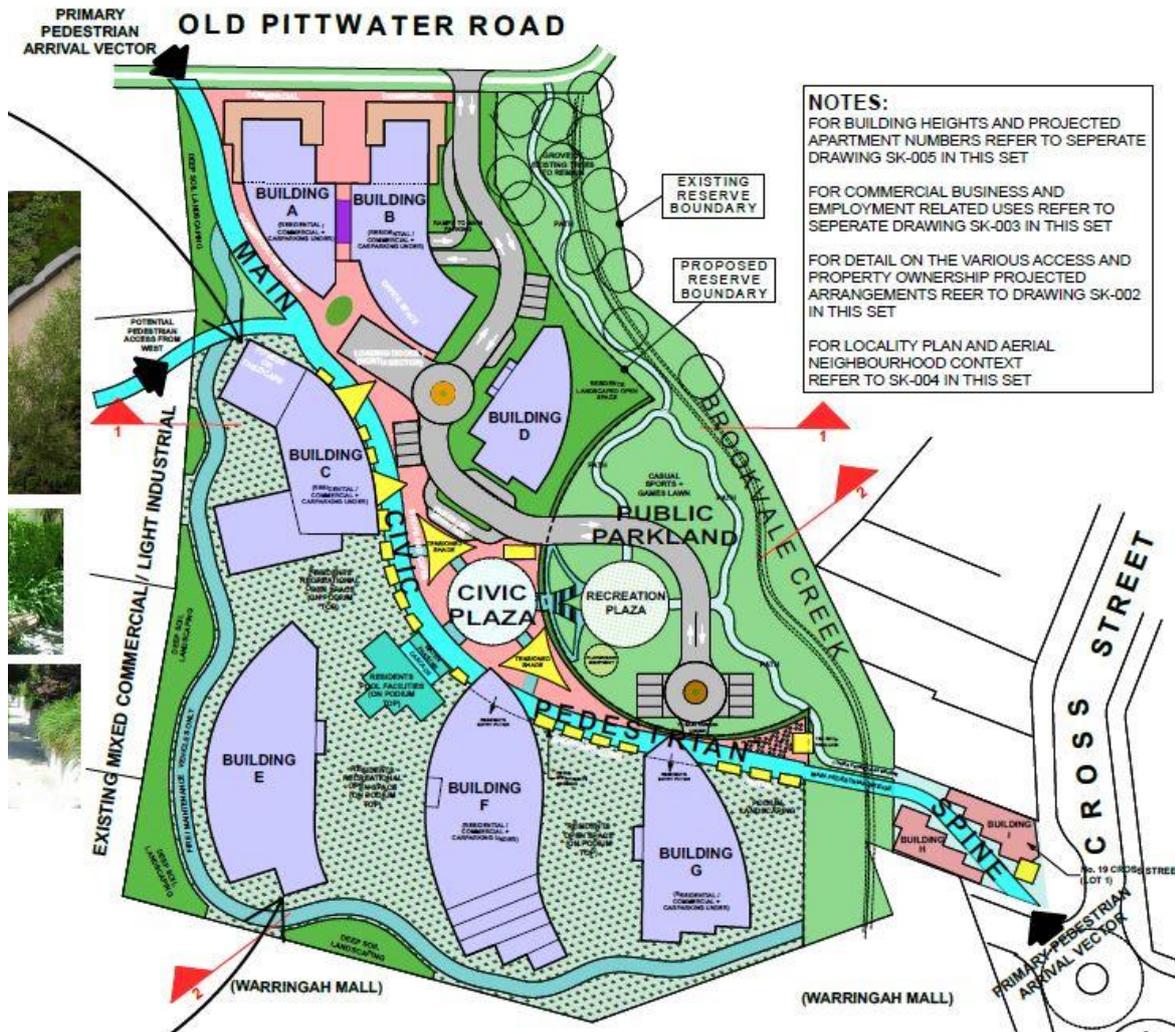


Figure 5 Concept Precinct Master Plan -Thrum Architects Nov 2017 (extract)

This concept is just one of many ways the site could be developed under the Applicant's proposed new LEP controls. As such, the assessment of the Planning Proposal is focused on the proposed additional permitted uses and increased building heights, having regard to the yields shown on the concept master plan merely as a guide to the potential scale and density of development.

As a general comment, the scale and density of development shown on the concept master plan is likely to involve significant impacts on the surrounding area, including impacts on traffic, parking, visual amenity, character and views. It creates the potential for substantial conflict between the new residential uses and surrounding industrial and commercial activities, which would undermine the viability of employment generating activities and the economic role and function of Brookvale. A new residential community of this scale and density is inappropriate in a location that is isolated from existing communities and difficult to achieve safe and convenient access to public transport, recreation, schools and other services. Buildings up to 17 storeys tall are far in excess of anything existing or planned in the vicinity of the site and would be out of character with the area.

The issues raised above are consistent with the issues raised by the community in their submissions received on the proposal. Information submitted by the Applicant in support of the Planning Proposal does not adequately address these likely impacts. The Applicant has not submitted any proper analysis of the economic impact of conversion of such a large industrial zoned site to residential use within an employment centre, nor any modelling of the traffic generation of a development of this scale and density and the capacity of the surrounding road network to accommodate the increase.

The following assessment is structured according to the State Government's requirements for explaining the intended effect of and setting out the justification for a planning proposal.

Part 1 – Objectives or Intended Outcomes

The applicant's stated objective of the Planning Proposal is to facilitate the re-development of the site as a major urban renewal opportunity, providing office and business employment and new housing supply within the Brookvale-Dee Why Strategic Centre.

The site is not considered to be a suitable site for urban renewal as it is a strategically important parcel of employment land that regional, district and local planning policy aims to protect.

Part 2 – Explanation of Provisions

The Planning Proposal seeks to amend WLEP 2011 by:

- amending Schedule 1 (Additional Permitted Uses) to allow mixed-use development comprising residential flat buildings above office and business premises and local open space, consistent with a precinct masterplan to be approved by Council, and to include in the description a provision to the effect that the maximum permitted building height shown on the Height of Building Map will not apply where the Council has approved buildings of greater height under an approved masterplan; and
- amending Additional Permitted Uses Map Sheet APU_008A to identify the subject land as land to which Schedule 1 applies.

The proposed amendments to Schedule 1 are somewhat vague and it is not clear how they would operate with regards to the masterplan and building height variation.

Part 3 – Justification

Section A – Need for the planning proposal

Q1. Is the planning proposal the result of any strategic study or report?

No. The relevant strategic study is the Draft Brookvale Structure Plan and the background studies undertaken in the preparation of that plan.

The Applicant's response to this question relies on the view that the site offers significant potential for urban renewal in a manner that would achieve the objectives of the North District Plan and the Draft Brookvale Structure Plan. This argument is flawed as both of these plans are explicit in their objective to protect and retain industrial zoned land.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

No. The Draft Brookvale Structure Plan provides for housing growth in a more suitable location within the traditional Town Centre of Brookvale that will support local business and the surrounding industrial area and activate the commercial strip. The planning proposal will enable the conversion to residential use and loss of one of the largest industrial zoned landholdings in Brookvale.

The applicant's claim that the planning proposal is the best means of achieving the objectives because it retains the IN1 zone is a misrepresentation as the additional permitted uses will enable wholesale conversion of the activities on the site from industrial to residential and commercial.

Section B – Relationship to Strategic Planning Framework

Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?*

Greater Sydney Region Plan (March 2018) (Region Plan)

Under the key direction of “Jobs and skills for the city”, the Greater Sydney Region Plan includes the following objectives:

- Objective 22: Investment in business activity in centres
- Objective 23: Industrial and urban services land is planned, protected and managed

The first objective recognises the need to grow the city’s centres and depicts a hierarchy of centres that designates Brookvale-Dee Why as a Strategic Centre. The plan’s focus for Strategic Centres is on attracting investment, business activity and jobs. Growing the centres is fundamental to the goal of increasing the number of jobs close to where people live. The plan emphasises the need to build on the individual strengths of centres. While reference is made to the co-location of a wide mix of land uses, including residential, this is not to be “at the expense of the attraction and growth of jobs, retailing and services” (p.106). The planning proposal would introduce residential uses at the expense of retaining a rare large parcel of industrial zoned land. The North District has the least amount of industrial and urban services land stock in the whole of the Greater Sydney region, which makes it a more precious commodity. The provision of housing on the site would not deliver a net community benefit when weighed against the cost of the loss of valuable employment land.

The second objective recognises the significant contribution to jobs that is made by industrial and urban services land and that the provision of services and jobs close to business and where people live is critical to the region’s productivity. The discussion highlights the threat posed by conversion of industrial land to mixed-use residential zoning in response to unprecedented demand for residential supply (p.110). The plan aims to protect industrial and urban services land. The approach identified for Easter Harbour City (including North District) is to: “Protect all industrial zoned land from conversion to residential development, including conversion to mixed-use zonings” (p.112). While the Planning Proposal does not seek to rezone the site, the proposal to make mixed-use development permissible is directly contrary to the approach to protecting industrial land set out in the Greater Sydney Region Plan.

North District Plan (March 2018)

Similar to the Region Plan, the North District Plan has the following planning priorities:

- N10 Growing investment, business opportunities and jobs in strategic centres
- N11 Protecting and managing industrial and urban services land

The plan emphasises the need to grow existing centres and sees jobs growth and community access to goods and services as the core objective for centres. The jobs target for Brookvale-Dee Why is 3,000-6000 additional jobs by 2036. Action 32 refers to creating the conditions for residential development within strategic centres, but not at the expense of the attraction and growth of jobs, retailing and services. For Brookvale Dee-Why, Action 38 specifically seeks to maintain the mix of uses and encourage the establishment of new, innovative and creative industries in Brookvale.

The plan highlights limited supply and inability to increase supply in North District as underscoring the need to protect industrial and urban services land. Action 43 is to manage industrial land by protecting all industrial zoned land from conversion to residential development. The Planning Proposal is directly contrary to this Action.

The applicant's assertion that the Planning Proposal is consistent with the regional and district plans relies heavily on the idea that the residential component will meet the Plans' objectives for increasing housing supply and choice, urban renewal, providing jobs closer to homes, and delivering new housing in connected, walkable neighbourhoods.

This argument is flawed as it fails to recognise considerable inconsistencies with other more important priorities for protecting employment lands and preventing the conversion of industrial land to residential. Introducing residential as an additional permitted use that is likely to be the most profitable use would effectively alienate the land from future industrial activities and potentially curtail surrounding industrial activities due to traffic and amenity impacts. Any contribution made by the proposal towards meeting housing targets is of no net benefit to the community if it results in the loss of important employment land and detracts from the potential economic and employment functions of the centre. The site does not meet the locational criteria for urban renewal or infill as it is in an isolated location, detached from existing neighbourhoods and without convenient, walkable access to public transport, parks, schools and other services. The provision of civic and open space and a pedestrian spine through the site does not overcome these locational problems.

The applicant contends that the site's characteristics as a large landholding immediately adjacent to Warringah Mall provide a unique opportunity for urban renewal and creation of an integrated, master-planned environment. These same characteristics create a unique opportunity to attract investment in and development of new, innovative industries in line with the planned growth of the employment functions of the centre.

The Council, through its forward planning for Ingleside, Frenchs Forest, Dee-Why and Brookvale, North District Plan. Council intends to prepare a housing strategy which will refine how the long term targets will be met. It is already clear however that the housing targets can be met at various planned locations on the Northern Beaches without the need to sacrifice an important parcel of industrial-zoned land.

There is insufficient justification for the Planning Proposal having regard to the following assessment criteria:

a) does the proposal have strategic merit?

No. The proposal is not consistent with the relevant district plan and is not responding to any change in circumstances. There has been no investment in new infrastructure or changing demographic trends in the area which would support conversion of the site from industrial to residential use. The introduction of the B-line bus service and the new community health centre under construction on Pittwater Road do not support the introduction of a substantial new residential community on an isolated site that cannot offer convenient, safe pedestrian/cycle connections to surrounding neighbourhoods or community infrastructure.

As the region's population continues to grow and urban areas become more densely developed, industrial zoned land is increasingly a precious commodity. North District has the lowest amount of industrial land in both land area and per capita of the whole of Greater Sydney Region. Brookvale is the largest industrial precinct in North district and therefore offers the greatest potential for synergies and opportunities for industry to evolve and grow. Recent economic and employment analysis undertaken for Council's local strategy (Draft Brookvale Structure Plan) has identified the need for certain changes to the planning controls in the industrial zoned areas to support niche manufacturing and innovative and creative industries, and to respond to emerging trends for office-based activities. Changes are also identified to encourage revitalisation of the commercial strip.

None of the analysis undertaken has identified any strategic need to change the planning controls for the subject site to allow for residential development. Residential development would not only involve loss of an important industrial site, it would potentially curtail surrounding industrial and commercial activities due to traffic and amenity impacts.

The Planning Proposal goes against all of the indicators which underlie a strategic imperative to protect the industrial and employment functions of Brookvale.

b) does the proposal have site-specific merit?

No. There are no natural environmental values or hazards that give merit to the Planning Proposal. Issues related to Brookvale Creek, flooding and contamination can be addressed through ongoing management and approval processes under the site's IN1 zoning. Existing and likely future uses of land in the vicinity of the proposal are industrial and commercial, and the potential for conflict with these uses negates any site-specific merit for residential use. There are insufficient services or infrastructure available to meet the demands arising from the proposal, particularly with respect to the capacity of the surrounding road network and accessibility to schools, public transport and other services required by a residential community.

Q4. Is the planning proposal consistent with the local strategy or other local strategic plan?

As detailed earlier, the Draft Brookvale Structure Plan is focused on securing Brookvale as an employment centre and protection of industrial zoned land is a key principle. It expresses a clear strategic intent for the industrial land that there be no uses that may potentially conflict with employment opportunities, specifically no residential uses. The only proposed change for the subject site is to allow business and office premises as additional permitted uses in order to build on emerging trends and provide more flexibility for job generating activities. Residential uses are to remain prohibited and building height limits are unchanged for the site. The Planning Proposal is inconsistent with this. Not only does the proposal alter the planned use of the site, it has the potential to detract from the planned use of surrounding areas due to traffic and amenity impacts.

The Draft Brookvale Structure Plan provides for a limited amount of housing growth in the area of the traditional town centre either side of Pittwater Road generally north of Cross St and Powells Rd to Winbourne Rd. Around 670 additional dwellings are provided for as mixed-use development in this location, with commercial uses on ground and first floor levels, so as to preserve employment opportunities and not exceed the traffic carrying capacities of the surrounding road network. The designated 'Town Centre' location for the additional dwellings builds on existing land use patterns and planning controls, and is intended to achieve a highly activated, walkable environment with good connectivity. This planned housing growth will contribute to meeting the housing targets for the Northern Beaches in a way that supports Brookvale's economic and employment functions.

The Planning Proposal would effectively consume 75% of the housing growth allocated to the Town Centre in the Draft Brookvale Structure Plan and would undermine the achievement of the plan's objectives and intent for Brookvale.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is generally consistent with the applicable SEPPs (Attachment 2). With regards to SEPP 55 Remediation of Land, the applicant has submitted a Phase 1 Environmental Assessment (previously prepared for the site in November 2011) which evaluates the site's contamination risk profile as a result of the historical industrial activities. An updated contamination assessment would be required as a condition of Gateway Determination if the Planning Proposal were to proceed. Detailed investigations can be undertaken at development application stage to determine the level of contamination and the necessary remediation. Consistency with SEPP 65 Design Quality of Residential Apartment Development would be determined at development application stage.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

No. The Planning Proposal is inconsistent with the Ministerial Directions (Attachment 3) 1.1, 3.4, 5.10 and 7.1, and there are not sufficient valid reasons to justify the inconsistencies.

- Direction 1.1 Business and Industrial Zones. The proposal fails to give effect to objectives: (b) protect employment land in the business and industrial zones and (c) support the viability of identified centres. The proposal would effectively alienate the land from future industrial activities and potentially curtail surrounding industrial and commercial activities.
- Direction 3.4 Integrating Land Use and Transport. The proposal is inconsistent with objectives relating to improving access by walking, cycling and public transport, and reducing dependence on cars. The proposal provides for the establishment of a substantial new residential community on an isolated site, surrounded by industrial and commercial development, without convenient, safe pedestrian/cycle connection to surrounding neighbourhoods or community infrastructure. Although the site is within 800m of the B-line bus stop, the route from the site to that stop is along roads that are heavily trafficked by industrial and commercial vehicles, and lack the activation, amenity and casual surveillance to make them safe and enjoyable for pedestrians, particularly at night. Any route through Warringah Mall would be unsuitable after hours. Furthermore, the proposal does not consider traffic impact and the capacity of the surrounding road network.
- Direction 5.10 Implementation of Regional Plans. As outlined earlier, the proposal is contrary to the approach to protecting industrial land set out in the Greater Sydney Region Plan and would undermine the intended growth of business activity and jobs in the Brookvale-Dee Why Strategic Centre.
- Direction 7.10 Implementation of a Plan for Growing Sydney. This plan will be superseded when the Greater Sydney Region Plan is finalised and formally adopted. Nevertheless, it contains key directions and strategies for focussing jobs growth and the agglomeration of business in Strategic Centres and supporting key industrial precincts, and introduces a checklist for careful decision making that considers impacts on industrial land stocks and employment objectives. The proposal is inconsistent with this direction as it enables the conversion of a key industrial landholding to residential use and does not support the optimum growth of the Strategic Centre.

C – Environmental, social and economic impact

Q7. Is there any likelihood that habitat or species will be adversely affected?

No. The subject site does not contain any critical habitat or threatened species, populations, or economical community of their habitats.

Q8. Are there any other likely environmental effects as a result of the planning proposal?

Matters related to Brookvale Creek, flooding and contaminated land can be addressed in detail at development application stage. The applicant has submitted a Phase 1 Environmental Assessment (November 2011) which evaluates the site's contamination risk profile. An updated contamination assessment could be required as a condition of Gateway Determination if the Planning Proposal were to proceed. With regards to the substantial increase in building heights that is proposed, the applicant has not submitted any visual impact assessment.

Q9. Has the planning proposal adequately addressed any social and economic effects?

No. The proposal has not adequately addressed the social and economic effects.

The applicant's justification relies on the purported benefits of delivering 250+ jobs, 500+ dwellings, and a high quality public domain and pedestrian spine. It fails to address the potential detrimental social and economic effects associated with the loss of a major parcel of industrial land, the introduction of land use conflicts that may curtail the surrounding industrial and commercial activities, and poor connections and walkability for a new residential community on an isolated site.

Traffic generated by development of the scale and density that is indicated on the masterplan is likely to exceed the capacity of the surrounding road network and the resulting congestion would be an impediment to the operations of all businesses in the IN1 area, particularly those accessed via Old Pittwater Road and Cross Street. The applicant has not submitted any traffic impact analysis to demonstrate that the surrounding road network can accommodate the additional traffic.

D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The applicant has failed to demonstrate that the surrounding road network has the capacity to accommodate traffic and parking generated by a development of the scale and density proposed. The amount and location of growth in employment floorspace and housing envisaged in the Draft Brookvale Structure Plan has been carefully configured to not exceed the identified traffic carrying capacities of the existing road network. The proposal would add a substantial amount of residential growth without proper assessment of the adequacy of either the road and public transport infrastructure, or other infrastructure such as parks, schools, health services, and utilities.

Q11. What are the views of state and Commonwealth authorities consulted in accordance with the Gateway determination?

The Planning Proposal has not been forwarded for a Gateway Determination. Given the strong emphasis in the regional and district planning policy on protection of industrial land from conversion to residential uses, it is anticipated that the Department of Environment & Planning is unlikely to support the proposal.

CONSULTATION

Submissions

The Planning Proposal was publicly exhibited for 17 days from 27 January to 12 February 2018. The exhibition included:

- Manly Daily advertisements
- letters posted to owners and occupiers in the area surrounding the site
- details of the proposal and an invitation of make a submission on the Have Your Say pages of Council's website
- emails to community members who registered their interest on Council's Community Engagement Register
- hard copies of the exhibition material at Customer Service Centres.

74 submissions were received. 72 raised objection to the proposal, with the main concerns relating to overdevelopment (excessive building height and dwelling numbers) and traffic impact (congestion and lack of parking). Other concerns included visual impact, the proposal being out of character with the area, lack of infrastructure and services (particularly roads and schools), need to retain industrial/commercial uses, loss of views, precedent and conflict with the Draft Brookvale Structure Plan. Two submissions gave general support. Refer to the Submissions Summary (Attachment 4) for further information on submissions received during the exhibition period.

FINANCIAL CONSIDERATIONS

The assessment of this Planning Proposal has been funded by the fees established in the *Northern Beaches Fees and Charges 2017-2018*.

SOCIAL CONSIDERATIONS

While housing supply is a priority for the Northern Beaches, the subject site is not considered to be an appropriate location for a new residential community. Any contribution made by the proposal towards meeting housing targets is of no net benefit to the community if it results in the loss of important industrial land and detracts from the potential economic and employment functions of the centre. Appropriate areas for residential development have been identified in Council's Draft Brookvale Structure Plan, namely the area of the traditional Town Centre.

The introduction of currently prohibited residential uses within the IN1 General Industrial zone would set an undesirable precedent, potentially curtail surrounding industrial and commercial activities, and undermine the employment growth potential of an area that is critical to the success of the Brookvale-Dee Why Strategic Centre.

The proposal fails to address the amenity impacts for future residents who will be surrounded by commercial and industrial operations, without safe, convenient connection to existing communities, public transport and other social infrastructure. The proposal will also have significant impacts on existing workers and business operators in the area due to the increased traffic.

ENVIRONMENTAL CONSIDERATIONS

The subject site does not contain critical habitat or threatened species. Matters related to the environmental values of Brookvale Creek, retention of existing trees, flooding and contaminated land can be addressed in detail at development application stage. Improved environmental outcomes for the site can be achieved in the design and management of future industrial and/or business development on the site. The proposed residential uses do not provide for any environmental benefit or an improved environmental outcome than what could be expected if the land was utilised for Industrial and/or business purposes.

With regards to the built environment, the proposed substantial increase in buildings heights from 11m (2-3 storeys) to up to 17 storeys is a major departure from the existing local character and could create an undesirable precedent. There has not been adequate assessment of the impacts of the increased heights, particularly with regards to visual amenity, character, view loss and overshadowing.

GOVERNANCE AND RISK CONSIDERATIONS

Council's role to consider the orderly planning of land is well set out in the *Environmental Planning and Assessment Act 1979*. This report addresses the requirements of the Act and recommends the proposal is unsuitable to proceed to a gateway determination.

ITEM 10.2	PLANNING PROPOSAL - 729-731 PITTWATER ROAD, DEE WHY TO PERMIT ADDITIONAL USES
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2018/179363
ATTACHMENTS	1 Planning Proposal Revised February 2018 (Included In Attachments Booklet 5)
	2 Council Report and Resolution (Included In Attachments Booklet 5)

EXECUTIVE SUMMARY

PURPOSE

To seek Council approval to amend Warringah Local Environmental Plan 2011 (WLEP2011) to permit 'Medical Centre' and 'Office Premises' on land at 729-731 Pittwater Road, Dee Why.

SUMMARY

Council at its meeting on 24 October 2017, resolved to submit a Planning Proposal to amend WLEP2011 to permit the additional uses of a 'Medical Centre' and 'Office Premises' at 729-731 Pittwater Road, Dee Why to the Department of Planning and Environment (the Department) for a Gateway Determination and to publicly exhibit the Planning Proposal in accordance with any Gateway Determination issued by the Department.

A Gateway Determination was issued for the Planning Proposal by the Department on 12 December 2017 and Council subsequently publicly exhibited the proposal for 28 days from 17 February to 17 March 2018. No submissions were received in response to the public exhibition.

No objections were raised to the Planning Proposal by Roads and Maritime Services.

RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council exercise its delegation from the Minister for Planning to amend Warringah Local Environmental Plan 2011 to permit the additional uses of 'Medical Centre' and 'Office Premises' on land known as 729-731 Pittwater Road, Dee Why.

REPORT

BACKGROUND

Council received a Planning Proposal to amend Schedule 1 of WLEP2011 to permit 'Medical Centre' and 'Office Premises' at 729 -731 Pittwater Road, Dee Why in June 2017.

The site has an area of 1,334m² and is occupied by a three story building with roof top and undercover parking with a total of 31 spaces. The building is currently used for medical consulting rooms and a pharmacy and has been used for that purpose for many years. The property is zoned R3 - Medium Density Residential which permits residential uses including residential flat buildings but prohibits 'Medical Centre' and 'Office Premises'.

The Planning Proposal was placed on public exhibition from 8 July 2017 until 23 July 2017 and subsequently considered by Council at its meeting on 24 October 2017(Attachment 2).

At that meeting Council resolved to forward the proposal to the Department for a Gateway Determination and to publically exhibit the proposal in accordance with any Gateway Determination issued.

GATEWAY DETERMINATION

The Department issued a Gateway Determination on 12 December 2017 which gave approval for the Planning Proposal to proceed subject to the following conditions:

1. Updating of the Planning Proposal to better reflect consistency with regional and subregional strategic frameworks, to justify inconsistency with section 117 Direction 3.1 - Residential Zones, and to include the amendment of the relevant *Additional Permitted Uses Map* in Warringah LEP 2011.
2. Consultation with the community as required under Sections 56(2) (c) and 57 of the Act, for a minimum of 14 days.
3. Consultation is required with NSW Roads and Maritime Services (RMS).
4. A public hearing is not required to be held into the matter by any person or body under section 56(2) (e) of the Act.
5. The timeframe for completing Warringah Local Environmental Plan 2011 is to be 9 months following the date of the Gateway Determination.

CONSULTATION

The updated and amended Planning Proposal was placed on public exhibition from 17 February until 17 March 2017(Attachment 1). The exhibition included:

- Manly Daily Ad
- Councils 'Your Say' page
- Email to registered community members who have registered their interest
- Hard copies were placed at Dee Why Library and Dee Why Civic Centre
- Two notification signs placed on the subject site
- Approximately 620 letters sent to adjoining local residents and businesses.

A copy of the Planning Proposal and Gateway Determination were sent to RMS for comment.

No public submissions were received in response to the public exhibition.

RMS provided comments, dated 19 March 2018, stating they had no objections to the Planning Proposal. The RMS noted in their submission that any future development application for redevelopment of the site would be subject to a requirement for vehicular access to be obtained via Kingsway.

TIMING

The amendment of WLEP2011 should be completed by September 2018, in accordance with the Gateway Determination. The anticipated completion date is late May 2018.

FINANCIAL CONSIDERATIONS

The preparation of the Planning Proposal has been funded through Councils Operational budget.

SOCIAL CONSIDERATIONS

The proposed amendments to WLEP2011 are of a minor nature and will have minimal social impact as outlined in Council's Planning Proposal.

ENVIRONMENTAL CONSIDERATIONS

The proposed amendments to WLEP2011 are of a minor nature and will have minimal environmental impact as outlined in Council's Planning Proposal.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed amendments to the WLEP2011 will be in keeping with Council's procedures and delegations in relation to the making of Local Environmental Plans.

ITEM 10.3	PLANNING PROPOSAL - 884-896 PITTWATER ROAD, DEE WHY (MERITON DEVELOPMENT/'SITE B') TO PERMIT RESIDENTIAL ACCOMMODATION ON THE FIRST FLOOR AND MEDICAL & OFFICE PREMISES ON THE GROUND FLOOR
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2018/181864
ATTACHMENTS	1 ⇒ Planning Proposal (Included In Attachments Booklet 5) 2 ⇒ Ministerial Directions (Included In Attachments Booklet 5) 3 ⇒ Submissions Summary (Included In Attachments Booklet 5)

EXECUTIVE SUMMARY

PURPOSE

To report on the assessment of a Planning Proposal lodged for 884-896 Pittwater Road, Dee Why (Meriton Development/'Site B') to permit and to seek Council's approval to reject the Planning Proposal.

SUMMARY

Council received a Planning Proposal on 15 February 2018 to amend the Warringah Local Environmental Plan (WLEP 2011) to allow 'residential accommodation' on the first floor, and 'medical centre' and 'office premises' on the ground floor at 884-896 Pittwater Road, Dee Why.

The Planning Proposal was publicly exhibited for 16 days from 24 February to 11 March 2018. Nine (9) submissions were received, eight (8) of which objected to the Planning Proposal on grounds of inconsistency with the previous planning approval; loss of employment floor space; and the proposal's inconsistency with existing planning controls and strategic plans. One other submission provided general comments regarding development in Dee Why.

The Planning Proposal is not supported as it is inconsistent with relevant strategic planning documents, including the recently released *A Metropolis of Three Cities* and the *North District Plan* (March 2018), and Ministerial Planning Directions particularly relating to the loss of employment generating floorspace in Business zones.

Urban vibrancy

Dee Why Town Centre Masterplan 2013 sets a vision for making Dee Why Town Centre a place that captures the imagination of prospective residents, businesses and investors. The Masterplan recognises that retail and commercial offerings are critical for generating a vibrant and competitive town centre.

Site B is identified in both WLEP 2011 and the Masterplan as a site of strategic significance. The Masterplan identifies Site B's role as a town square, within the heart of Dee Why. Clause 7 in Warringah LEP 2011 cements the social, economic and employment functions of the site. For Site B to achieve its function as a town square, it is critical that all opportunities for active, outward-facing functions (retail) are preserved.

Amenity

Dee Why Town Centre Masterplan 2013 identifies the importance of nightlife clusters to the cultural life of the city and its economy. Night economy clusters - which may include restaurants, cafes, bars, hotels, theatres and cinemas – enhance the livability of our towns, and also positively contribute to safety through passive surveillance.

The Planning Proposal stands to negatively affect the safety of Dee Why Town Centre in the following ways:

Permission of medical services at ground level:

- Lost opportunity for active street frontage
- Lost opportunity for longer opening hours (and passive surveillance).

Permission of residential at level one:

- Potential conflict between residential and retail/commercial activities.

Conversely the provision of commercial uses on the first floor could act as a buffer between ground floor retail and entertainment uses and residential uses on 2nd floor and above.

RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE & COMMUNITY

That Council reject the Planning Proposal lodged for 884-896 Pittwater Road, Dee Why and not submit it to the NSW Department of Planning & Environment for a Gateway Determination for the following reasons:

- A. The Planning Proposal is inconsistent with the strategic planning direction for Dee Why as established by the recently finalised *A Metropolis of Three Cities and North District Plan* (March 2018).
 - B. The Planning Proposal is inconsistent with a previous decision of Council and the Department of Planning rejecting a proposal to allow residential uses at first floor level on the site and a broader range of retail/ commercial uses on the ground floor level on grounds of inconsistency with Ministerial Direction 1.1 - Business and Industrial Zones.
 - C. The Planning Proposal has not demonstrated strategic merit or site-specific merit consistent with the NSW Planning & Environment's *Planning Proposals: A guide to preparing planning proposals* (2016).
 - D. The Planning Proposal is inconsistent with the following Local Planning Directions:
 - a. 1.1 Business and Industrial Zones
 - b. 3.4 Integrating Land Use and Transport
 - c. 5.10 Implementation of Regional Plans
 - d. 6.3 Site Specific Provisions
 - e. 7.1 Implementation of *A Plan for Growing Sydney*.
 - E. The outcome of the Planning Proposal is not considered an appropriate strategic and development outcome because it does not satisfactorily address social and infrastructure impacts associated with the loss of employment floor space, and the potential introduction of up to 80 new residential dwellings within a Key Site of the Dee Why Town Centre.
 - F. The Proposal will set a policy precedent by introducing residential development within the first floor level of a Key Site within the Dee Why Town Centre. Given the key economic role that the Dee Why-Brookvale Strategic Centre plays in the local government area and the larger North District, the Proposal has the capacity to undermine the existing and future strategic advantage for the provision of business and employment lands.
 - G. The information and studies provided in conjunction with the Planning Proposal do not adequately address the impacts that the proposed changes would have on the surrounding area, particularly with regards to traffic, local infrastructure, and economic impacts.
-

REPORT

BACKGROUND

Council received a Planning Proposal on 15 February 2018 from Meriton Property Services Pty Ltd seeking to amend Warringah Local Environmental Plan (WLEP 2011) to allow ‘residential accommodation’ on the first floor, and ‘medical centre’ and ‘office premises’ on the ground floor at 884-896 Pittwater Road, Dee Why. The application is accompanied by concept plans for first floor residential uses, a traffic study, and an Economic Impact report prepared by HillPDA.

Existing planning controls within the WLEP 2011 prohibit residential accommodation on the ground and first floors of the subject site, and medical centres and office premises at the ground floor level.

In May 2014, Council received a Planning Proposal to allow residential uses on the first and second floors of the subject site and to allow a broader range of retail uses at the ground level.

Council and the Department of Planning subsequently resolved to support additional residential uses only at the second level but not on the first. The proposed additional retail uses at the ground level were not supported in order to achieve the strategic and local planning objectives for the site.

Description of site and surrounds

The site at 884-896 Pittwater Road, Dee Why is referenced in the WLEP 2011 as Key Site ‘Site B’ in the Dee Why Town Centre. The site is irregular in shape with an area of approximately 14,466 m². It comprises 14 lots as described below and as outlined in red in Figure 1.

Address	Lot & DP
9 Howard Avenue	Lot 7 Sec 16 DP 8172
11 Howard Avenue	Lot 1 DP 209503
15 & 17 Howard Avenue	Lot 1 & 2 DP 212382
14 & 16 Oaks Avenue	Lot A & B DP 371110
28 Oaks Avenue	Lot 3 DP 212382
884 Pittwater Road	Lot A DP 339410
888 & 890 Pittwater Road	Lot 10 & 11 DP 231418
892 Pittwater Road	Lot 1 DP 504212
894 Pittwater Road	Lot A DP 416469
896 Pittwater Road	Lot 1 & 3 DP 307937



Figure 1. Aerial Image of The Subject Site outlined in red

A recently approved development consent for the site provides for a mixed use development with associated car parking. Work on that development is at an advanced stage. The surrounding area is characterised by a range of building forms including new and old multi-storey residential and mixed use buildings, and older 2-4 storey commercial buildings particularly along Pittwater Road.

Existing Planning Framework

The land is currently zoned B4 Mixed Use under WLEP 2011 (Figure 2). The objectives of the zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To reinforce the role of Dee Why as the major centre in the sub-region by the treatment of public spaces, the scale and intensity of development, the focus of civic activity and the arrangement of land uses.*
- *To promote building design that creates active building fronts, contributes to the life of streets and public spaces and creates environments that are appropriate to human scale as well as being comfortable, interesting and safe.*
- *To promote a land use pattern that is characterised by shops, restaurants and business premises on the ground floor and housing and offices on the upper floors of buildings.*
- *To encourage site amalgamations to facilitate new development and to facilitate the provision of car parking below ground.*

The site is identified as 'Site B' in the Dee Why Town Centre within the WLEP 2011.

Clauses 7.3(i) and 7.3(j) of WLEP 2011 respectively require highly active retail uses at the ground level and at least 2 levels (including the ground floor) of development for non-residential purposes in the Dee Why Town Centre; Clause 7.11 (2)(b) requires retail uses to be located at ground level at the perimeter of the Town Square; and Clause 7.12 prohibits residential accommodation, medical centres and offices to be located on the ground floor, and residential accommodation on the first floor of Site B.

Various maximum building heights apply to different built elements within the site as per the WLEP 2011 Height of Buildings Map.

691 Pittwater Road, the Civic Centre site, and 50 Oaks Avenue (St Kevin's Catholic Church) are heritage items in the immediate vicinity of the subject site.

The site is within Area A of the WLEP 2011 Landslip Risk Map indicating a slope of less than 5°.

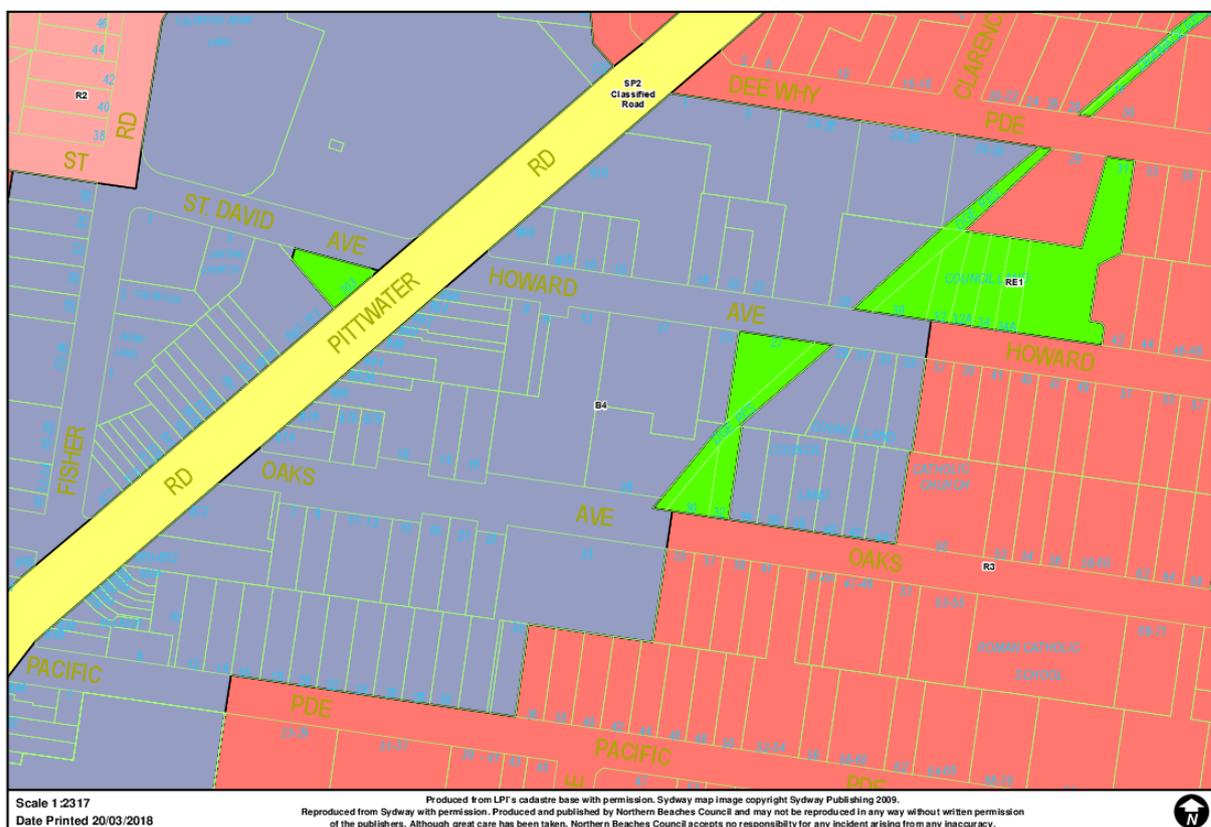


Figure 2. WLEP 2011 Zoning Map Extract

ASSESSMENT OF PLANNING PROPOSAL

The assessment of the Applicant's Planning Proposal (Attachment 1) has been undertaken in accordance with the NSW Department of Planning and Environment's *Planning Proposals: A guide to preparing planning proposals* (2016).

Part 1 – Objectives or intended outcomes

The objectives or intended outcome of the Planning Proposal is to amend WLEP 2011 to allow 'residential accommodation' on the first floor, and 'medical centre' and 'office premises' on the ground floor at 884-896 Pittwater Road, Dee Why.

Part 2 – Explanation of Provisions

The Planning Proposal seeks to amend clause 7.12 of WLEP 2011 as follows (deleted text shown in **strikethrough**, new text shown in **bold**):

“7.12 Provisions promoting retail activity

(1) The objective of this clause is to promote retail activity on the ground and first floors of new buildings in the Dee Why Town Centre.

(2) Development consent must not be granted to development in the Dee Why Town Centre unless the consent authority is satisfied that:

a. The ground floor level of buildings on Sites A and B will not be used for any of the following (other than the provision of access to any of the following):

i. Residential accommodation,

ii. Medical centres.

iii. Office premises, and

b. The first floor level of buildings on Sites A and B will not be used for residential accommodation (other than the provision of access to such accommodation).

b. The first floor level of buildings on Sites A and B may be used for residential accommodation.

c. d. (Repealed)”

The above amendments would allow for residential accommodation to occur on the first floor level of the subject site as well as expand the permissible uses on the ground floor level. The applicant has submitted a concept floor plan to indicate possible development (Figure 3).

The concept floorplan shows nine (9) units at the first floor level of Building A on the site (the site comprises two main buildings). It is important to note however that the applicant is not bound by the concept plan and that the proposed amended planning controls would permit residential development to extend to the entire first floor area of both buildings on the site. The claim therefore that retail and/or business uses will continue to operate at the first floor level is not guaranteed.



Figure 3. Excerpt of indicative floor plan for Level 1 of Site B

Part 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal the result of any strategic study or report?

No. The Planning Proposal was commissioned by the landowner and is not a direct result of a strategic study or report, with the exception of the Economic Report prepared by HillPDA (January 2018) and submitted to Council.

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

Yes, a Planning Proposal is the best means of achieving the objectives or intended outcomes as set out by the applicant. However, the Planning Proposal as drafted and submitted:

- erroneously includes Site A (Council carpark) in the proposed new controls
- fails to address Clause 7.11 (2)(b) of WLEP 2011 which requires retail uses to be located at ground level at the perimeter of the Town Square
- fails to address clause 7.3(i) of WLEP 2011 which requires highly active retail uses at the ground level of the Dee Why Town Centre
- fails to address clause 7.3(j) of WLEP 2011 which requires the provision of 'at least 2 levels (including the ground floor) of development for non-residential purposes' within the Dee Why Town Centre.

Section B – Relationship to Strategic Planning Framework

3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The recently finalised *A Metropolis of Three Cities and North District Plan* (March 2018) supersedes previous regional and district plans.

a) Does the proposal have strategic merit? Is it:

- Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.

The Applicant has provided justification in support of the proposed amendments stating that the changes are consistent with the objectives of the relevant State planning policies. The justification provided is not supported as discussed below.

Regional Plan

Similarly to its predecessors *A Plan for Growing Sydney* and the draft *Our Greater Sydney 2056*, the recently released *A Metropolis of Three Cities* identifies the combined Dee Why-Brookvale area as a “strategic centre” expected to accommodate a wide range of goods, services and jobs.

While the provision of new homes is a priority within the Regional Plan, the LGA’s dwelling targets as set out by the State Government in the plan are able to be achieved through forecast housing supply in release areas such as Ingleside and Frenchs Forest. More importantly, the Regional Plan emphasizes the importance of providing jobs close to residential areas (the 30-minute city objective) – this function is largely provided for within strategic centres such as Brookvale-Dee Why. The further loss of employment floor space on the subject site is contrary to the regional plan’s vision for the area.

North District Plan

The recently released district plan does not vary significantly from its predecessors in identifying Brookvale-Dee Why as a strategic centre. While Brookvale remains largely an industrial area, Dee Why is described as a mixed-use area with a vibrant local night-time economy. A target of an additional 6000 jobs within the Northern Beaches has been set for 2036 with a strong emphasis on maintaining the existing mix of uses so that “Brookvale-Dee Why continues to perform strongly as a well-balanced, self-sustaining combined centre” (pg. 73).

The North District Plan also notes the importance of the newly established B-line which commenced in late 2017 and which is experiencing a higher patronage rate than originally anticipated.

The Planning Proposal seeks to reduce the amount of non-residential floor space on the site and introduce new uses (medical centres and office premises) to the ground level of Site B in the Dee Why Town Centre. The proposed amendments to existing planning controls are contrary to the objectives for the Brookvale-Dee Why Town Centre in creating a mixed use area that provides jobs for existing and new residents, and the activation of local streets. The loss of employment floor space and the introduction of non-active uses at the ground level do not correspond to the actions identified for the strategic centre.

- Consistent with relevant local council strategy that has been endorsed by the Department

Council has not yet prepared a Local Planning Strategy for endorsement by the Department. However the Planning Proposal is inconsistent with the *Draft Northern Beaches Community Strategic Plan’s* main goals of providing ‘places for people’ and a ‘vibrant local economy’.

As noted above, residential development has already been forecast for the area and the Dee Why Town Centre is envisioned as a vibrant space for the community. These goals will be undermined by the loss of employment floor space and the introduction of non-active uses at the ground level for this key site.

The Planning Proposal is also inconsistent with the *Dee Why Town Centre Masterplan 2013* that establishes Site B as a key site for providing community space, housing, and supporting commercial floor space.

The Planning Proposal submitted states that “The quantum of commercial floorspace proposed to be replaced by residential uses is extremely minor and will not impact on the overall vitality and viability of the Town Centre”. The submitted document fails to acknowledge that the requested changes to planning controls would allow for the entire first floor to be converted from commercial to residential floor space.

- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

The *Dee Why Town Centre Masterplan 2013* is currently in its implementation phase, with the subject site being identified as a key site for the delivery of high density, mixed use development within the town centre. Specific provisions relating to the site are contained within the WLEP 2011 to ensure that the vision for Dee Why Town Centre is achieved. With additional development occurring within Dee Why (including the current Planning Proposal for additional key sites for development in the town centre) and the implementation of the B-line in late 2017, Council anticipates even more demand for commercial and retail floor space.

a) Does the Proposal have site-specific merit, having regard to the following?

- The natural environment (including known significant environmental values, resources or hazards)

The subject site does not contain any critical habitat or threatened species, populations or ecological communities or their habitats.

- The existing uses, approved uses, and likely future uses of land in the vicinity of the Proposal

As noted above, a Planning Proposal to extend the Dee Why Town Centre area and identify additional key sites is currently on post-Gateway (statutory) exhibition. While the applicant has noted difficulty in leasing the existing commercial floor space on the site, Council notes that residential development on the subject site and indeed the broader Dee Why Town Centre is yet to be fully realised. Once this occurs, Council anticipates a much greater demand for commercial and retail floor space particularly on this subject site which is located strategically in the centre of the precinct on Pittwater Road, close to transport and other amenities.

- The services and infrastructure that are or will be available to meet the demands arising from the Proposal and any proposed financial arrangement for infrastructure provision

The Planning Proposal indicates that only a small portion (21%) of the first floor of all buildings on the site will be converted from commercial to residential floor space resulting in an additional 9 residential units. While this may translate into a minor reduction in employment floor space, the amendments to planning controls as submitted are worded such that residential development could occur on the entire level with the potential for between 80 and 100 additional units across the entire floor (based on the total floor space on level 1 of 10,370m² and an assumed average unit size of 100 - 130m²).

The Planning Proposal was referred to Council's Transport & Civil Infrastructure Assets and Transport Network teams for comment. It was noted by these teams that extensive traffic modelling was conducted in 2016 as part of the implementation of the *Dee Why Town Centre Masterplan 2013* and that consideration would need to be given to the impact of a change in use on the parameters of the traffic model, specifically the queuing and vehicle movements around the town centre.

The applicant has submitted a traffic report which only addresses required parking for 9 units and does not discuss the potential local traffic implications of additional residential units within the development.

4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

As noted above, the Planning Proposal is inconsistent with the *Draft Northern Beaches Community Strategic Plan* as well as the *Dee Why Town Centre Masterplan 2013*.

5. Is the Planning Proposal consistent with applicable State Environment Planning Policies?

There are no State Environmental Planning Policies relevant to the assessment of this Planning Proposal.

6. Is the Planning Proposal consistent with the applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is inconsistent with the following Ministerial Directions:

- Direction 1.1 Business and Industrial Zones: The Planning Proposal does not satisfy objectives (a), (b), and (c) in that the further loss of employment land will ultimately erode the vibrancy of the subject site and surrounding Town Centre.
- Direction 3.4 Integrating Land Use and Transport: The Planning Proposal has not demonstrated consistency with objective (a) of the direction which seeks to improve access to housing, jobs and services. No evidence has been given that additional residential development within the site will not impact on the local traffic network.
- Direction 5.10 Implementation of Regional Plans and Direction 7.1 Implementation of A Plan for Growing Sydney: the previous regional plan has now been succeeded by *A Metropolis of Three Cities* (March 2018). Nevertheless, the Proposal is considered to be inconsistent with the newly released Regional Plan and undermines the objectives and directions identified for Brookvale-Dee Why as a Strategic Centre.
- Direction 6.3 Site Specific Provisions: The Proposal only contains and refers to drawings that show indicative details of the development proposal. These are provided as concept floorplans only in order to demonstrate the intended outcomes of the development.

A full assessment of the Proposal against s.117 Ministerial Directions (Attachment 2) of this report.

7. Is there any likelihood that critical habitat or threatened species, populations, or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The subject site does not contain any critical habitat or threatened species, populations, or ecological communities or their habitats.

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No other likely environmental effects as a result of the Planning Proposal have been identified.

9. Has the Planning Proposal adequately addressed any economic and social effects?

No. The Proposal fails to address the potential social and economic effects of the proposed amendments. The Planning Proposal was referred to Council's Place and Economic Development Team for comment. The team responded as follows:

Urban vibrancy

Dee Why Town Centre Masterplan 2013 sets a vision for making Dee Why Town Centre a place that captures the imagination of prospective residents, businesses and investors. The Masterplan recognises that retail and commercial offerings are critical for generating a vibrant and competitive town centre.

Site B is identified in both WLEP 2011 and the Masterplan as a site of strategic significance. The Masterplan identifies Site B's role as a town square, within the heart of Dee Why. Clause 7 in Warringah LEP 2011 cements the social, economic and employment functions of the site. For Site B to achieve its function as a town square, it is critical that all opportunities for active, outward-facing functions (retail) are preserved.

Amenity

Dee Why Town Centre Masterplan 2013 identifies the importance of nightlife clusters to the cultural life of the city and its economy. Night economy clusters - which may include restaurants, cafes, bars, hotels, theatres and cinemas – enhance the livability of our towns, and also positively contribute to safety through passive surveillance.

The Planning proposal stands to negatively affect the safety of Dee Why Town Centre in the following ways:

Permission of medical services at ground level:

- Lost opportunity for active street frontage
- Lost opportunity for longer opening hours (and passive surveillance).

Permission of residential at level one:

- Potential conflict between residential and retail/commercial activities
- Conversely the provision of commercial uses on the first floor could act as a buffer between ground floor retail and entertainment uses and residential uses on 2nd floor and above.

Employment

Hill PDA, on behalf of Meriton, previously prepared a Planning Proposal in 2015 that sought greater flexibility of uses (i.e. residential) on levels 1 and 2, when residential was previously prohibited. As a result, residential uses were permitted on level 2, reducing the commercial floor space capacity of the site.

Further loss of commercial space at the site is not supported, as this would have a detrimental impact on achieving the 6000 additional job target set in the North District Plan for the Brookvale-Dee Why strategic centre. The current ground floor and first floor employment uses effectively offset the loss of commercial floor space from the redevelopment of the site, and would result in only a marginal net job growth towards achieving this job target.

The draft Brookvale Structure Plan identifies capacity for around 1,700 additional jobs over the next 20 years, significantly below the higher 6,000 job target in the District Plan. Scope for significant net job growth in other sites in Dee Why is likely to be limited through redevelopment of existing ground floor space as part of new mixed-use development.

Furthermore, the loss of first floor commercial space would result in a missed opportunity to provide long-term capacity for higher value professional jobs and services sought in the LGA, in addition to maintaining retail ground floor uses that are essential to creating a vibrant town centre.

With a highly professional and skilled resident workforce, more opportunities to plan for office space for professional services that align with the skills and aspirations of the resident workforce are required. For example, there are currently 5 residents employed in the 'Finance and Insurance' sector for every local job in that sector, resulting in a large proportion of these workers commuting out of the region every day for work.

Opportunities for co-worker or start-up spaces could also be supported through first floor commercial space. The Co-Lo Dee Why was a co-worker space previously operating at 633 Pittwater Road which supported a mix of start-up businesses and hot-desk spaces. This site has recently been demolished for redevelopment, but demonstrated that there is market demand for this type of space in the centre. With a new incoming resident population, demand for this type of office space could grow.

Demand for Commercial Floor Space

Market demand for commercial development is taken at the current point in time and does not consider how commercial feasibility may change in the longer term.

Dee Why Town Centre Masterplan describes a town centre with improved public and private realms and enhanced urban qualities, which generate investment and ongoing positive change. Since the adoption of the Masterplan in 2013, Council has delivered a number of public domain improvement projects, including the new PCYC, new 348 space car park, Redman Road plaza upgrade, and Walter Gors playground and streetscape works. Along with the settings in the LEP, these upgrades are building Dee Why's position as a highly liveable strategic centre.

Together with the Site B, these improvements are designed to generate increased resident and business investment. Site B stands to be highly attractive to retail and commercial tenants. As Site B reaches its dwelling potential, ground and level 1 businesses stand to benefit greatly from its resident population along with its prime position as a town square.

In addition, the commencement of the B-Line stop adjacent to the site may increase the attractiveness of the centre as an employment destination (from other parts of the LGA) with high frequency public transport.

The statement within the submitted Economic Report (Q9) that "the proposal will not impact on the vitality or the viability of the Town Centre as the ground floor of the site, together with the majority of the first floor space will be retained for employment uses" is unrealistic. Given the prevailing market conditions, with residential returns significantly outstripping those of commercial, the introduction of residential uses on Level 1 will likely reduce future potential for employment uses above ground floor, as these are unlikely to reconvert to commercial uses in the future if conditions change and there is no mechanism included to maintain a set proportion for commercial uses.

Council acknowledges the work completed by HillPDA, but rejects that the profitability of commercial development is a justification for altering Warringah LEP 2011.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the Planning Proposal?

As previously noted, the proposed amendments to existing planning controls have the potential to allow for between 80 and 100 additional residential units within the subject site.

The submitted traffic report does not discuss or adequately address the potential local traffic implications of additional residential units within the development. Extensive traffic modelling was conducted in 2016 as part of the implementation of the *Dee Why Town Centre Masterplan 2013*. No consideration has been given by the applicant to this previous modelling, or how the proposal might impact on the local traffic network.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

The Planning Proposal has not progressed to the Gateway for a determination.

CONSULTATION

The Planning Proposal was publically exhibited for 16 days from 24 February to 11 March 2018. The exhibition included:

- A Manly Daily advertisement on 24 February 2018
- Electronic copies of the exhibition material on Council's website
- 455 letters posted to owners and occupiers generally within the vicinity of the site
- An email to registered community members who have listed their interest on Council's Community Engagement Register
- Hard copies of the exhibition material at Council's Dee Why, Manly and Mona Vale Customer Service Centres.

Nine (9) submissions were received, eight (8) of which objected to the Proposal and 1 which provided general comments regarding development in Dee Why. The main issues raised in these objections were: the proposal's inconsistency with the previous planning approval; the loss of employment floor space; and, the proposal's inconsistency with existing planning controls and strategic plans the Submissions Summary (Attachment 3) is included in this report.

FINANCIAL CONSIDERATIONS

It is noted that the assessment of the Planning Proposal has been funded by the fees established in the *Northern Beaches Fees and Charges 2017-2018*.

SOCIAL CONSIDERATIONS

Identified as a strategic centre along with Brookvale in State Government plans, Dee Why currently plays, and will continue to play a leading role in providing a destination for employment and active retail in the Northern Beaches. While the provision of housing within the LGA remains a priority for Council and the State Government, the subject site plays a key role in the vitality and success of the Dee Why Town Centre. The Proposal has the potential to undermine this vision through the loss of employment floor space.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts associated with the Planning Proposal as the subject site does not contain any critical habitat or threatened species, populations or ecological communities or their habitats.

GOVERNANCE AND RISK CONSIDERATIONS

Council's role to consider the orderly planning of land is well set out in the *Environmental Planning and Assessment Act 1979*. This report addresses the requirements of the Act and recommends the proposal is unsuitable to proceed to a gateway determination.

ITEM 10.4	MOVEABLE HERITAGE MANAGEMENT POLICY
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2018/201898
ATTACHMENTS	1 ↓ Draft Moveable Heritage Management Policy

EXECUTIVE SUMMARY

PURPOSE

To provide a progress report on preparation of a Moveable Heritage Management Policy.

SUMMARY

Council at its meeting of 19 December 2017 resolved:

That with the amalgamation of three (3) Councils into one (1), it is imperative that the Northern Beaches Council actively records, protects and becomes the custodian of items of 'Moveable Heritage', which are significant to the Council and the Northern Beaches, by:

- A. *Preparing a Moveable Heritage Management Policy.*
- B. *Maintaining a 'Moveable Heritage' register of items, their value and their location.*
- C. *Investigating the allocation of funding to allow Council to purchase items of significance held in private collections.*
- D. *Exploring the establishment of a permanent space for the display of such items.*
- E. *Preparing a progress report to Council by April 2018.*

Council manages moveable heritage as part of its local studies collections and the Manly Art Gallery and Museum (MAG&M). However, this management is largely focused around paper-based movable heritage (Local Studies collection) and objects related to the Australian beach theme (MAG&M museum objects collection). Council owns many other moveable objects of heritage significance, but to date these have not been documented and recorded.

As a newly amalgamated Council there is a need for a Moveable Heritage Management Policy to be prepared to manage these objects of local heritage significance.

A preliminary draft Moveable Heritage Management Policy has been prepared (Attachment 1), which will now go on public exhibition and also through a collaborative internal consultation process with relevant business units and the Places for People Strategic Reference Group (SRG).

The priority task of this draft Policy is the establishment of a Moveable Heritage Register, to ensure that all objects held by Council are documented and recorded, with a view to being made available on-line to the community.

RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE & COMMUNITY

That:

- A. Council place the draft Moveable Heritage Management Policy on public exhibition for a period of 28 days inviting submissions.
 - B. Council consult with relevant business units and the Places for People Strategic Reference Group on the draft Moveable Heritage Management Policy.
 - C. Council report back following completion of public exhibition and internal consultation.
-

REPORT

BACKGROUND

Council at its meeting on 19 December 2017, considered a Notice of Motion on Moveable Heritage and resolved:

That with the amalgamation of three (3) Councils into one (1), it is imperative that the Northern Beaches Council actively records, protects and becomes the custodian of items of 'Moveable Heritage', which are significant to the Council and the Northern Beaches, by:

- A. *Preparing a Moveable Heritage Management Policy.*
- B. *Maintaining a 'Moveable Heritage' register of items, their value and their location.*
- C. *Investigating the allocation of funding to allow Council to purchase items of significance held in private collections.*
- D. *Exploring the establishment of a permanent space for the display of such items.*
- E. *Preparing a progress report to Council by April 2018.*

This purpose of this report is to update Council on what progress has been made on this matter.

WHAT IS MOVEABLE HERITAGE?

Moveable heritage is defined by the NSW Heritage Office as *...any natural or manufactured object of heritage significance, but excludes archaeological relics found underground or underwater.*

Moveable heritage by its nature is not fixed or attached to land. As a result, it consists of objects which can be moved and are highly portable.

The custodians of moveable heritage include private individuals, community organisations as well as all levels of government.

Like other types of heritage, moveable heritage can provide historical information about an area, its development and the people and their stories that have been integral to the development of an area. As a result, moveable heritage can cover a wide range of objects and collections, ranging from physical objects (e.g. furniture, honour boards and medals) through to collections of photographs, documents, maps and paintings etc.

WHO IS RESPONSIBLE?

Everyone in the community is responsible for preserving and protecting important moveable items of heritage significance.

Specifically, Council has a responsibility to identify, protect and manage the heritage of its local area. With the amalgamation of the three former Councils of Manly, Warringah and Pittwater, Council now has a responsibility to look after the heritage of the whole Northern Beaches area.

Council is required to identify and protect items and areas of local heritage significance under the provisions of the Environmental Planning and Assessment Act, 1979. Built and natural items of local heritage significance are identified and listed under Council's Local Environmental Plan.

However, this Act is related to management of land, and does not cover moveable heritage items.

The collection and management of moveable heritage of significance to a local government area, is not covered by any specific legislation. It is up to Council to decide how it wants to manage moveable heritage.

HOW IS MOVEABLE HERITAGE MANAGED NOW?

There are a number of collections of moveable heritage which are already actively managed by Council. The main custodians of moveable heritage within Council are the Local Studies units located within the Mona Vale, Dee Why and Manly Libraries and the Manly Art Gallery & Museum (MAG&M). Council's records teams, in some instances, are also custodians of historical Council records.

Local Studies

Local Studies units manage a wide range of largely paper-based moveable heritage. The collections managed include historic photographs (which are available for viewing on-line) as well as collections of historic maps, books, newspapers, plaques and memorabilia. The collection and management of 3D objects of moveable heritage is not their primary focus, largely due to limited space and resources. In the former Manly LGA, collection and management of 3D objects fell to the MAG&M.

The Manly Local Studies unit has an existing *Collection Development Policy* which outlines why, what and how they collect items of interest to Manly's heritage. Dee Why and Mona Vale Local Studies Units do not have a specific collections policy, however operate under similar principles. Local Studies collections are largely stored within the current libraries, with some limited storage off-site.

Manly Art Gallery and Museum

The Manly Art Gallery and Museum manages a significant art collection, as well as a collection of museum objects, photographs and other historical documents. They operate under a former Manly Policy – *A50 Arts & Culture Policy – Manly Art Gallery and Museum*.

In relation to museum objects, this policy focusses on the theme of Australian beach culture, with specific reference to Manly and they do not hold items outside of this theme. They have 1294 museum objects in their collection. They store their objects largely on-site in Manly.

Information Management

While a lot of historical records are contained within the Local Studies collections, there are still some historical Council meeting records and minutes, which are under the custodianship of the records department (Information Management).

Storage

Storage of moveable heritage is always an issue. Local Studies units largely store their material on-site at the various libraries. Some information is stored at off-site locations (e.g. Cromer depot) and this off-site storage would include 3D objects and memorabilia. The MAG&M largely stores their collection on-site in Manly, with some objects off-site. A majority of their museum objects are small items which are able to be catalogued and stored on-site.

Exhibition Space

Local Studies units within the various libraries have limited space to exhibit objects of moveable heritage, particularly larger objects. During annual events, such as History Week, they often mount a temporary exhibition of objects and paper documents which they hold in their collection. The Manly and Dee Why Local Studies units also currently store archival material which belongs to the Manly, Warringah & Pittwater Historical Society, as this Society has no storage facilities for its archives.

The MAG&M by its nature, has multiple exhibition spaces, which are used for an on-going programme of varying exhibitions. There is no permanent space within the gallery for the display of moveable heritage objects. However it has the ability from time to time, to mount exhibitions which use objects from their museum objects collection.

Current On-line Access to Moveable Heritage

At the moment, only photographs and maps in the Local Studies historic images collections and books are available to be searched on-line, by the community. The museum objects in the MAG&M collection are recorded in a database, but this is not publically accessible.

As a result of the Pittwater Community Based Heritage Study Review (2015), there was a resolution to establish a Moveable Heritage Register. This project was started, however the Register is currently an internal word document, only lists some objects in the former Pittwater area and is not available to the community.

PREPARATION OF A MOVEABLE HERITAGE MANAGEMENT POLICY

It is considered essential to prepare a Moveable Heritage Management Policy, to co-ordinate and manage moveable heritage across the Northern Beaches LGA.

This Policy will need to be prepared in consultation with all the business units across Council which are involved in moveable heritage management (including the Local Studies units within Library Services; MAG&M within Community Arts and Culture and the records department within Information Management).

This Policy also needs to be prepared taking into account the *Northern Beaches Thematic History* project, which is about to commence. This project will involve an historian writing a combined thematic history for the Northern Beaches and identifying the important historical themes in the development of the whole LGA. This is an important step in pulling together the history of the Northern Beaches and will be a document which will guide future heritage work - providing a base upon which Council will identify and list new heritage items and identify and record objects of movable heritage. It is anticipated that this Thematic History will be completed later in 2018.

A preliminary draft Moveable Heritage Management Policy can be seen at Attachment 1. This will be placed on public exhibition for 28 days and also be used as the basis of consultation with other relevant Council divisions. Once this has occurred an amended draft Policy will be reported to the Places for People Strategic Reference Group (SRG) for review and comment before the draft Policy is finalised and adopted. This SRG includes the President of the Manly, Warringah & Pittwater Historical Society as one of its members.

This draft Policy includes:

- Definition of *moveable heritage* and its significance for the Northern Beaches LGA
- Recognition of existing Council collections which could be classified as movable heritage
- Responsible officers within Council for managing moveable heritage
- Objectives to guide Council in the implementation of the Policy
- Criteria to be used to assess whether objects of moveable heritage are of heritage significance for the Northern Beaches area. These criteria will be based on the historic themes identified as part of the *Northern Beaches Thematic Study* (due to commence soon)
- Guidelines for the establishment and on-going management of a Movable Heritage Register to record objects not currently captured by an existing Council collections register
- Guidelines in relation to future acquisitions or donations of objects to be added to Council's moveable heritage collection
- Measures for on-going policy reporting and review.

MAINTAINING A MOVEABLE HERITAGE REGISTER

Even though Council is currently the custodian of various objects of movable heritage, storage and display of these objects is an on-going issue. While a future permanent storage and display space can be investigated, in the interim, the best way to manage objects of moveable heritage is to ensure that they are photographed and details recorded on a database. As a first step, Council should establish a Moveable Heritage Register, to record all objects of moveable heritage in its custodianship. Once the information is collected, then the best way for this to be made available to the community, can be investigated.

It is understood that the Library will be implementing a collections management software called *Recollect*, to digitally record all items in the Local Studies Collection and also to enable the community to easily search and view items. It is understood that this system can provide access to multiple collection registers and moveable heritage objects or different categories of objects would be able to be viewed and searched. Information about this software states "*Recollect provides management of physical and digital collections, making them available and discoverable online in curated collections that complement the physical curation*".

Council can commence the documentation of its collection of moveable heritage objects, with a view to it being made available to the community when the new *Recollect* software is implemented by Library Services. Moveable heritage categories such as photographs, plans and other paper documents are already documented in existing collection registers, so this new Moveable Heritage Register should limit itself to 3D objects which are not already recorded in an existing register.

FUNDING FOR FUTURE ACQUISITIONS

The MAG&M already operates with an annual budget for the acquisition of significant art works and museum objects. Once a Movable Heritage Management Policy has been prepared and adopted, it would be appropriate for an annual amount to be included within Council's budget to enable important objects of movable heritage significance to the Northern Beaches to be acquired. It is not expected that this would need to be a large amount and any objects purchased would need to meet the significance criteria established in the Policy.

Objects for addition to Council's moveable heritage collection can also come via donation or bequeathment. The Policy will need to outline criteria for assessment of items and Council's responsibilities around management of these donated items. Similar provisions are already included within the Manly Local Studies *Collection Development Policy*.

ESTABLISHMENT OF A PERMANENT DISPLAY SPACE

Northern Beaches Council does not currently have a permanent space for the display of objects of movable heritage significance, with the exception of the MAG&M, which is largely focused on its Art Gallery component. Some objects of movable heritage are already displayed in various Council buildings (e.g. Council Mayoral boards etc.), but these items are not recorded and recognised as being items of movable heritage.

The establishment of a permanent display space would require a considerable budget outlay to either find or secure a new site or re-purpose an existing Council building, along with the costs associated with fit out and staff costs in relation to on-going curation of the collection and management of the facility. Some Council's (e.g. North Sydney and Parramatta) operate a specific *History and Heritage Centre* which combines all local studies collections, family history resources, heritage education as well as storage and exhibition of museum objects.

This matter requires future investigation, given the budget and resources required for its establishment.

In the absence of a permanent display space, the priority for Council should be the establishment of a Moveable Heritage Register which records all known Council owned moveable heritage, making this information accessible to the community on-line and the on-going management of this collection through a policy of acquisitions and donations, outlined in a Moveable Heritage Management Policy.

RECOMMENDATIONS – MOVING FORWARD

As outlined, there is a need for a Moveable Heritage Management Policy for the whole of the Northern Beaches. As this Policy will involve various business units of Council, it needs to be prepared in consultation with all parties involved. The draft Policy at Attachment 1 will now be placed on public exhibition for 28 days and undergo internal consultation with relevant business units and the Places for People SRG, before being finalised. The results of this consultation will be reported back to Council.

Once this Moveable Heritage Management Policy has been finalised and adopted, the next priority will be the establishment of a Northern Beaches Moveable Heritage Register, with a view to it being made available to the community as a searchable on-line database.

The establishment of a permanent display space for moveable heritage is a matter which will need further investigation, however it is considered that initial priorities should be the finalisation of the Policy and the establishment of a Register.

CONSULTATION

Internal consultation has occurred with the Local Studies Librarians at Manly and Mona Vale; the Local Studies Historian at Dee Why and well as the Director and Curators at the Manly Art Gallery & Museum. These positions currently manage existing collections which could be deemed moveable heritage. The draft Policy will be placed on public exhibition for 28 days and also undergo further internal and SRG consultation, prior to it being finalised.

TIMING

It is proposed that the draft Moveable Heritage Management Policy be placed on exhibition as soon as possible.

FINANCIAL CONSIDERATIONS

There are no financial considerations in relation to preparation of the Policy. There may be implications on Council's budget, depending on the final Policy. These costs could be related to extra staffing resources, costs of creating and managing an on-line register, allocation and management of a permanent exhibition space and provision of a budget allocation towards acquisition of items of moveable heritage.

SOCIAL CONSIDERATIONS

Objects of moveable heritage can provide a link with the past history and development of an area. The Policy will ensure that important links with the past will be retained for future generations.

GOVERNANCE AND RISK CONSIDERATIONS

The adoption of a Policy will provide an appropriate framework to guide the management of moveable heritage into the future.

Council Policy

Moveable Heritage Management Policy

Policy Statement

This Policy supports Council's role of identifying and protecting objects of heritage significance to the Northern Beaches. It assists in the collection, documentation and interpretation of objects of moveable heritage which can provide historical information about the Northern Beaches, its development and the people and their stories which are integral to understanding its past.

Principles

This Policy adopts the Movable Heritage Principles issued by the NSW Heritage Office:

1. Movable heritage relates to places and people.
2. Educating the community about how to identify and manage moveable heritage assists in conserving items and collections.
3. Assess the heritage significance of movable items and collections before making decisions on managing them.
4. Recognise the significance of indigenous moveable heritage to indigenous communities and its unique role in cultural maintenance, cultural renewal and community esteem.
5. Retain moveable heritage within its relationship to places and people, unless there is no prudent or feasible alternative to its removal.
6. Remove moveable heritage from its relationship to places and people only when the items and collections are under threat and this is the only means of safeguarding or investigating significance.
7. Provide community access to moveable heritage and encourage interpretation.
8. Document moveable heritage.
9. Acquire movable heritage where there is no alternative to removal, where this serves clearly defined collecting policies.
10. Reinstate or return items and collections to places and people when circumstances change.

Scope and application

This policy applies to all employees, agents and officers of Northern Beaches Council, as well as members of the Places for People Strategic Reference Group and all Councillors.

References and related documents

Objects in their Place - An Introduction to Moveable Heritage, NSW Heritage Office, 1999

Moveable Heritage Principles, NSW Heritage Office and Ministry for the Arts Moveable Heritage Project, Sydney 1999

The Illustrated Burra Charter, Australia, ICOMOS, Marquis-Kyle, P and Walker, M, 1994

Definitions

This Policy adopts the NSW Heritage Office definition of moveable heritage:

moveable heritage is a term used to define any natural or manufactured object of heritage significance (but excludes archaeological relics found underground or underwater).

An object of movable heritage is not a **heritage item**, as defined in Council's Local Environmental Plans (Manly LEP 2013, Warringah LEP 2011 and Pittwater LEP 2014).

Responsible Officer

Executive Manager/s (To be determined)

Review Date

Two (2) years from date of adoption, then every four (4) years on-going.

Revision History

Revision	Date	Change	TRIM Ref
1			
2			

POLICY DETAIL

Establishment of Movable Heritage Register

A Movable Heritage Register will be established which provides photographs and information on objects which have been assessed as being of heritage significance to the Northern Beaches. This Register will be created with a view to it being made available on-line, thereby providing increased community access to information on the heritage and history of the Northern Beaches.

The focus of this Register will be recording 3D moveable heritage objects, rather than paper based moveable heritage (which are already largely documented in existing collections).

The initial focus will also be on objects of moveable heritage which are in Council ownership.

Determining Significance to the Northern Beaches

An object of moveable heritage must be assessed against criteria to determine whether it is of heritage significance to the Northern Beaches area. The basis for this assessment will be the Northern Beaches Thematic Study (to be completed 2018) along with the Northern Beaches Historical Themes which will result from this Study.

To be listed and recorded in Council's Moveable Heritage Register, the object must be able to show or represent a particular period of development, particular event or other link with the past history and development of the Northern Beaches area.

The identification of Northern Beaches historical themes will guide this determination of local heritage significance. An example of this is the current museum policy adopted by the Manly Art Gallery & Museum (MAG&M), which collects museum pieces which specifically reflect the historic theme of beach culture. While this is currently focussed on Manly, the beach theme is prevalent throughout the whole Northern Beaches area and is only one of the historic themes important in the development of this area.

Relationship to Existing Moveable Heritage Collections

The Moveable Heritage Register will complement existing collections of moveable heritage managed by Council. These include the Museum Objects collection managed by MAG&M and the paper based collections (e.g. photographs, maps, plans, books, documents) managed by Local Studies units within Manly, Dee Why and Mona Vale Libraries.

On-going Management of Register

The Register of Moveable Heritage will require on-going management. After initial set-up, the addition of existing items in Council ownership will be an on-going process of documentation and inclusion in the Register.

As new objects are offered to Council, acquired by Council or otherwise come to Council's attention for addition to the Register, they will need to be assessed to determine if they meet the heritage significance criteria for addition to the Register.

One of the main aims of the Register is to have it available for the community to access. The Moveable Heritage Register, as a collection of 3D objects of heritage significance to the Northern Beaches, should be made available by Council as an on-line searchable database (similar to the current historic photographs database, currently provided by Local Studies).

Once fully established, with an on-line presence, there will be on-going management related to the assessment and documentation of potential new objects to be added to the Register.

Guidelines for future acquisitions

Moveable heritage objects considered for acquisition by Council will first be assessed to determine if the object meets the criteria for heritage significance (i.e. does it possess heritage significance in the context of the Northern Beaches). Also considered will be the rarity of the object, with priority being given to objects which fills gaps in Council's moveable heritage collection.

Cost will also be a factor, along with practical issues such as storage considerations. In some instances, Council may consider photographically recording the item for the Register, without purchasing the object.

Guidelines for future donations

Donations from individuals and organisations are encouraged, however they will also need to be assessed as to whether they meet the criteria for listing on the Moveable Heritage Register. If a donated item is determined not to meet the heritage significance criteria, or at some time in the future is considered to no longer be needed on the Register, then Council may dispose of such objects appropriately.

Storage

Items identified in the Moveable Heritage Register, if not displayed in a Council building, should be stored in a controlled environment appropriate for objects of heritage significance.

Display of Moveable Heritage Objects

Where possible, Council should celebrate moveable heritage in its custodianship, by placing them on display in Council owned buildings. Where this is not possible, Council should investigate allocation of a building for the permanent storage and display of Northern Beaches moveable heritage. In doing so, Council will increase community access to history and heritage resources and increase community awareness of the importance of remembering the past history of an area.

Budget allocation

To assist in the on-going enhancement of Council's moveable heritage collection, a budget allocation should be made available each year for the acquisition of important objects which reflect the past history and development of the Northern Beaches.

On-going review and reporting

This Policy should be reviewed two (2) years after its adoption, to ensure that it is achieving its stated purpose. After the initial period, this Policy should be reviewed every four (4) years or sooner, should the need be identified.

ITEM 10.5	DRAFT NORTHERN BEACHES COUNCIL CONTRIBUTIONS PLAN 2018
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC & PLACE PLANNING
TRIM FILE REF	2018/204420
ATTACHMENTS	1 📄 Draft Northern Beaches Council Contributions Plan 2018 (Included In Attachments Booklet 5)

EXECUTIVE SUMMARY

PURPOSE

To inform Council of the 2017/18 review of the *Northern Beaches Section 94A Plan 2017* and to seek Council's endorsement to publicly exhibit proposed changes to this Plan, by way of the *Draft Northern Beaches Council Contributions Plan 2018*.

SUMMARY

The *Environmental Planning and Assessment Act 1979* (EP&A Act) allows Council to levy a flat rate contribution (currently 1% of development costs) for the provision, extension or augmentation of public infrastructure and services necessary to meet the increased demand created by new development in the catchment area.

The *Northern Beaches Section 94A Plan 2017* was adopted by Council on 27 June 2017. Council has undertaken an annual review of this Plan and has identified proposed amendments to ensure compliance with legislative changes and Council's Draft 2018/19 Capital Works Program.

If agreed by Council, the Draft Northern Beaches Council Contributions Plan 2018 will be exhibited in accordance with the *Environmental Planning and Assessment Regulation 2000*. The outcomes of this exhibition will be reported back to Council.

RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE & COMMUNITY

That:

- A. Council endorse the public exhibition of the Draft Northern Beaches Council Contributions Plan 2018 for a period of 28 days.
 - B. The outcomes of the public exhibition be reported back to Council following the conclusion of the exhibition period.
-

REPORT

BACKGROUND

The *Northern Beaches Section 94A Plan 2017* levies development in the former Warringah LGA to fund the provision, extension or augmentation of public infrastructure and services necessary to meet the increased demand in this area. The annual review of this Plan has resulted in minor administrative changes and a revision of the works schedule consistent with Council's Draft 2018/19 Capital Works Program. These changes are proposed in the Draft Northern Beaches Contributions Plan 2018 (Draft Plan) (Attachment 1).

The *Northern Beaches Section 94A Plan 2017* and the Draft Plan incorporate funds collected between 2001 and 2006 under the former *Warringah Section 94 Development Contributions Plan 2001* which was repealed and replaced by the fixed development consent levies system under Section 94A of the EP&A Act in 2006. These existing Section 94 reserves are unlikely to grow via contributions however these reserves continue to earn interest. The remaining Section 94 funds will be committed to infrastructure to support the increased development occurring around the Dee Why Town Centre. Council's objective is to spend these funds on appropriate work in the Dee Why Town Centre and the eventually close the Section 94 reserves.

Key Changes to Draft Plan

Key changes proposed in the Draft Northern Beaches Contributions Plan 2018 include:

- Renaming the Plan to remove reference to 'Section 94A'. Recent amendments to the EP&A Act have renumbered the legislation and 'Section 94A' no longer relates to development contributions. All references to 'Section 94A' throughout the document have been amended. Provisions relating to fixed development consent levies are now contained within Section 7.12 of the EP&A Act.
- An update of the works schedules consistent with Council's Draft 2018/19 Capital Works Program. Approximately \$9.7million of development contribution funded capital works are proposed for the 2018/19 financial year. The assessment of individual projects has been undertaken based on community need, safety and risk. The fixed development consent works schedule is identified in Table 1. The works schedule of former Section 94 funds is identified in Table 2.
- Administrative changes including updating references to Council and State Government policies and an update on the expected development and the demand for public facilities.

Table 1 – Fixed development consent works schedule

Bid Number	Job Name	Description	2018/19 S94A	Estimated Total Project Cost	Estimated Completion
BN01003	Allambie Oval – New Works	New inclusive playground, multi-use half court and pathway connections delivered as part of the Open Space Strategy.	\$260,000	\$300,000	2019
BN01011	New Traffic Facilities	Design and construction of new traffic facilities including Maxwell Parade, Frenchs Forest to improve road user safety.	\$400,000	\$600,000	2019

Bid Number	Job Name	Description	2018/19 S94A	Estimated Total Project Cost	Estimated Completion
BN01016	Dee Why Town Centre - Design	Concept, preliminary and detailed designs for upgrades in Dee Why Town Centre including Oaks Avenue, Howard Avenue, Pittwater Road, St David's Pocket Park and the Howard Avenue shared path.	\$580,000	\$870,000	2020
BN01017	Dee Why Town Centre – Construction – Phase 1	Construction and delivery of streetscape upgrades in Dee Why Town Centre including Oaks Avenue, Howard Avenue, Pittwater Road, St David's Pocket Park and the Howard Avenue shared path.	\$4,074,970	\$16,000,000	2021
BN01028	Bike Plan Implementation - New	Design and construct new path links at various locations and provide end of trip facilities.	\$30,000	\$130,000	2019
BN01056	Narrabeen Lagoon Trail – Aquatic Boardwalk	Design and construction of a new boardwalk section of the Narrabeen Lagoon Trail to circumvent the pinch point close to Wakehurst Parkway.	\$500,000	\$1,800,000	2019
BN01130	Forestville War Memorial Fields Masterplan	Construction of new netball courts, additional lighting, upgrade to existing courts and new car parking.	\$500,000	\$770,000	2019
Total			\$6,344,970		

Table 2 – Former Section 94 reserves works schedule

Bid Number	Job Name	Description	2018/19 S94	Estimated Total Project Cost	Estimated Completion
BN01017	Dee Why Town Centre – Construction – Phase 1	Construction and delivery of streetscape upgrades in Dee Why Town Centre including Oaks Avenue, Howard Avenue, Pittwater Road, St David's Pocket Park and the Howard Avenue shared path.	\$3,345,034	\$16,000,000	2021
Total			\$3,345,034		

CONSULTATION

If agreed by Council, the Draft Plan will be placed on public exhibition for a period of 28 days in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*.

A public notice will also be placed in the Manly Daily and information on the proposed changes will be published on Council's website in accordance with Council's Community Engagement Policy. Copies of the Draft Plan will be made available for viewing at Dee Why, Mona Vale, Avalon and Manly Customer Service Centres.

At the close of the public exhibition period, all submissions will be considered and if required, changes will be made to the Draft Plan. The outcomes of the public exhibition will be reported back to Council for its consideration.

FINANCIAL CONSIDERATIONS

The Draft Plan seeks to ensure the efficient and equitable funding and delivery of infrastructure in the former Warringah LGA.

SOCIAL CONSIDERATIONS

The Draft Plan will enable Council to deliver a capital works program which will facilitate and enhance social outcomes for current and future residents of the former Warringah LGA.

ENVIRONMENTAL CONSIDERATIONS

All potential environmental impacts resulting from the delivery of the proposed works program will be mitigated through appropriate environmental assessment and management.

GOVERNANCE AND RISK CONSIDERATIONS

The Draft Plan has been prepared to ensure that Council's mechanism for funding local infrastructure is contemporary and in accordance with all legislative requirements. An ongoing review of the Plan is undertaken to ensure a sound level of risk management.

ITEM 10.6	RESPONSE TO COUNCIL RESOLUTION 07/2017 – POKER MACHINE LICENCES
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY ARTS & CULTURE
TRIM FILE REF	2018/155683
ATTACHMENTS	1 Northern Beaches Council Gambling and Poker Machine Harm Management Strategy (Included In Attachments Booklet 5)

EXECUTIVE SUMMARY

PURPOSE

To respond to a Council Resolution.

That:

- A. Council calls on the State Government to put an immediate cap (no further increase) on poker machine licences in the Northern Beaches Local Government area.
- B. Council write to the local State MPs on the Northern Beaches seeking their support in advocating for the proposed cap on poker machine numbers.
- C. Staff bring back a report within four months advising strategies, including the creation of a Northern Beaches Council Gambling and Poker Machine Harm Management Strategy, in relation to what council can do to restrict the proliferation of poker machines in the Northern Beaches Local Government area. This is completely separate to any action the State Government may take on the issue.

SUMMARY

In response to Parts A & B of the resolution, on 18 December 2017 Council wrote to all Northern Beaches State Members of Parliament (MP's); The Hon Brad Hazzard MP, James Griffin MP, Jonathan O Dea MP, and The Hon Rob Stokes MP, seeking their support for State Government to put an immediate cap on poker machine licences in the Northern Beaches Local Government Area (LGA).

On 27 December 2017 Council received a response from James Griffin MP indicating that he supported Council in assisting the community to manage the number of poker machines in the electorate. He has forwarded Council's correspondence to the Minister for Racing for consideration and has advised he will be in contact again once he received a response from the Minister.

This report focuses on Part C, the creation of a Northern Beaches Gambling and Poker Machine Harm Management Strategy (Attachment 1). It should be noted that as the control of Electronic Gambling Machines (EGMs, Poker Machines, 'Pokies') is the responsibility of the State Government, specifically the Department of Liquor and Gaming NSW, Council has limited direct impact on their proliferation. In this context, the attached Draft Northern Beaches Council Gambling and Poker Machine Harm Management Strategy sets out a range of actions that Council has some control and influence over to limit the harm to individuals and the community from EGMs.

In summary, the recommended actions are:

1. That Council continue to lobby State and Federal Ministers to minimise EGMs and other gambling harms.
2. That Local Government NSW is approached to lead research and lobbying efforts to minimise the number and associated community harms of EGMs in NSW. This should consider:
 - a) The NSW Government fully implement the recommendations of the 2010 Australian Government Productivity Commission Report on Gambling
 - b) The NSW Government fully implement the recommendations of the 2014 Upper House Select Committee Inquiry on the Impact of Gambling
 - c) The State Government provide comprehensive, venue based, monthly data on EGMs usage and losses on the Department of Liquor and Gaming NSW website, free of charge, as it is in Victoria.
3. Council considers each request for increased EGMs coming via Liquor and Gaming NSW through a Local Impact Assessment on its merits, including the potential individual and community harms it may cause.
4. Council provides community information on the harms of gambling and services available to those effected.
5. That Council continue as a key member of the Northern Beaches ClubGrants Committee, working with local Clubs to ensure fair and equitable distribution of funds to a range of community organisations.
6. Council explore the option to ban the future advertising of gambling on its buildings and properties and in any form of sponsorship. This does not include general promotions for clubs, ClubGrants and hotels, or their other services and activities.
7. Council assess the potential harms from gambling when applying or renewing leases on Council property, and where suitable implement appropriate clauses to the lease to restrict EGMs.

RECOMMENDATION OF ACTING GENERAL MANAGER PLANNING PLACE & COMMUNITY

That:

- A. Council place the Draft Northern Beaches Council Gambling and Poker Machine Harm Management Strategy on public exhibition for a minimum of 28 days.
 - B. The outcomes of the public exhibition are reported back to Council.
-

REPORT

BACKGROUND

This report presents the Draft Northern Beaches Council Gambling and Poker Machine Harm Management Strategy, which details the extent and use of Electronic Gambling Machines (EGM, Poker Machines, 'Pokies') in NSW and specifically in the Northern Beaches Local Government Area. The draft strategy also draws on key research and best practice in the regulation of EGMs to limit their harm to individuals, their families and wider community.

Council's Ability to Influence EGM Harms

In NSW EGMs are controlled by the State Government through the Department of Liquor and Gaming NSW, not by local government. Section 209 of the NSW Gaming Machine Act 2001 prevents gambling from being considered in social and economic assessments undertaken according to the Environmental Planning & Assessment Act 1979 as part of the determination of applications for development by local government. This limits the direct influence local Councils have on the number of EGMs and their associated harms in the community.

In addition to advocacy and promotional campaigns, Council has a number of mechanisms at its disposal for the restriction of EGMs on its own sites, which can include restrictions on gambling advertising and specific terms in leases between Council and the relevant club on Council properties. Council would need to take into consideration the commercial implications of this on potential lessees / licencees of placing these restrictions on EGMs, as for some clubs it is a key revenue stream. This could reduce the ability of these not-for-profit clubs to support their community and sporting activities.

Actions that Council can take to control and influence EGMs and their harm to the community are contained in the attached Draft Northern Beaches Council Gambling and Poker Machine Harm Management Strategy.

CONSULTATION

Internal consultation was undertaken with relevant Business Units, including Property and Development Assessment.

TIMING

The majority of these initiatives can be introduced in the next financial year.

FINANCIAL CONSIDERATIONS

Should Council elect to ban gambling advertising and promotion on any of its properties there may be financial implications with loss of income through sponsorship.

SOCIAL CONSIDERATIONS

There is ample information and reports on the social and community harms caused by EGMs.

ENVIRONMENTAL CONSIDERATIONS

There are negligible environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

There are negligible governance and risk impacts.

11.0 NOTICES OF MOTION

ITEM 11.1	NOTICE OF MOTION NO 23/2018 - OPERATIONS OF ALL SKATE PARKS
TRIM FILE REF	2018/213481
ATTACHMENTS	NIL

Submitted by: Councillor Pat Daley OAM

MOTION

That:

- A. Council review the operations of all Skate Parks regarding the enforcement of alcohol free zones around the areas where they are located.
 - B. Conducts a full review regarding the enforcement of under-age drinking regulations and the use and dealing of illegal drugs in these areas.
-

BACKGROUND FROM COUNCILLOR PAT DALEY OAM

I am not against Skate Parks which are located in appropriate areas. This motion is simply requesting that they be monitored and managed in such a way which ensures that there are positive not negative outcomes for the young people who are using them.

ACTING CHIEF EXECUTIVE OFFICER REPORT

In accordance with Council's Code of Meeting Practice Clause 5.1(1)(c) I offer the following report on this matter to assist Council in the deliberation of this motion:

- A. Council review the operations of all Skate Parks regarding the enforcement of alcohol free zones around the areas where they are located.**

Council's skate parks are the subject of the following Alcohol Prohibited Areas:

- a. Kierle Park, Manly, is an Alcohol Prohibited Area, 24 hours
- b. Kitchener Park, Mona Vale, is an Alcohol Prohibited Area from 8pm to 8am
- c. Forestville, Manly Vale and Cromer skate parks are Alcohol Prohibited Areas.

A review of all Alcohol Prohibited Areas is due to be undertaken to ensure they are consistent across the Northern Beaches. This will be discussed at the Community Safety Committee.

As for enforcement of these areas, Council understands that Police regularly patrol Skate Parks to ensure compliance if there are issues however rangers do not routinely visit skate parks unless a complaint has been lodged in relation to a specific breach of regulations, or if the Police have specifically requested some assistance (or if they are located within a park or other asset where the Rangers are already patrolling, e.g. to monitor off leash dogs). We can consider building this into the current work runs, however this would ultimately be a consideration of public safety priorities, and whether this should take precedent over other current duties.

B. Conducts a full review regarding the enforcement of under-age drinking regulations and the use and dealing of illegal drugs in these areas.

Council is not the authority that enforces under-age drinking or the use of illicit drugs. As this is a policing issue Council is also not in a position to review police activities. Council staff support any requests for assistance and actively co-operate and liaise with police on locations and issues of concern. For instance, a safety audit was conducted of the Mona Vale skate park in 2017 with Council, resulting in the implementation of various police recommendations such as lighting and vegetation clearing.

ITEM 11.2	NOTICE OF MOTION NO 24/2018 - RELEASE OF BALLOONS
TRIM FILE REF	2018/222808
ATTACHMENTS	NIL

Submitted by: Councillor Kylie Ferguson

MOTION

That Council as part of its single use plastic policy identify measures to stop pollution by gas-filled balloons such as banning if feasible.

BACKGROUND FROM COUNCILLOR KYLIE FERGUSON

Our environment is one of the reasons people like to live and visit the Northern Beaches. Plastic pollution is a danger to this environment and it is with this in mind that I would like Council to support measures to stop pollution from balloons or even banning the release of gas-filled balloons.

Current NSW Government legislation is that we are legally able to release up to 20 balloons at or about the same time. These balloons are a common source of litter found in our waterways and on beaches and can cause injury and even death to marine and bird life. Balloons, even ones from natural latex, can take up to five years to break down and other balloons even longer.

Council has taken a lead on eliminating single use plastics and I understand Council's *Waste Minimisation For Functions and Events Approved by Council Policy* prohibits the sale and/or distribution of balloons for events that are held on Council land or in Council facilities.

Please note that his Notice of Motion is only against the release of balloons and may still be enjoyed at parties and events.

We have a large number of parks and waterways and we need to protect them. Remember balloons go up, but they must come down somewhere.



String from a helium balloon that tangled around this young Australian fur seal's neck would have slowly killed it as the seal grew



ACTING CHIEF EXECUTIVE OFFICER REPORT

In accordance with Council's Code of Meeting Practice Clause 5.1(1)(c) I offer the following report on this matter to assist Council in the deliberation of this motion:

The impacts of waste particularly single use plastics and items such as balloons continue to have consequences for ecosystems worldwide. Northern Beaches Council has proactively responded to these issues through the implementation of *Waste Minimisation For Functions and Events Approved by Council and Single Use Plastic Policies*, media campaigns and procurement practices. Northern Beaches Council benefits from the support of a highly motivated local community which places a high value on protecting our natural environment.

Council's Waste and Cleansing team can, as part of single use plastic policy and within existing operational budgets, work with key stakeholders to identify measures to stop pollution by gas-filled balloons.

ITEM 11.3	NOTICE OF MOTION NO 25/2018 - FUTURE USE OF MANLY HOSPITAL SITE
TRIM FILE REF	2018/223499
ATTACHMENTS	NIL

Submitted by: Councillor Candy Bingham

MOTION

That:

- A. A detailed report be brought to Council at the May 2018 meeting setting out:
 - a. what controls currently apply to the Manly Hospital Site
 - b. what role Council will play in relation to the redevelopment of the site
 - c. how Council can work with the State Government to manage existing controls.
 - B. Council confirms it will consult with the community should there be any changes proposed to the controls.
-

BACKGROUND FROM COUNCILLOR CANDY BINGHAM

The Manly Hospital site has been in public hands since the Hospital was built in 1931. This hospital replaced a Cottage Hospital situated in Manly at the corner of Raglan St and Quinton Road. Before this, the local aboriginal people used the site as a "place of healing" because of its location and the favourable winds that passed through and over the site.

When the State Government announced that it would build a new hospital for the residents of the Northern Beaches at Frenchs Forest, Mike Baird MP established a consultative committee to seek the views of the community on what the community wanted on the site of Manly Hospital. Out of the consultation process, the consensus from the community was for:

- the site to remain in public hands
- there be access to all parts of the site by the public
- the site to provide a range of services related to health (including mental health) and short term palliative and respite care (excluding long term aged care).

The State Government has made a commitment that the land will remain in public hands.

With the hospital closing in October 2018, the Department of Health is managing a new Committee (The Manly Hospital Site Consultative Committee). This Committee has representation from the community and the Council. It is understood that the Department is preparing a Physical Plan for a building (or collection of buildings) for the site - in which the services requested by the community could be accommodated.

While the community is grateful for the opportunity to contribute to the discussion on what should happen on the Manly Hospital site after the hospital ceases operating as a hospital in late 2018, there are concerns that the eventual physical structure(s) may not do justice to what is an iconic location.

In order to protect the site from over-development, reassurances are being sort by the community that the Council, in its role on the Consultative Committee, will work with the State Government to maintain the current controls on the site.

ACTING CHIEF EXECUTIVE OFFICER REPORT

In accordance with Council's Code of Meeting Practice Clause 5.1(1)(c) I offer the following report on this matter to assist Council in the deliberation of this motion:

This matter can be completed within the timeframe specified, noting Council staff and the Mayor are members of the Manly Hospital Site Consultative Committee.

By way of background any proposed changes would be discussed with the community in line with Council's Community Engagement Policy Framework.

12.0 QUESTIONS ON NOTICE

ITEM 12.1

QUESTION ON NOTICE NO 04/2018 - MONITORING BY COUNCIL STAFF OF COUNCILLORS' SOCIAL MEDIA PAGES AND EMAIL ACCOUNTS

TRIM FILE REF

2018/224373

ATTACHMENTS

NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

From time to time, certain Councillors have been contacted by senior staff regarding posts on their social media in order to advise on matters regarding the post, or to direct that changes be made to respective posts.

- A. Which Council Staff are responsible (or which staff usually takes on the responsibility or takes it upon themselves) for monitoring Councillors' social media accounts and who do they report to?
- B. Which Council Staff are responsible for monitoring Councillors' email accounts and who do they report to and on what matters do they report regarding Councillor email accounts?

13.0 RESPONSES TO QUESTIONS ON NOTICE

ITEM 13.1	RESPONSE TO QUESTION ON NOTICE 02/2018 - MERITON DEE WHY S94
TRIM FILE REF	2018/212770
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

In relation to Meriton's Section 94 Contributions due its developments in the Dee Why Town Centre:

- A. On what date/s did Council (under the Administrator) write to Meriton a Letter of Offer regarding the amount of Section 94 developer contributions Meriton was to pay Council for its developments in the Dee Why Town Centre and what was the amount proposed?
- B. What are the total funds paid to date to Council in Section 94 by Meriton for its developments in the Dee Why Town Centre?
- C. Prior to Meriton's payment of section 94 funds to Council and Council's Letter of Offer, what was the previous calculation of section 94 Funds due for the Meriton (previously Brookfield Multiplex) developments in the Dee Why Town Centre?
- D. Does Council maintain a Section 94 payments Register and if so, what is the total amount paid by Meriton documented on that Register?

RESPONSE

- A. In relation to section 94 developer contributions only, Meriton are required to pay development contributions for its development in the Dee Why Town Centre in accordance with the applicable Section 94A Contributions Plan at the time of Development Application (DA) determination. The contribution amounts were calculated based on the cost of works and were imposed in the two development consents as follows:

DA Number	Proposed Development	Contribution Amount
DA2015/0612 – issued 22 December 2015	Drainage and stormwater management works and installation of shoring walls and bulk excavation.	\$67,894
DA2016/0705 – issued 10 May 2017	Construction of a mixed use development comprising retail, commercial and residential uses and a child care centre.	\$1,330,085.04

- B. Based on the two development consents, Council has received a total of \$1,398,186 from Meriton. The total amount comprises the \$68,101 was received on 14 April 2016 associated with DA2015/0612 and includes a CPI adjustment and \$1,330,085.04 was received on 19 May 2017 (no CPI adjustment as it was received within the same month as the development consent was issued).

- C. The contribution amounts levied for the developments in the Dee Why Town Centre were imposed on the development consents and have not changed.
- D. Yes, Council is required to maintain a register in accordance with legislation. The Section 94A Register shows that Meriton has paid a total of \$1,398,186.

ITEM 13.2	RESPONSE TO QUESTION ON NOTICE 03/2018 - SITE A DEE WHY (COUNCIL OWNED SITE)
TRIM FILE REF	2018/212791
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

- A. What is Council's current proposal for the development of Site A?
- a) Will the site be nine (9) - storeys?
 - b) Is the site still on the market and do sale provisions require a developer to include provision of community facilities outlined in (a) below and if not, why not?
- B. Is it correct that the site will no longer include provision for:
- a) - a new 2,700 sq/m Library?
 - a Library Square?
 - a 400 sq/m Community facility?
 - 310 additional car parking spaces for free public use?
 - b) can Council please confirm that some or all of the facilities noted above in (a), including a new Dee Why Police Station, are to now be provided at another location(s)?

RESPONSE

The sale of "Site A" is not currently underway, noting that Council appointed CBRE to this sale process on 23 June 2015 (Resolution 132/15). This process was put on hold following amalgamation to enable the Meriton construction currently underway to be completed to ensure parking impacts are minimized, and to enable Council to consider its long term needs. A briefing is scheduled for Councilors on this issue.

Council's position on the sale of "Site A" is as per the resolution 053/15 on 24 March 2015:

That:

1. Council authorise the sale of its property at 36-44 Oaks Avenue and 31-35 Howard Avenue, Dee Why being Lots 17-19 and Lots 44-46 Section 16 DP 8172, Lot 43 DP 341020 and Lot 2 DP 526306 on the condition that:
 - a. Council own, as a minimum, the commercial gross floor area needed for the Dee Why Police Local Area Command in the finished development on the site
 - b. Ownership of the proposed link road and associated areas be returned to Council in a suitable form
 - c. The proponent/s in their response provide two pricing alternatives for the provision of either 39 or 200 publicly available car parks.
2. Council, in accordance with Council's Property Acquisition and Disposal – (Negotiation on Purchase Price) Policy GOV – PL 810, grant delegation to the General Manager to commence the disposal process of the land in Item A using an appropriate procurement process.

3. An assessment of the responses received to be reported back to Council for its consideration.

The development envelope has not been specified in Council's resolutions on this matter and would be subject to the relevant planning controls within the relevant Local Environment Plan (LEP) and Development Control Plan (DCP).



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