

AGENDA

Notice is hereby given that an Ordinary Meeting of Council will be held via audio-visual link on

Tuesday 26 October 2021

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



Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership

Agenda for an Ordinary Meeting of Council to be held on Tuesday 26 October 2021

via audio-visual link

Commencing at 6:00pm

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- 19.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION**

1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

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

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 28 SEPTEMBER 2021

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held 28 September 2021, copies of which were previously circulated, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 DISCLOSURES OF INTEREST

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

5.0 PUBLIC FORUM AND PUBLIC ADDRESS

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

6.0 ITEMS RESOLVED BY EXCEPTION

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

7.0 MAYORAL MINUTES

ITEM 7.1	MAYORAL MINUTE NO 20/2021 - FUTURE NEW YEAR'S EVE EVENTS ON THE NORTHERN BEACHES
TRIM FILE REF	2021/724567
ATTACHMENTS	NIL

BACKGROUND

Council recently announced that we will be going ahead with the New Year's Eve fireworks which will be staged at four venues including Manly, Dee Why, Bayview and Frenchs Forest.

They will provide our community with an opportunity to see in the new year with family and friends and hopefully put behind us the impact of the last two years.

Many of us watched the very successful Tokyo 2020 Olympics Opening Ceremony this year where drones and laser displays were used instead of fireworks to present images. This year, Singapore also successfully staged their laser display to bring in the new year and it seems more and more countries are looking at this alternative to traditional fireworks including the UK, India and China so as to reduce the air pollution in their cities at festival times as well as other impacts to domestic pets and native animals.

The use of drones and laser displays could be a win for the wildlife and the environment and our domestic animals who find New Year a traumatic event with traditional fireworks. I believe we need to start to consider all of the pros and cons for future NYE events on the Northern Beaches. As such, I ask Council staff to investigate the option of drone laser display events and any other alternatives, for future New Year's Eve events and possibly other civic events. A report be brought back to the newly elected Council in the new year outlining the issues to be considered including comparative budget costs with traditional fireworks displays.

I understand that this report can be undertaken within existing operational budgets.

MOTION

That Council:

1. Investigate the options of using drones for laser light displays and any other alternatives for future New Year's Eve events and other civic events on the Northern Beaches including comparative budget costs with traditional fireworks displays and
2. Bring back a report for the consideration of the newly elected Council in March 2022.



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	GUIDE TO EVENTS ON THE NORTHERN BEACHES
REPORTING MANAGER	ACTING EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2021/392653
ATTACHMENTS	1 ⇒ Guide to Events on the Northern Beaches - July 2021 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek adoption of the Guide to Events on the Northern Beaches, in response to part of a resolution 358/20 – Review of Development Application Process for Events.

EXECUTIVE SUMMARY

A Notice of Motion was raised at the Council meeting of 29 September 2020 as to the Review of Development Application Process for Events. A recommendation in response to the Notice of Motion was presented at the Council meeting on 15 December 2020, and it was resolved that (Resolution 358/20):

- 3. The Events team, in consultation with Strategic and Place Planning and Parks and Recreation, develop a guideline that provides information to all users about how events will be planned, managed and delivered in the Northern Beaches Local Government Area.*

Additionally, at the Council meeting on 26 June 2018 the Northern Beaches Events Strategy 2018 – 2023 was adopted by exception. Part of this strategy included delivering:

- Principles and guidelines to attract, develop and support a calendar of diverse and exciting events across the Northern Beaches – creating new opportunities and experiences for the community.*

The Guide to Events on the Northern Beaches will support third party operators along with community groups to deliver safe and successful events that not only meet their objectives but also those of the Northern Beaches Events Strategy 2018 – 2023.

The Guide includes key areas such as planning for an event, making an application, what factors organisers should consider along with providing template documents, quick tips and useful contacts.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council:

- Note the Guide to Events on the Northern Beaches.
 - Delegate authority to the Chief Executive Officer to update the Guide to Events on the Northern Beaches as required.
-

REPORT

BACKGROUND

At the Council meeting of 29 September 2020, Council resolved (Notice of Motion 43/2020) that:

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

A report responding to this resolution was taken to the Council meeting on 15 December 2020, where Council resolved (Resolution 358/20):

1. *As a component part of the project to prepare the Northern Beaches Local Environmental Plan, a review is undertaken of Schedule 2 - Exempt Development provisions.*

The review is to include consideration of both the use of public land and private land for the undertaking of events as exempt development. It is also to include development of appropriate criteria for inclusion in Schedule 2 – Exempt Development.

2. *The Parks and Recreation business unit continue to review and update Plans of Management and ensure that such reviews give consideration to the undertaking of events on the relevant land. Where appropriate, Plans of Management should include appropriate criteria for the undertaking of events on the relevant land that would be consistent with stated management principles and objectives of the Plan.*
3. *The Events team, in consultation with Strategic and Place Planning and Parks and Recreation, develop a guideline that provides information to all users about how events will be planned, managed and delivered in the Northern Beaches Local Government Area.*

Regarding point 1 of the resolution (358/20), Council is preparing the Northern Beaches Local Environmental Plan (LEP). It is anticipated that the draft LEP will be presented to Council in late 2022 or early 2023.

In response to point 2 of the resolution the Parks & Recreation team has considered and included directions regarding event management in the draft Ivanhoe Park Plan of Management (May 2021). This Plan of Management will guide (amongst other things) the management of events at Manly Oval and the Ivanhoe Park Botanic Garden.

The recommendation also aligned to work that had already begun under goals within the Northern Beaches Events Strategy 2018 – 2023. These goals include:

- Principles and guidelines to attract, develop and support a calendar of diverse and exciting events across the Northern Beaches – creating new opportunities and experiences for the community
- A clear focus and direction for the delivery of events on the Northern Beaches
- An overview of the potential opportunities and the existing challenges associated with holding events on the Northern Beaches
- A roadmap to success: highlighting goals, actions and measures for how Council, together with event organisers, can deliver the vision formulated through the strategy.

The attached Guide to Events on the Northern Beaches (the Guide) covers the following aspects of organising an event including, but not limited to:

- Planning your event
 - how to make an application for different types of events, filming and photography protocols, fees and charges, and waste management
- Preparing your event plan
 - event briefs and run sheets, insurance and licenses, event accessibility and inclusivity, local resident considerations and noise management, site plans and infrastructure considerations, service of food and alcohol, risk management, security and crowd control, and COVID-Safety protocols
- Event Planning Guide, including lead times and checklist
- Sample documents and templates
- Useful contacts.

The Guide will support businesses and community groups to build capacity and resilience in delivering their events successfully.

CONSULTATION

Consultation was undertaken with a number of teams within Council to ensure the process of how to plan, manage and deliver events by third parties was captured within the Guide to Events on the Northern Beaches. This included:

- Planning and Place
 - Strategic and Place Planning
 - Development and Assessment
- Transport & Assets
 - Parks and Recreation
 - Transport Network
- Environment & Sustainability
 - Waste Services
- Community & Belonging
 - Community Centres
- Workforce & Technology
 - Work Health and Safety

TIMING

The Guide to Events on the Northern Beaches will begin to be implemented as soon as it is adopted by Council.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Environment Sustainability - Goal 4: Our Council is recognised as a community leader in environment sustainability.
- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging - Goal 10: Our community is stimulated through a diverse range of cultural and creative activities and events.
- Community and Belonging - Goal 11: Our community feels safe and supported.
- Vibrant Local Economy - Goal 13: Our businesses are well-connected and thrive in an environment that supports innovation and economic growth.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

This report also relates to the Northern Beaches Events Strategy 2018-2023.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The Guide to Events on the Northern Beaches helps to build community capacity to deliver events within the Northern Beaches. In the consultation and development of the Northern Beaches Events Strategy 2018 – 2023 (the Strategy) it demonstrated how passionate the community is about events. They recognise the social, cultural and economic value events bring to our town centres and villages. Events are also recognised as playing an important role in building social cohesion and a sense of connection in the community. The Strategy identified actions to attract, develop, and support a calendar of diverse and exciting events for the Northern Beaches – creating new opportunities and experiences for the community.

Events are a key driver in increasing community satisfaction which is reflected in the Community Satisfaction Survey.

ENVIRONMENTAL CONSIDERATIONS

The Guide to Events on the Northern Beaches aims to encourage higher benchmarks in environmental outcomes for events. Specific sustainability practices must be adhered to by event operators and their actions will ensure all events on the Northern Beaches lead to greater environmental awareness and benefits for everyone. The Guidelines will support the delivery of fun and enjoyable event experiences whilst ensuring our extraordinary natural environment is safe and protected for future generations.

GOVERNANCE AND RISK CONSIDERATIONS

The Guide to Events on the Northern Beaches supports a regulatory and decision making process for events across the Northern Beaches. This will enhance good governance, transparency and accountability, and support the good decision making of Council along with third party operators and community groups.

ITEM 8.2	SERVICE NSW AND NORTHERN BEACHES COUNCIL PARTNERSHIP AGREEMENT
REPORTING MANAGER	ACTING EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2021/631308
ATTACHMENTS	1 ⇒Service NSW Partnership Agreement (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek approval to enter into a new agreement with Service NSW to promote their business support programs to local businesses.

EXECUTIVE SUMMARY

Service NSW has requested Northern Beaches Council enter into a new Partnership Agreement (Attachment 1) to enable Council to promote and access programs provided by Service NSW for Business.

Service NSW for Business, a division of Service NSW, provides free support to small business owners, to help them understand industry regulations, guide them through starting a business and to access support (including the recent COVID-19 business grants).

Council's role in the Agreement will be to promote Service NSW business programs to the business community, provide Service NSW with assistance where needed in dealing with enquiries from businesses and to inform Service NSW of changes to Council's process or practices which may affect Service NSW programs. Service NSW will not be accessing or retaining any Council data or customer information under the agreement.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council enter into a partnership agreement with Service NSW.

REPORT

BACKGROUND

Service NSW for Business, a division of Service NSW, provides free support to small business owners, to help them understand industry regulations, guide them through starting a business and to access support (including the recent COVID-19 business grants).

The services provided to business owners include:

- Business Concierges offering over-the-phone, email, face-to-face support and case management
- an online Business Profile to make it faster and easier for business owners to connect with NSW Government
- guidance and support for small business owners impacted by natural disasters or emerging issues to access a range of Government stimulus, support and information
- online business information hubs including how-to guides to help business owners understand key tasks required and the support available when starting and running a business in NSW.

The assistance from Council to individuals and businesses to help them access these services has been invaluable, particularly during the pandemic.

A new Partnership Agreement has been developed to provide consistency across all councils which reflects the broader focus of Service NSW for Business and provides the opportunity for Northern Beaches Council to engage with all services across Service NSW now and into the future.

The Agreement is to enable Council to promote and access the Service NSW for Business services and outlines the relative roles/responsibilities, as below.

Service NSW will:

- (i) provide the relevant information and contacts to Council to ensure its local businesses are aware of and can access the Service NSW for Business services
- (ii) provide Council with a single point of contact.

Council will:

- (i) refer eligible customers to the Service for NSW Business programs
- (ii) provide guidance to Service NSW staff to assist in responding to enquiries
- (iii) inform customers and Service NSW of the outcome of relevant applications in line with privacy requirements
- (iv) provide updates on changes to local government policies, guidelines or other matters which may affect the program
- (v) identify local opportunities to inform customers of the program
- (vi) provide Service NSW with feedback on the effectiveness and performance of the program.

The intention of the Partnership Agreement is to build awareness of the specialist advice services available, ensure Council staff can direct enquiries to these services and provide businesses with information for lodging any applications. Through the Partnership Agreement, Council can get

access to a dashboard that provides an LGA level summary of the enquiries to start or grow a business through the Easy to do Business Program, as well as the number of applications for NSW Government Grants and other financial support programs.

The Agreement includes further detail and clarity about the roles and responsibilities of all agencies in relation to the collection, storage and security of personal information. This is outlined in Schedule 3 of the Agreement and Service NSW has noted that they will not be accessing or retaining any Council data or customer information.

CONSULTATION

Council's Office of General Counsel has reviewed the Partnership Agreement and has raised no concerns regarding Council signing the agreement in its current form.

TIMING

This Agreement is not fixed for any particular duration. Council can decide if they want to terminate by giving the other party 90 days written notice or as otherwise agreed, as per Section 17 of the Agreement.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Vibrant Local Economy - Goal 13: Our businesses are well-connected and thrive in an environment that supports innovation and economic growth.
- Vibrant Local Economy - Goal 14: Our economy provides opportunities that match the skills and needs of the population.
- Vibrant Local Community - Goal 15: Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council. Support material, training and advice is provided by Service NSW for Business at no cost. Implementation of the program should lead to reduced processing times and costs relating to applications to Council.

SOCIAL CONSIDERATIONS

By supporting this initiative, the local business community and potential business investors can have confidence that Northern Beaches Council is supportive of small business and is actively trying to reduce the costs associated with small business start-up. A partnership with Service NSW is important and will support the creation of new businesses within the Northern Beaches.

ENVIRONMENTAL CONSIDERATIONS

Supporting this initiative poses no environmental concerns.

GOVERNANCE AND RISK CONSIDERATIONS

Schedule 3 (Privacy and Data Security) in the new Partnership Agreement includes further detail on the collection, storage and security of personal information. Service NSW has noted that they will not be accessing or retaining any Council data or customer information and will not have access to the Council's information system.

ITEM 8.3	PUBLIC EXHIBITION OF THE DRAFT COMMUNITY ENGAGEMENT POLICY AND COMMUNITY ENGAGEMENT STRATEGY
REPORTING MANAGER	ACTING EXECUTIVE MANAGER COMMUNITY ENGAGEMENT AND COMMUNICATIONS
TRIM FILE REF	2021/688184
ATTACHMENTS	1 ⇒ Draft Northern Beaches Council Community Engagement Policy (Included In Attachments Booklet) 2 ⇒ Draft Northern Beaches Council Community Engagement Strategy (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's endorsement to publicly exhibit the draft Community Engagement Policy and draft Community Engagement Strategy.

EXECUTIVE SUMMARY

The Northern Beaches Community Engagement Policy and Matrix were first adopted in February 2017 following the amalgamation of the three former Councils.

In line with the agreed review period, both documents have now been updated. Minor changes have been made to the policy to strengthen Council's commitment to engagement including a revised purpose and statement, along with the updated Community Engagement Principles.

The former matrix document has been renamed the draft Northern Beaches Council Community Engagement Strategy, in line with Integrated Planning and Reporting terminology, and further reshaped to provide our community with a more concise description of Council's approach to community engagement.

Community engagement on Development Application and planning matters is covered separately under the Community Participation Plan (Plan Making and Development Assessments).

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That:

1. Council place on public exhibition the draft Community Engagement Policy and draft Community Engagement Strategy for a period of at least 28 days.
 2. The outcome of the public exhibition of the draft Community Engagement Policy and draft Community Engagement Strategy be reported to Council.
-

REPORT

BACKGROUND

Community engagement helps Council improve the efficiency, legitimacy and transparency of our decision making. The Northern Beaches Council is committed to maintaining a high level of engagement to ensure that our community and stakeholders have opportunities to find out about Council projects and be involved in the decision making process.

The current Community Engagement Policy and Matrix were adopted in February 2017 and were scheduled to be reviewed as part of a four year review cycle.

In addition, a shift in the community engagement industry away from the reliance on more traditional-based approaches, along with the impacts of COVID-19, has reinforced the need to revise our approach to engagement to ensure we remain agile, adaptable and flexible.

Minor changes have been made to the policy to strengthen Council's commitment to engagement including a revised purpose and statement, along with the updated Community Engagement Principles.

The former Matrix document has been renamed the draft Northern Beaches Council Community Engagement Strategy, in line with Integrated Planning and Reporting terminology, and further reshaped to provide our community with a more concise description of Council's approach to community engagement.

The draft Strategy is now directed to the community as the primary audience and not as a staff guideline. Separate internal business process maps and bespoke training will support the guideline function for staff.

A key focus of the draft Strategy is to provide the community with more detail on how Council conducts engagement across the lifecycle of a project. A concerted effort has been made to strengthen the approach and measures used as part of the reporting and evaluation.

The draft Strategy is consistent with good practice Councils across Australia, while providing a more user-friendly, focused and relevant document to our community and stakeholders.

Community engagement on Development Application and planning matters is covered separately under the Community Participation Plan (Plan Making and Development Assessments).

CONSULTATION

The community and stakeholder engagement will be established around the public exhibition of the draft documents. Community and stakeholders will be asked to review the documents and provide feedback.

It is proposed to publicly exhibit the draft policy and strategy for a period of at least 28 days. Community engagement will include, at a minimum, a 'have your say' project page including an online submission form.

All feedback received during the public exhibition period will be considered and reported back to Council in 2022.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

It is broadly recognised that providing opportunities for our community to contribute meaningfully to Council decision making helps support inclusion and builds social capital. It can also lead to deeper, stronger and more trusting relationships between Council and our community.

ENVIRONMENTAL CONSIDERATIONS

There are no direct local environmental impacts expected.

GOVERNANCE AND RISK CONSIDERATIONS

Recent changes to the Integrated Planning and Reporting Framework may impact the future requirements of the Strategy including the formal review cycle.

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	2021-24 STRATEGIC INTERNAL AUDIT PLAN
REPORTING MANAGER	EXECUTIVE MANAGER INTERNAL AUDIT & COMPLAINTS RESOLUTION
TRIM FILE REF	2021/615883
ATTACHMENTS	1 ↓ Strategic Internal Audit Plan 2021 - 2024

SUMMARY

PURPOSE

To present to Council the 3 Year Strategic Internal Audit Plan (1 July 2021 to 30 June 2024), endorsed by the Audit, Risk and Improvement Committee (ARIC) at its meetings of 8 June 2021 and 14 September 2021.

EXECUTIVE SUMMARY

The 2021-24 Strategic Internal Audit Plan is provided at Attachment 1.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the Strategic Internal Audit Plan, endorsed by the Audit, Risk and Improvement Committee at its meetings of 8 June 2021 and 14 September 2021.

REPORT

BACKGROUND

The 2021-24 Strategic Audit Plan was presented to Council on 24 August 2021. It was resolved that the Plan be deferred for consideration at a Councillor Briefing prior to the next Audit Risk and Improvement Committee meeting on 14 September 2021 and be brought back to a future Council meeting. A briefing took place the following week and the Plan returned to the ARIC meeting of 14 September 2021.

The Strategic Internal Audit Plan is endorsed by the ARIC. It sets out the indicative scope and timing of the planned internal audit work proposed over the three-year period ending 30 June 2024.

The Plan has been framed having regard to:

- Input from the ARIC, Chief Executive Officer and senior Council executives and KPMG (internal audit contractor)
- Council's strategic risk register
- Key findings arising from previous internal audits
- Applicable experience and knowledge of in-house and contractor personnel.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

The delivery of the Strategic Internal Audit Plan is provided for in Council's operational budget.

SOCIAL CONSIDERATIONS

Council is accountable to the community for the delivery of the Community Strategic Plan. The mission of Internal Audit is to enhance and protect organisational value by providing risk-based and objective assurance, advice, and insight contributing to the achievement of organisational goals and objectives.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The internal audit function is conducted in accordance with the guidelines issued by the Chief Executive of the Office of Local Government pursuant to section 23A of the Local Government Act 1993 and in consideration of Part 4A of Chapter 13 of the Local Government Act 1993.

The 3 Year Strategic Internal Audit Plan is designed to be flexible, dynamic, and timely and will be continuously evaluated to take into account Council's strategic, operational, and functional risk landscapes, as well as having regard to emerging risks and potential disruptors.

NORTHERN BEACHES COUNCIL STRATEGIC INTERNAL AUDIT PLAN

2021 – 2024 (3 YEARS)

Purpose

The IIA's mandatory guidelines states that the fundamental purpose, nature, and scope of internal auditing is as follows:

"Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance process."

Responsibilities

1. Oversight
2. Insight
3. Foresight

Key roles

1. Assurance facilitation
2. Risk management
3. Capacity building
4. Continuous improvement (leverage off/take advantage of opportunities)
5. Trusted advice

Methodology

- Flexible and forward focused. The Internal Audit function endeavours to position itself to be able to meet Council's needs into the future.
- Capacity building. A key role of Internal Audit is to build capacity, particularly of executive managers.
- Proactive. Although responsiveness is important, Audit also takes a proactive approach where appropriate. For example, Audit is available to provide probity and systems advice at the front end of major projects, systems changes etc and be a resource throughout the process.
- Enterprise risk based. Audit considers all areas of risk, including corruption risk, strategic business risk, operational risk, IT risk, compliance risk.
- Integrated into the business. Audit seeks to achieve integration of the function into the business, rather than it operating as a parallel function that intersects with the business periodically. For example, Audit will facilitate and encourage increased manager involvement via manager level corruption risk management (CRM) planning.
- Values. Audit contributes to an ethical organisational culture and is driven by the Council values.
- Use of the most appropriate tools. The type of audit activity undertaken is selected to best address the need and the risk level. Tools include but are not limited to:

Data analysis	Performance audits
System reviews	Compliance audits
Manager certification	Training
CRM reviews	Contractor audits

NOTE: This Plan is based on:

- reduced funding allocated to contracted audits and
- funding allocated to the engagement of a staff data analytics auditor.

NORTHERN BEACHES COUNCIL STRATEGIC INTERNAL AUDIT PLAN

2021 – 2024 (3 YEARS)

The following outlines Internal Audit's work program for this period.						
Internal staff		Contractor				
Item No.	AREA	Frequency	2021/22	2022/23	2023/24	RISK / COMMENTS
1	RECURRENT AUDITS					
1a	RMS Drives compliance review.	ANNUAL				RMS DRIVES 24 Contract
1b	Review of General Manager's expenses	ANNUAL				ICAC industry recommendation
1c	Implemented audit recommendations	ANNUAL				Review of the implementation of a selection of key recommendations
1d	Purchasing	ANNUAL				High inherent risk area
1e	Regulation	ANNUAL				High inherent risk area
1f	IT	ANNUAL				High inherent risk area
1g	Reviews will be also conducted in response to risks/ issues that arise.	PROACTIVE / REACTIVE				Including relevant ICAC industry reports/ investigations
1h	Councillor expenses	QUADRENNIAL				Review each term
2	COMPLIANCE/ / PERFORMANCE AUDITS					
2a	Tourism & Caravan Park	TRIENNIAL				This area has not been subject to audit review
2b	Golf Courses/Driving Range	TRIENNIAL				This area has not been subject to audit review
2c	Building access	TRIENNIAL				This area has not been subject to audit review
2d	Parking Stations	TRIENNIAL				This area has not been subject to audit review

NORTHERN BEACHES COUNCIL STRATEGIC INTERNAL AUDIT PLAN

2021 – 2024 (3 YEARS)

The following outlines Internal Audit's work program for this period.						
Internal staff		Contractor				
Item No.	AREA	Frequency	2021/22	2022/23	2023/24	RISK / COMMENTS
2e	Software Licence Management Review	TRIENNIAL				This area has not been subject to audit review
2f	Management of natural hazards and the consistency and appropriateness of the risk assessments that we undertake for our major asset classes	TRIENNIAL				This area has not been subject to audit review
2g	Rates	TRIENNIAL				Post rate harmonisation process
2h	Payroll	TRIENNIAL				Post new system
2i	Fleet management	TRIENNIAL				Not recently reviewed
2j	Data governance strategy & approach					This area has not been subject to audit review
2k	Facilities management	TRIENNIAL				This area has not been subject to audit review
2l	Events	TRIENNIAL				This area has not been subject to audit review
2m	Customer satisfaction	TRIENNIAL				
2n	Workforce planning	TRIENNIAL				This area has not been subject to audit review
2o	Accounts receivable & debtor management	TRIENNIAL				From previous Strategic Audit Plan
2p	Manly CBD Special Rate Variation	TRIENNIAL				Requested by Council
2q	Recruitment	TRIENNIAL				High inherent risk
2r	WHS audit follow-up	TRIENNIAL				From previous Strategic Audit Plan

NORTHERN BEACHES COUNCIL STRATEGIC INTERNAL AUDIT PLAN

2021 – 2024 (3 YEARS)

The following outlines Internal Audit's work program for this period.						
Internal staff		Contractor				
Item No.	AREA	Frequency	2021/22	2022/23	2023/24	RISK / COMMENTS
2s	Minor plant management	TRIENNIAL				This area has not been subject to audit review
2t	CCTV	TRIENNIAL				New policy in 2021
2u	Meals on Wheels	TRIENNIAL				This area has not been subject to audit review
2v	Governance follow-up					From previous Strategic Audit Plan
2w	Lifeguards	TRIENNIAL				This area has not been subject to audit review
2x	Volunteer management	TRIENNIAL				This area has not been subject to audit review
2y	Community transport	TRIENNIAL				This area has not been subject to audit review
2z	Key management	TRIENNIAL				This area has not been subject to audit review
Additional potential reviews if time/budget permits		Delivery of Economic Development Strategy Staff timekeeping Risk culture assessment Resident parking scheme Excess leave management Asset maintenance Small asset management Venue hire				
3	DATA ANALYTICS & REGULAR COMPLIANCE CHECKS					
3a	To be determined					
3b	Credit cards	BI-ANNUALLY				Requested by ARIC
4	CORRUPTION RISK MANAGEMENT					
4a	Review Fraud & Corruption Prevention Plan	BIENNIAL				Last updated in 2021

NORTHERN BEACHES COUNCIL STRATEGIC INTERNAL AUDIT PLAN
2021 – 2024 (3 YEARS)

The following outlines Internal Audit's work program for this period.						
Internal staff		Contractor				
Item No.	AREA	Frequency	2021/22	2022/23	2023/24	RISK / COMMENTS
5	PROVISION OF INTERNAL ADVICE AND TRAINING					
5a	Delivering Code of Conduct-related, corruption prevention and corruption risk management training	SCHEDULED/ RESPONSIVE/ PROACTIVE				ICAC industry recommendation
5b	Providing probity, systems improvement, corruption risk management and corruption prevention advice and support to management and staff	ONGOING				ICAC industry recommendation
6	PROFESSIONAL PARTICIPATION					
6a	ARIC	ONGOING				Prepare reports, attend meetings, provide follow-up information
6b	General liaison and interaction with external bodies, eg, external auditors, ICAC, Corruption Prevention Network, Institute of Internal Auditors.	ONGOING				As per position requirements
6c	Professional Development: Skills and Knowledge	ONGOING				As per position requirements
6d	Audit planning	ANNUAL				Review and update Strategic Audit Plan and Annual Work Plan

ITEM 9.2	REMOTE ATTENDANCE AT COUNCIL MEETINGS BY COUNCILLORS
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2021/645934
ATTACHMENTS	1 Draft Interim Guidelines for Remote Attendance at Council Meetings by Councillors

BRIEF REPORT

PURPOSE

For Council to consider and set procedures for requests by councillors to attend Council meetings remotely.

REPORT

In October 2020, Council resolved:

That Council:

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

The subsequent report to Council the following month advised that the remote attendance at meetings held in Chambers would require a software upgrade which was scheduled to occur in 2021/22 alongside an upgrade to some end-of-life equipment.

In March 2021 the NSW Government extended temporary amendments to the Local Government (General) Regulation 2021 to enable Councils to meet remotely in response to the COVID-19 pandemic. The amendment exempted Council from complying with its requirement under the Code of Meeting Practice for councillors to be personally present at meetings to participate in them. The exemption is due to expire on 31 December 2021.

Concurrently, the Office of Local Government (OLG) issued a consultation paper on proposed amendments to the Model Code of Meeting Practice to include non-mandatory provisions that allow councils to permit councillors to attend meetings by audio-visual link in certain circumstances. OLG also recommended that councils adopt procedures governing attendance by councillors at meetings by audio-visual link, to supplement their Code of Meeting Practice (COMP).

The OLG has not issued the results of the consultation process regarding the Model Code of Meeting Practice, and it is not known whether the NSW Government will extend the temporary exemption beyond 31 December 2021 at this time.

However, the Chambers upgrade has been progressing and it is expected to be able to support “hybrid” meetings, where some participants are present in Chambers and others join by remote audio-visual link, at the earliest by November 2021 (subject to satisfactory testing).

While Council has been meeting remotely, with the upgrade of the Chambers likely to be ready for the November Council meeting, and the potential for the NSW Government to re-open some services as a result of meeting vaccination targets at a date in October, there is an opportunity for Council to put in place some procedures which may enable the Council to meet in person in the Chambers, and offer an option for some councillors who require it to participate in that meeting by remote audio-visual link in time for the November meeting.

As the Council has set the first ordinary meeting of the new term for Wednesday 29th December 2021 at 10am, remote attendance provisions would also apply to this first meeting.

Any extension to these arrangements into 2022 would be subject to either the NSW Government extending the exemption to the regulation beyond 31 December 2021, or the OLG releasing the awaited revised Model Code of Meeting Practice and the Council adopting a revised Code with these provisions.

Draft Guidelines (Attachment 1) for Council's consideration outline various principles and processes to govern councillor requests and attendance at Council meetings by audio-visual link.

The draft Guidelines have been developed from guidance material from the OLG. Council is requested to consider these and amend if required to meet Council's satisfaction.

In recognition of the exceptional circumstances with the postponement of the local government election and first Council meeting falling over the December and January holiday period, and the potential for ongoing and new councillors to have made travel plans over this time, the draft Guidelines include a provision that an absence due to holiday travel may be considered reasonable during the 2021/2022 Christmas recess period.

It is expected the principles for remote attendance would be absorbed into a future Code of Meeting Practice when the Council reviews this on the release of the revised Model Code by OLG.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

The costs to upgrade the Chambers were included in the existing 2021/22 budget and work program. The Chambers is a bookable resource that is utilised for many meetings and events in addition to its use for public Council meetings.

ENVIRONMENTAL CONSIDERATIONS

The recommendation in this report poses no environmental considerations.

SOCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

Council meetings would continue to be live-streamed and recorded and open to the public to attend when held in Chambers. Council meeting processes will need to be tested to ensure Code

of Meeting Practice requirements and equitable participation can be assured for councillors participating remotely where others are in person.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Adopt the Guidelines at Attachment 1 for the remote attendance at Council meetings by councillors.
 2. Note there will be an opportunity to reconsider these requirements as part of the review of the Code of Meeting Practice.
-

DRAFT Guidelines for Remote Attendance at Council Meetings by Councillors

1. Purpose

- 1.1 To set processes for councillors' attendance at Council meetings by audio-visual link in a manner that is consistent with the Code of Conduct and Code of Meeting Practice.

2. Scope and application

- 2.1 This Guideline applies to councillor attendance at Council meetings by audio-visual link. This Guideline does not apply to councillor briefings.
- 2.2 This Guideline must be read in conjunction with the Code of Conduct and Code of Meeting Practice and all legislative requirements.
- 2.3 This Guideline applies as long as the remote attendance at Council meetings by Councillors is allowed by the relevant legislation.

3. Principles

3.1 Approval

- 3.1.1 Councillors may request to attend one or more meetings by audio-visual link for one of the following reasons:

- a) illness
- b) disability
- c) carers responsibilities
- d) compassionate reasons

- 3.1.2 Approval will not be granted for absence due to holidays*, attendance at conferences and other professional development commitments, lateness, prior working commitments or civic duties. *This clause will not apply for the December 2021 / January 2022 period due to the exceptional circumstances of the election and new term of Council commencing over the Christmas and New Year recess period.

- 3.1.3 Requests by councillors to attend meetings remotely by audio-visual link must be made in writing to the Mayor / Chairperson and CEO (and copied to Governance) by 12pm on the day of the meeting, stating the reason preventing the councillor from attending the meeting in person.

- 3.1.4 The CEO will take into consideration apologies, leave of absence requests and the number of requests to attend remotely to ensure a quorum can be maintained in person in the Council Chamber.

- 3.1.5 Councillors requests to attend remotely by audio-visual link will be considered by the Council.

- 3.1.6 The Council may refuse a councillor's request to attend a meeting remotely by audio-visual link where an independent conduct reviewer has made a finding that the councillor failed to appropriately declare and manage conflicts of interest, observe confidentiality or comply with the Code of Meeting Practice, on one or more previous occasions when attending a meeting by audio-visual link.

Remote Attendance at Council Meetings by Councillors

4. Attendance

- 4.1 Councillors attending via audio-visual link must adhere to the remote meeting conventions used while Council has been meeting remotely throughout 2020 and 2021 such as remaining on mute to ensure sound quality and indicating requests to speak through the hand-up icon.
- 4.2 Councillors must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link in the same manner they would in person. That is, a councillor must have their video turned on in order to be recorded as present in the minutes. Should a councillor have their video turned off, it will be assumed they are absent from the meeting.
- 4.3 Councillors must be appropriately dressed when attending meetings by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.
- 4.4 Where a councillor attends a meeting by audio-visual link, any vote they cast must be done so verbally. Use of software icons or emojis will not be recorded as a vote and will be recorded as 'Abstained from vote'.
- 4.5 The minutes will record at the relevant Council meeting (with apologies and leave of absence requests) the councillor's attendance by audio-visual link and must provide the grounds on which the councillor is being permitted to attend meetings remotely by audio-visual link, but not where those grounds relate to illness, disability or caring responsibilities in accordance with Health Privacy Principles. The Council will be requested to resolve the arrangements.
- 4.6 Councillors attending the meeting remotely are responsible for ensuring their internet connection is adequate to support remote participation with video. A councillor experiencing a technical outage will be recorded as absent for the purposes of the meeting and will not be able to participate by other "remote" means (such as by telephone).

5. Disclosures

- 5.1 Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting and is required to leave a meeting, the councillor's audio-visual link to the meeting will be terminated. The councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed, or at any time during which the meeting is voting on the matter.

6. Confidentiality

- 6.1 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the Local Government Act.

7. Maintaining Order of the Meeting

- 7.1 The Mayor/Chairperson or a staff member (at the direction of the Mayor/ Chairperson) may mute a councillors audio link to the meeting to ensure sound quality or maintain order of the meeting.

Remote Attendance at Council Meetings by Councillors

- 7.2 Where a councillor attends a meeting by audio-visual link and is expelled from a meeting for an act of disorder in accordance with the Code of Meeting Practice, the Mayor / Chairperson (or staff at the direction of the Mayor / Chairperson) may terminate the councillor's audio-visual link to the meeting.
8. Compliance with the Health Privacy Principles
- 8.1 Council will comply with the Health Privacy Principles prescribed under the Health Records and Information Privacy Act 2002 when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting remotely by audio-visual link.
9. Definitions
- 9.1 Audio-visual link means an audio-visual link facility that enables audio and visual communication between persons at different places.
- 9.2 All other defined terms remain the same as the Code of Conduct and Code of Meeting Practice.

References and related documents

- Local Government (General) Regulation 2021 (Regulation)
- Office of Local Government Model Meeting Code
- Northern Beaches Council Code of Meeting Practice
- Northern Beaches Council Code of Conduct
- Local Government Act 1993
- Health Records and Information Privacy Act 2002

Responsible Officer

Executive Manager Governance and Risk

Review Date

October 2025

Revision History

Revision	Date	Change	TRIM #
1	11 October 2021	Draft Guideline for draft agenda review	2021/645953
2	19 October 2021	Draft Guideline for consideration of Council	2021/645953

ITEM 9.3	TABLING OF DESIGNATED PERSONS RETURNS 2020/21
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2021/704749
ATTACHMENTS	<ol style="list-style-type: none"> 1 ↓ Designated persons annual returns 2020/21 (Tabled separately) 2 Designated persons first returns (Tabled separately) 3 ↓ List of positions proposed as designated persons for 2021/22 period

BRIEF REPORT

PURPOSE

To table the designated persons disclosures of interest returns lodged under the provisions of clause 4.21 of the Northern Beaches Code of Conduct for the 2020/21 financial year and adopt the list of designated persons positions for the 2021/22 financial year.

REPORT

Council's Code of Conduct (the Code) requires councillors and designated persons to make and lodge a return disclosing their interests within 3 months of becoming a councillor or designated person (first return), within 3 months of 30 June each year (annual return) or as they become aware of an interest throughout the year (change return).

These returns are collected in a register of returns and in accordance with clauses 4.25 and 4.26 of the Code, annual returns are to be tabled at the first meeting of Council following the last day of lodgment which is 30 September, and first or change returns are to be tabled at the next meeting after the return is lodged. This report therefore seeks to table the following returns:

Annual return:	All councillors (15)
	All Northern Beaches Planning Panel members (16)
	All external Audit Risk & Improvement Committee members (4)
	219 staff in roles defined as designated persons
First return	2 new staff commencing in roles defined as designated persons

Thirteen staff members are on parental, long term sick or extended leave and will be followed up to complete their annual return.

In addition to being publicly available on request, these returns will also be published on Council's website as soon as practicable in line with guidelines released by the Information and Privacy Commission (IPC) in September 2019 recommending the proactive release of all designated persons returns. A public interest test was conducted in accordance with sections 6(1) and 13 of the Government Information (Public Access) Act 2009 and approved by the Chief Executive Officer. The test determined an overriding public interest against the disclosure of councillors' and designated persons' residential addresses and as such a general redaction of all residential street addresses will be applied to all forms plus any further redactions that were requested and approved under the provisions of the Privacy and Personal Information Protection Act 1998.

The list of roles defined as designated persons is reviewed annually and the 2021/22 list is presented to Council for adoption (Attachment 3), three positions were removed from the list during the review as they carry limited or no discretionary powers or financial delegations.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to the tabling of designated persons returns.

SOCIAL CONSIDERATIONS

The designated persons returns are tabled at Council and are publicly available as a register in accordance with clause 1(2)(a) of Schedule 1 of the Government Information (Public Access) Regulation 2018.

GOVERNANCE AND RISK CONSIDERATIONS

The collection, tabling and public release of the designated persons annual returns are a statutory requirement of Council as outlined through the Council's Code of Conduct. Section 440AAB of the Act requires a register of returns to be kept by the Chief Executive Officer and requires the tabling of returns of interest in accordance with the Council's Code of Conduct.

Council's Code of Conduct is adapted from the Office of Local Government's Model Code of Conduct in accordance with the Local Government (General) Regulation 2021. Council's Risk Appetite Statement, adopted on 24 September 2019, affirms that Council has zero tolerance towards breaches of the Code of Conduct and Council therefore has measures in place to ensure full compliance with the requirement to submit and table returns of interest in accordance with its Code. When returns are not lodged in accordance with the Code of Conduct, this may be considered a breach of Council's Code of Conduct.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the designated persons disclosure of interest returns for the period 1 July 2020 to 30 June 2021, as tabled in accordance with clause 4.25 of Council's Code of Conduct.
 2. Adopt the list of positions for designated persons for the period 1 July 2021 to 30 June 2022 in accordance with clause 4.8 of the Code of Conduct.
-

Position Title	Team
Access Admin Officer	Facilities Management & Services
Animal Management Officer	Rangers
Building Compliance Liaison Officer	Building Control
Building Compliance Officer	Building Control
Building Surveyor	Building Control
Chief Executive Officer	CEO
Chief Financial Officer	Finance
Chief Information Officer	Information & Digital Technology
Chief Technology & Operations Officer	Technology & Operations
Contractor - Building Control Officer	Building Control
Contractor - Planner	Development Assessment
Contracts Administration Officer	Facilities Management & Services
Contracts Officer	Procurement
Customer Service Manager	Customer Services
Customer Service Operations Manager	Customer Services
Deputy CFO Transactional Accounting	Transactional Accounting
Director Community & Belonging	Community & Belonging
Director Corporate & Legal	Corporate & Legal
Director Environment & Sustainability	Environment & Sustainability
Director Glen Street Theatre	Glen Street Theatre
Director Manly Art Gallery & Museum	Arts & Culture
Director Planning & Place	Planning & Place
Director Transport & Assets	Transport & Assets
Director Workforce & Technology	Workforce & Technology
Dispatch Administration Officer	Facilities Management & Services
Environmental Health Officer	Environmental Health
Executive Manager Capital Projects	Capital Projects
Executive Manager Children's Services	Childrens Services
Executive Manager Community Engagement & Communications	Community Engagement & Communications
Executive Manager Community, Arts & Culture	Community, Arts & Culture
Executive Manager Customer Service	Customer Services
Executive Manager Development Assessment	Development Assessment
Executive Manager Digital Strategy & Innovation	Digital Strategy & Innovation
Executive Manager Environment & Climate Change	Environment & Climate Change
Executive Manager Environmental Compliance	Environmental Compliance
Executive Manager Financial Planning & Systems	Financial Planning & Systems
Executive Manager Governance & Risk	Governance & Risk
Executive Manager Human Resources	Human Resources
Executive Manager Internal Audit & Complaints Resolution	Internal Audit & Complaints Resolution
Executive Manager Library Services	Library Services
Executive Manager Parks & Recreation	Parks & Recreation
Executive Manager Property	Property
Executive Manager Recreation Business	Recreation Business
Executive Manager Strategic & Place Planning	Strategic & Place Planning
Executive Manager Strategy & Performance	Strategy & Performance
Executive Manager Transport & Civil Infrastructure	Transport & Civil Infrastructure
Executive Manager Waste Management & Cleansing	Waste Management & Cleansing
Finance Officer - Property	Property Commercial & Tourist Assets
General Counsel	Office of General Counsel
ICT Vendor Manager	IT Projects & Improvement
Infrastructure Project Manager	Technology & Operations
Land Dealings Officer	Property Commercial & Tourist Assets
Legal Counsel	Office of General Counsel
Manager Family Day Care	Family Day Care
Manager, Arts & Culture	Arts & Culture
Manager, Asset Strategy, Planning & Performance	Asset Strategy, Planning & Performance
Manager, Building Assets - Planning, Design & Delivery	Building Assets - Planning, Design & Delivery
Manager, Building Control	Building Control
Manager, Bushland & Biodiversity	Bushland & Biodiversity
Manager, Coast & Catchments	Coast & Catchments
Manager, Complaints Resolution	Complaints Resolution

Manager, Development Assessments	Development Assessment
Manager, Development, Engineering & Certification	Development Engineering & Certification
Manager, Early Learning Centres	Childrens Services
Manager, Environment Resilience & Climate Change	Environment, Resilience & Climate Change
Manager, Environmental Health	Environmental Health
Manager, Facilities Management & Services	Facilities Management & Services
Manager, Governance	Governance
Manager, Information Management	Information Management
Manager, Infrastructure	Infrastructure
Manager, Insurance & Risk	Insurance & Risk
Manager, IT Projects & Improvement	IT Projects & Improvement
Manager, Place & Economic Development	Place & Economic Development
Manager, Procurement	Procurement
Manager, Property, Commercial & Tourist Assets	Property Commercial & Tourist Assets
Manager, Rangers	Rangers
Manager, Regulatory Support	Regulatory Support
Manager, Service Delivery	Service Delivery & Operations
Manager, Spatial Information	Spatial Information
Manager, Stormwater & Floodplain Engineering	Stormwater, Floodplain Engineering
Manager, Strategic & Place Planning	Strategic & Place Planning 1
Manager, Systems Development & Support	Systems Development
Parking Officer	Rangers
Planner	Development Assessment
Planner	Strategic & Place Planning 1
Principal Architectural Designer	Building Assets - Planning, Design & Delivery
Principal Development Infrastructure Officer	Strategic & Place Planning 3
Principal Engineer - Major Developments	Development Engineering & Certification
Principal Planner	Development Assessment
Principal Planner	Strategic & Place Planning 1
Principal Planner	Property Commercial & Tourist Assets
Procurement Specialist	Procurement
Project Officer	Building Assets - Planning, Design & Delivery
Property & Building Projects	Building Assets - Planning, Design & Delivery
Property Administration Officer	Facilities Management & Services
Property Officer	Property Commercial & Tourist Assets
Ranger	Business Support
Ranger Coordinator	Rangers
Senior Building Surveyor	Building Control
Senior Compliance Officer	Building Control
Senior Contract Specialist	Procurement
Senior Development Engineer	Development Engineering & Certification
Senior Procurement Specialist	Procurement
Senior Project Officer	Building Assets - Planning, Design & Delivery
Senior Property Officer	Property Commercial & Tourist Assets
Senior Urban Designer	Strategic & Place Planning 4
Service Capability Manager	Library Service Capability
Swimming Pool Certifier	Regulatory Support
Team Leader Building Control	Building Control
Team Leader Environmental Health	Environmental Health
Team Leader, Biodiversity & Planning	Bushland & Biodiversity
Team Leader, Land Dealings	Property Commercial & Tourist Assets
Team Leader, Property	Property Commercial & Tourist Assets
Waste Investigations Officer	Environmental Health

Removed from list:

Manager, Business Support	Business Support
Security Operations Analyst	Technology & Operations
Specialist Stakeholder Engagement	Workforce & Technology

ITEM 9.4	QUARTERLY REVIEW - SEPTEMBER 2021
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS AND EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2021/647025
ATTACHMENTS	1 ⇒ Quarterly Report on Service Performance - September 2021 (Included In Attachments Booklet) 2 ⇒ Quarterly Budget Review Statement - September 2021 (Included In Attachments Booklet) 3 ⇒ Quarterly Report on Stronger Communities Fund (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present the financial and management results for the period ended 30 September 2021 and provide a progress report on the expenditure of funds from the \$36.1 million Stronger Communities Fund.

EXECUTIVE SUMMARY

This report details Council's management results and the consolidated financial position for the three months ended 30 September 2021. The Quarterly Report on Service Performance is a progress report on the Operational Plan 2021/22.

The operating result (which includes capital grants and contributions) for the financial year is forecast to decrease by \$12.4 million to a surplus of \$49.3 million. Excluding capital grants and contributions the result is forecast to decrease by \$16.7 million, from a surplus of \$10.7 million to a deficit of \$6.0 million, primarily due to the impacts of the COVID-19 pandemic. Capital expenditure is forecast to decrease by \$11.4 million to \$124.9 million, primarily due to the re-phasing of projects to provide capacity to respond to the financial impact of the COVID-19 lockdown this financial year.

The third COVID-19 pandemic lockdown commenced in late June 2021, resulting in reduced income for many Council services along with community support costs. The forecast impact of the pandemic in the 2021/22 financial year is \$17.1 million, including reductions in net income for car parking (\$4.1m), Aquatic Centres (\$4.0m), Lakeside Holiday Park (\$2.1m), Fines (\$1.9m) and Council tenant/licensee support including outdoor dining and merchandise fee waivers (\$1.9m). The estimated cost of the COVID-19 pandemic to Council since March 2020 is now \$46.2 million.

Of the 199 actions of the Operational Plan 2020/21, the majority are progressing on schedule, with four completed. 78% of performance measures have met or are approaching their targets.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the Budget Review Statement for the three months ended 30 September 2021.
 2. Approve the following changes to the Current Forecast in the September 2021 Budget Review Statement:
 - A. A decrease in the forecast surplus from Continuing Operations, which includes Capital Grants and Contributions, of \$12.419 million to \$49.292 million.
 - B. A decrease in capital expenditure by \$11.418 million to \$124.940 million.
 3. Approve the re-allocation of \$300,000 from the internally restricted reserve 'Merger Savings Fund' from 'PCYC Activities' to part-fund the replacement of the PCYC building aluminum composite panel.
 4. Note the Quarterly Report on Service Performance for the period ended 30 September 2021.
 5. Note the Quarterly Report on expenditure of funds from the Stronger Communities Fund for the period ended 30 September 2021.
-

REPORT

BACKGROUND

Northern Beaches Council's Operational Plan 2021/22 was adopted on 15 June 2021. The Operational Plan is for the period 1 July 2021 to 30 June 2022.

The Quarterly Budget Review Statement is a regular progress report against the Operational Plan 2021/22. It has been prepared in accordance with the requirements of the Local Government Act 1993 (s404(5)) and Local Government (General) Regulation 2021 (Cl203), namely that the Responsible Accounting Officer report quarterly on a budget review statement and the Chief Executive Officer report at least every six months on the principal activities.

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

The report includes:

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

The report also provides an update on the outcomes delivered from the \$36.1 million Stronger Communities Fund and \$10 million New Council Implementation Fund. The funding agreements require quarterly updates until funds are spent. Attachment 3 is an update for the period ending 30 September 2021.

Overview of service performance

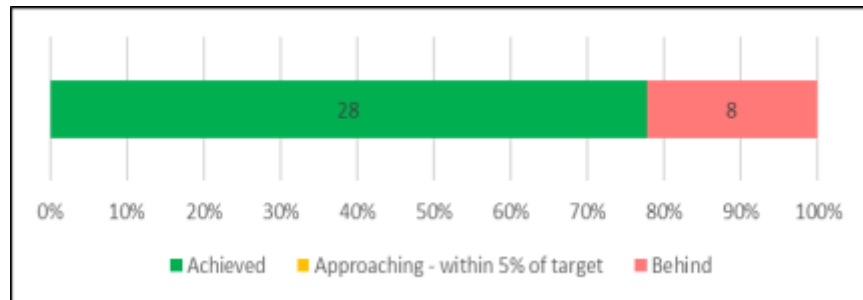
A report on Council's service performance is provided as Attachment 1 – 'Quarterly report on service performance'. It is an exception report and shows progress against measures, overall progress of projects with details of projects completed or behind schedule. A comprehensive report on all operational and capital projects will be provided in the December quarter including financials for the 16 key services.

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

A summary of our performance is outlined below.

Performance measures

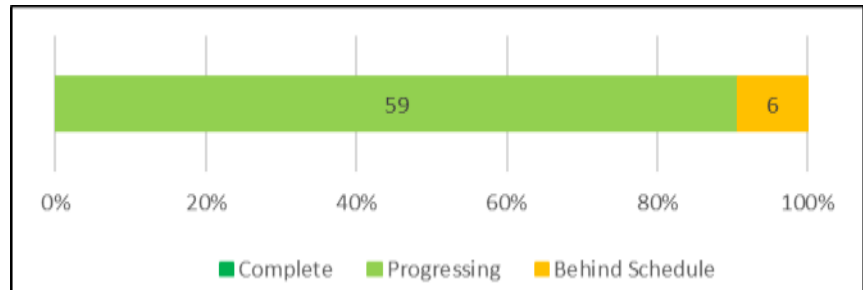
Overall 78% have met or are approaching the target. Of the eight measures that did not achieve their target, for six this was due to the continuing impact of COVID-19 and associated restrictions. In addition, the measure for satisfaction with key community events could not be measured as events are on hold.



Operational project progress

Of the 65 operational projects, overall 91% are complete or progressing on schedule.

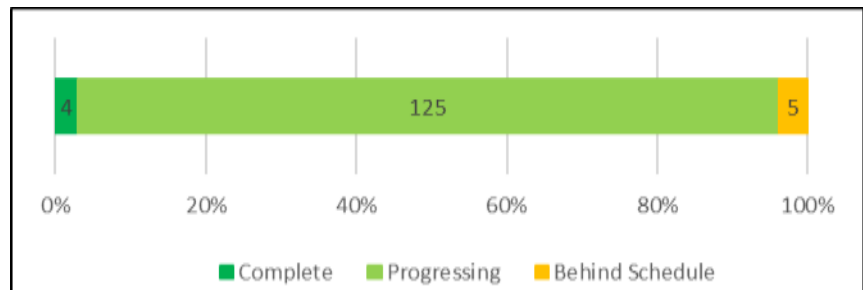
Target: 80% complete/on schedule as at 30 June 2022



Capital project progress

Of the 134 projects, overall 96% are complete or progressing on schedule.

Target: 80% complete/on schedule as at 30 June 2022



Four capital projects were completed this quarter:

- North Curl Curl youth public amenities
- Collaroy Beach accessibility ramp
- Clontarf Reserve amenities renewal
- Smart Beaches

Service highlights summary

Highlights of service achievements are set out below in line with the community outcomes of the *Community Strategic Plan*:

Protection of the Environment

- Habitats received a boost with over 5,000 plants propagated and delivered in the *Backyard Habitat* program. Online events were held in Biodiversity Month, and the *Flying-fox Resident's Assistance Program* was launched. We also conducted 13 hazard reduction burns across 26 hectares of bushland reserves.

- 'Keeping Cats Safe at Home' was launched, a joint project with RSPCA and 10 local Councils, supported by an NSW Environmental Trust grant. This four-year project encourages residents to keep cats safe from harm by accidents, disease or animal attacks, as well as preventing cats preying on native wildlife.
- To protect wildlife at Long Reef and Basin Beach, Rangers undertook a blitz in September with 44 patrols targeting dog-related offences. This resulted in 48 enforcement actions, vital to protecting the sea mammals and birds that refuge here.

Environmental Sustainability

- We attained Silver Partner status from the NSW Government's Sustainability Advantage Program, which acknowledges our wide-ranging sustainability achievements.
- Following the adoption of the *Electric Vehicle Operation Plan*, Ausgrid has partnered with us to transform an existing power distribution structure to a public electric vehicle charging parking bay in Bungan Street, Mona Vale.
- There was a sizable increase in incidents of graffiti (up 18%), illegal waste dumping (up 10%) and vandalism during this lockdown period. We responded by cleaning over 6,200m² of graffiti, 14,700m² of pavements and 921 dumping sites to protect the environment, health and amenity of our community.
- Four free webinars were run to help residents reduce waste: preserving excess vegetables and fruit, veggie gardening in pots and balconies; plastic free lifestyle and reusable nappies. A reusable nappies video was released, as well as advice on reducing disposable mask litter.

Places for People

- Several documents went on public exhibition to seek feedback on our planning system: *LEP and DCP Discussion paper*; draft *Ingleside Place Strategy*; draft *Frenchs Forest Place Strategy Planning Package*; and the draft *Northern Beaches Affordable Rental Housing Scheme*,
- The five-year *Community Safety Plan* was adopted by Council on 28 September. In addition, six Alcohol Free Zones were re-established in Belrose, Brookvale, Collaroy, Cromer, Forestville and Narrabeen.
- Our interagency group on homelessness cases was successful in housing nine more people into accommodation.
- Glen Street Library now has an improved outdoor, all-weather amphitheatre and community garden, to host a wide variety of programs, events and volunteering.

Community and Belonging

- *Better Together 2040 Social Sustainability Strategy* was adopted by Council in August. This provides the long-term strategic direction and actions to continue to create a safe, inclusive and connected Northern Beaches.
- Our inclusion and wellness efforts included webinar series' on supporting senior students and senior's resilience. Council received accreditation as working towards becoming a dementia-friendly organisation. Our *Gatekeeper* program has now resulted in 201 residents trained in suicide prevention.
- Manly Community Pre-school was recently assessed as exceeding the National Quality Standard, due to its high quality programs, management and an environment which fosters inclusion and positive relationships.
- An interactive cultural map was launched online. Residents can now search for arts and cultural activities for kids, locate creative businesses to collaborate with, and find venues for gigs or rehearsals. Our online *Create at Home* program launched in August provided a series of visual arts activities and performing arts workshops.

- Library services were in high demand during COVID lockdown, keeping people stimulated and connected. Over 78,000 items were borrowed through the *Library2U* service, and 551 customers served by the *Home Library Service*. Another 98,000 loans were from the growing e-book and e-audiobook collection, now receiving additional funding. Online events included a four-week program to support HSC students, as well as Story Time, author talks and the annual Young Writers Award.

Vibrant Local Economy

- *Destination Northern Beaches: Creating a Sustainable Visitor Economy* was adopted at the September 28 Council Meeting. This is our first five-year tourism blueprint to sustainably grow the visitor economy, while protecting the local environment and social values. It includes strategies to maintain and grow existing markets, by encouraging repeat visits and longer stays. As COVID restrictions ease, this plan enables us to work more effectively with our tourism hospitality sectors, to get back to business and welcome visitors safely.
- We completed an economic health check for the Northern Beaches, and research with local industry to understand the challenges and opportunities facing the Northern Beaches economy over the next 10 years. These provide a foundation for our Economic Development Strategy which is in preparation.
- Our *Business Support Service* was in high demand to help businesses restart or operate. A special information session was held for the shutdown construction and trade sectors on 21 July, with representatives from NSW Treasury, Service NSW and Rob Stokes, NSW Minister for Place and Planning. This discussed support for the sector and was attended by around 170 local businesses.
- The *Back to Business* program launched in September sought ideas on how to support recovery, such as by repurposing public spaces, outdoor dining, socially distanced shopping, events, and the cutting of red tape. Over 100 submissions were received from food and beverage outlets, breweries, beauty salons, hairdressers, and retailers.

Transport, Infrastructure and Connectivity

- The first two-way separated cycleway was installed in the Dee Why beachfront as part of the Streets as Shared Spaces project, along with additional bicycle parking, extended dining areas and a low 30km/hour speed limit.
- Funded by the Federal Stimulus School Zone infrastructure program, pedestrian safety works were completed for Manly Village Public School, St Marys Catholic School, Bilgola Plateau Public School and Loquat Valley Anglican Preparatory School. A new shared path in Addiscombe Road, Manly Vale will also provide a connection to Mackellar Girls Campus.
- Safety improvements were also undertaken around Wheeler Heights Public School, St. Rose Catholic School and Cromer Public School. New footpaths were laid in Victor Road and Crete Road, Narraweena; Bambara Road, Belrose; and Crescent Road, Newport, along with shared paths in Trafalgar Park, Newport and Barrenjoey Road, Mona Vale.

Good Governance

- Recognising the ongoing impacts of the COVID-19 pandemic, Council continued to assist ratepayers experiencing financial difficulty in paying their rates. Business support included an extension of fee waivers for outdoor dining permits and footpath merchandise permits to 31 December 2021. Lessees and licensees also continued to receive rent deferrals and subsidies, which assists many community groups and businesses using our buildings.
- Customer enquiries grew online as expected during the COVID lockdown, to nearly 20,000 this quarter, in addition to 42,000 by phone calls and email. An improved knowledge base, technology and processes are now providing faster responses and a better customer experience using all avenues, including on mobile devices.

- The capability of our staff Disclosures App was expanded, for easier disclosures of interest, supporting good governance and transparency.

Participation and Partnerships

- 37,000 people engaged on Council projects on our *Have Your Say* site, and over 2,200 submissions were received. Engagement commenced on 24 new projects, significant ones including:
 - Frenchs Forest Precinct DCP, affordable housing scheme and guidelines
 - *Planning Our Sustainable Future* Discussion Paper
 - Ivanhoe Park plans, including Manly Oval
 - Wakehurst Parkway Flood Mitigation
- We secured another \$1.66 million in grant funding from the Department of Planning Industry and Environment for the following projects:
 - \$814,412 to upgrade the synthetic surface at Cromer Park
 - \$400,000 to construct female change rooms at Porter's Reserve, Newport
 - \$200,000 to improve access to North Harbour Reserve
 - \$250,000 to assist preparation of the Mona Vale Place Plan

An EPA grant of around \$255,000 was received to help businesses to reduce waste, trial problem-waste recovery, and develop a circular economy strategy.

Overview of Financial Performance

Responsible Accounting Officer Budget Review Statement

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2021:

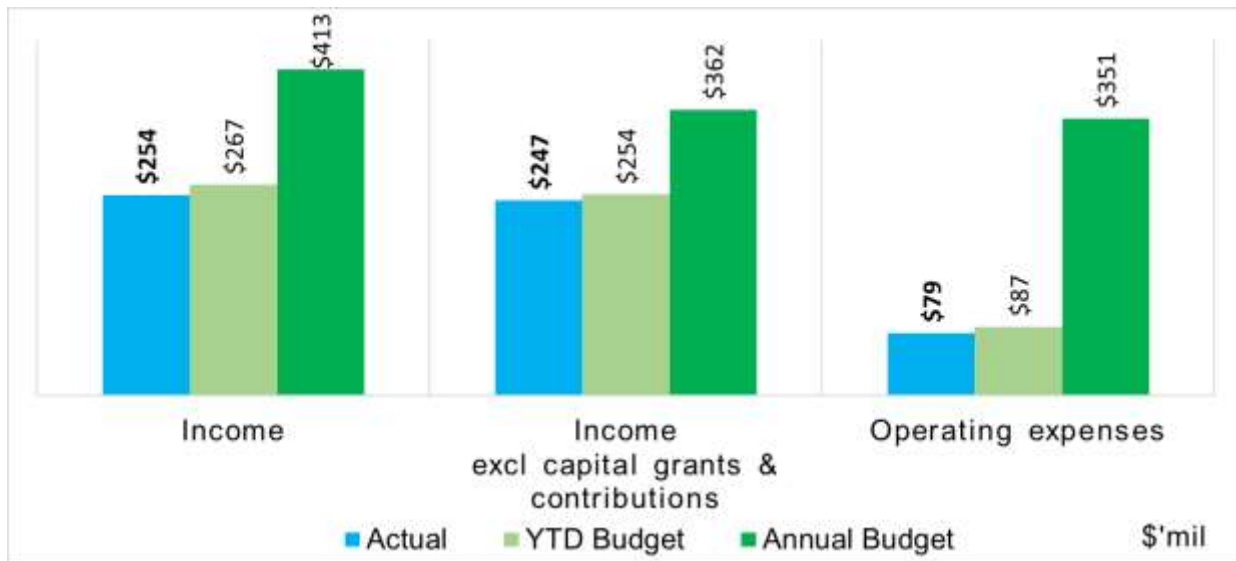
"It is my opinion that the Budget Review Statement for Northern Beaches Council for the period ending 30 September 2021 indicates that Council's projected financial position at 30 June 2022 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure."

David Walsh Chief Financial Officer, Northern Beaches Council.

Income Statement – progress and forecast changes

The attached Quarterly Budget Review Statement (QBRs) provides an overview of Council's progress against the annual budget at the end of the September 2021 quarter and provides explanations for major variations that result in recommendations for budget changes.

Operating budget summary – as at 30 September 2021



For the three months to 30 September 2021 the operating result (incl capital grants and contributions) is \$4.9 million unfavorably behind budget, primarily due to the timing of the release of capital grant funding against project expenditure milestones, lower income from COVID-impacted services partially offset by reduced expenditure.

The operating surplus which includes capital grants and contributions for the financial year is forecast to decrease by \$12.4 million to \$49.3 million. This decrease is due to lower than anticipated income of \$12.7 million (primarily capital grants) and a net reduction in operating expenses of \$0.3 million.

The operating result excluding capital grants and contributions is forecast to decrease by \$16.7 million to a \$6.0 million deficit. These overall movements are summarised in the table below, under the 'Recommended Changes' column.

Operating budget as at 30 September 2021 – summary of recommended changes

\$'000	Annual				Year to date			
	ORIGINAL Budget	REVISED Budget	Recommended changes	CURRENT Forecast	Actual	Approved Budget	Variance	
Income	403,747	412,867	(12,672)	400,195	254,551	266,690	(12,625)	(5%)
Operating expenses	(347,304)	(351,156)	253	(350,903)	(78,987)	(86,676)	7,689	(9%)
Surplus / (Deficit)	56,443	61,711	(12,419)	49,292	175,077	180,014	(4,937)	(3%)
Surplus / (Deficit) before Capital Grants & Contributions	11,007	10,665	(16,651)	(5,986)	168,244	167,775	469	0%

COVID-19 Pandemic – Financial Impact

The third COVID-19 pandemic lockdown commenced in late June 2021, resulting in reduced income for many Council services along with community support costs. The total cost of the pandemic since March 2020 is now an estimated \$46.2 million, including \$17.1 million within the current financial year.

Unfavourable variations in this review include reductions in net income for car parking (\$4.1m), Aquatic Centres (\$4.0m), Lakeside Holiday Park (\$2.1m), Fines (\$1.9m) and Council tenant/licensee support including outdoor dining and merchandise fee waivers (\$1.9m).

[COVID-19 Pandemic Financial Impact Forecast – March 2020 to September 2021](#)

\$'000	RESULT 2019/20	RESULT 2020/21	CURRENT Forecast 2021/22	TOTAL March 2020 to June 2022
Total COVID-19 Financial Impact	11,174	17,906	17,088	46,169

Adjustments are proposed in this review to fund the additional \$17.1m net cost through operating budget reductions along with adjustments to defer capital expenditure projects. Attachment 2 provides further information on the proposed variations to the budget.

Income Year to Date (YTD) Analysis

Total income at the end of September 2021 is \$254.1 million which is \$12.6 million below the forecast. The principal reasons for this variance are as follows:

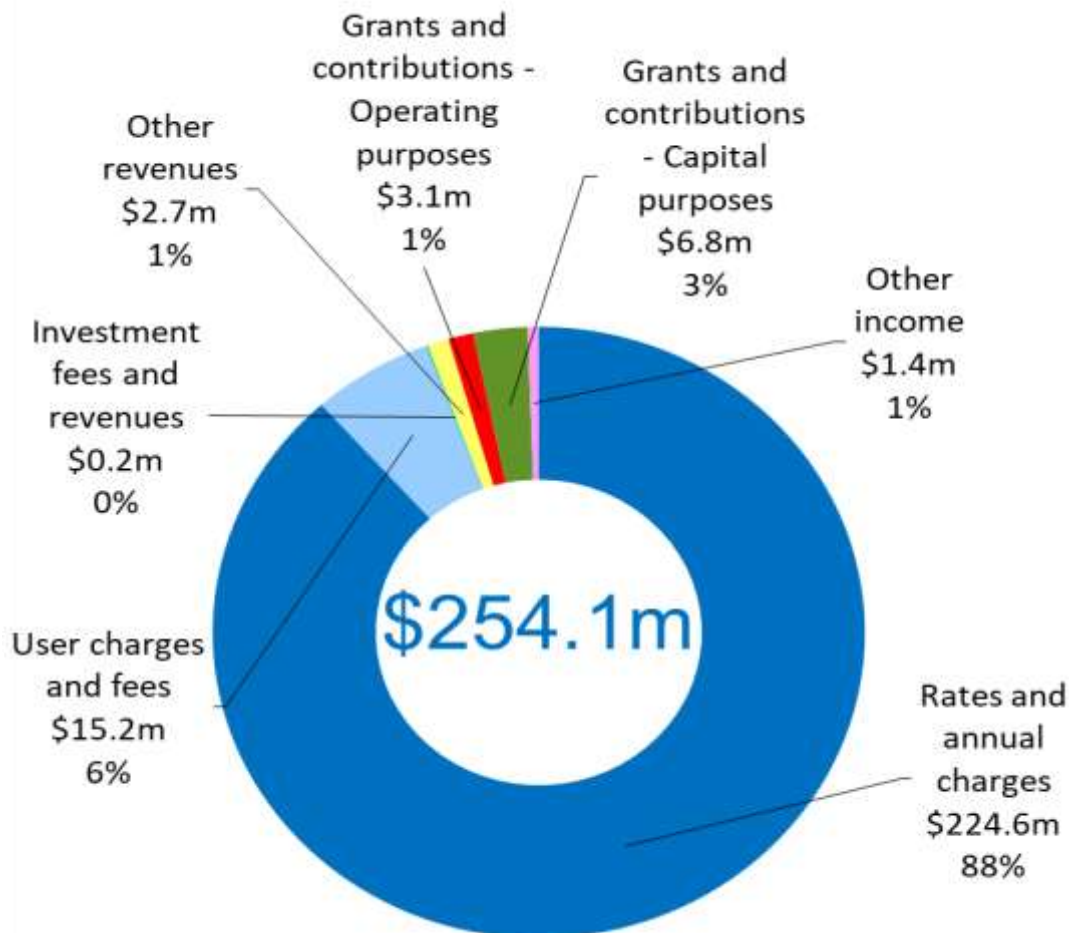
[Income as at 30 September 2021 – Variance to Approved YTD Budget](#)

YTD Variance \$'000	Details – Favourable / (Unfavourable)
(203)	<p>Rates and Annual Charges</p> <ul style="list-style-type: none"> • Rates (\$0.8m) due to the timing of adjustments for rates on Council owned properties • Domestic Waste Charges \$0.4m due to additional services • Stormwater Charges \$0.2m due to higher than anticipated levied income
(5,325)	<p>User Charges & Fees</p> <ul style="list-style-type: none"> • COVID impacted income sources including: <ul style="list-style-type: none"> ○ Aquatic centres (\$1.7m) ○ Parking fees (\$1.5m) ○ Lakeside Holiday Park (\$1.0m) ○ Community centres (\$0.6m) ○ Children's services (\$0.5m) ○ Glen Street Theatre (\$0.4m) • Timing of revenue recognition: <ul style="list-style-type: none"> ○ Road restoration fees \$0.2m • Stronger than anticipated income: <ul style="list-style-type: none"> ○ Golf driving range \$0.3m ○ Development assessments \$0.2m
(13)	Investment Fees and Revenues
(1,716)	<p>Other Revenues and Other Income</p> <ul style="list-style-type: none"> • Parking fines (\$0.9m) – Impacted by COVID-19

YTD Variance \$'000	Details – Favourable / (Unfavourable)
	<ul style="list-style-type: none"> • Property leases income (\$0.4m) – lower than anticipated income primarily outdoor dining, commercial and telecommunications
38	Grants and Contributions – Operating Purposes
(5,406)	Grants and Contributions – Capital Purposes
	<ul style="list-style-type: none"> • Timing of revenue recognition of grants to match expenditure of funds including: <ul style="list-style-type: none"> ○ Connecting Communities Cycleways Program (\$3.2m) ○ Narrabeen Lagoon pedestrian and cycle bridge (\$1.4m) ○ Footpath renewals works (\$1.4m)
(12,626)	TOTAL INCOME VARIANCE – YTD ACTUALS WITH YTD BUDGET

Actual Results – Consolidated

Income from Continuing Operations



Income Items	For the period 1 July 2021 to 30 Sept 2021			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Rates and annual charges	224,564	224,767	(203)	(0.1)%
User charges and fees	15,211	20,536	(5,325)	(25.9)%
Investment fees and revenues	238	252	(13)	(5.2)%
Other revenues	2,695	3,594	(900)	(25.0)%
Grants and contributions - Operating purposes	3,136	3,099	38	1.2%
Grants and contributions - Capital purposes	6,833	12,239	(5,406)	(44.2)%
Other income	1,386	2,202	(816)	(37.1)%
Total Income from Continuing Operations	254,064	266,690	(12,626)	(4.7)%

User Charges and Fees

Item	For the period 1 July 2021 to 30 September 2021				Proposed Budget Incr / (Decr)
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	
Aquatic Centres	34	1,724	(1,689)	(98)%	(4,849)
Caravan Park	155	1,122	(968)	(86)%	(2,786)
Cemeteries	171	294	(123)	(42)%	(300)
Child Care	2,801	3,299	(498)	(15)%	(887)
Community Centres	118	673	(556)	(82)%	(926)
Currawong State Park	(1)	54	(55)	(101)%	(244)
Glen Street Theatre	(30)	375	(405)	(108)%	(934)
Golf Courses	808	526	282	54%	150
Kimbriki Waste and Recycling Centre	5,813	5,597	216	4%	0
Libraries	1	32	(31)	(96)%	(63)
Parking Areas	1,542	3,066	(1,524)	(50)%	(4,071)
Sportsfields and Reserves	277	236	41	17%	(539)
Planning and Building Regulation	2,191	1,991	200	10%	23
Regulatory/Statutory Fees	118	229	(111)	(49)%	(200)
Restoration Charges	416	254	162	63%	0
Section 10.7 Certificates (EPA Act)	230	181	50	27%	0
Section 603 Certificates (LG Act)	138	99	39	40%	0
Other Fees	429	783	(354)	(45)%	(7)
Total User Charges and Fees	15,211	20,536	(5,325)	(26)%	(15,632)

Other Revenues and Other Income

Item	For the period 1 July 2021 to 30 September 2021				Proposed Budget Incr / (Decr)
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	YTD Variance %	
Advertising Income	0	0	0	0%	(135)
Ex Gratia Rates	0	26	(26)	(100)%	0
Legal Fees Recovery - Other	29	62	(33)	(53)%	0
Other Revenues - Kimbriki	990	570	421	74%	0
Other Fines	99	179	(80)	(45)%	(35)
Parking Fines	961	1,874	(913)	(49)%	(2,390)
Recycling Income (Domestic)	0	177	(177)	(100)%	0
Rental Income - Investment Properties	55	62	(8)	(13)%	(25)
Rental Income - Leased Council Properties	1,331	2,139	(808)	(38)%	64
Sale of Stock	90	168	(79)	(47)%	(390)
Other Revenues	106	538	(433)	(80)%	(405)
Licences, Consents & Deeds	421	0	421	0%	0
Total Other Revenues and Other Income	4,081	5,796	(1,716)	(30)%	(3,315)

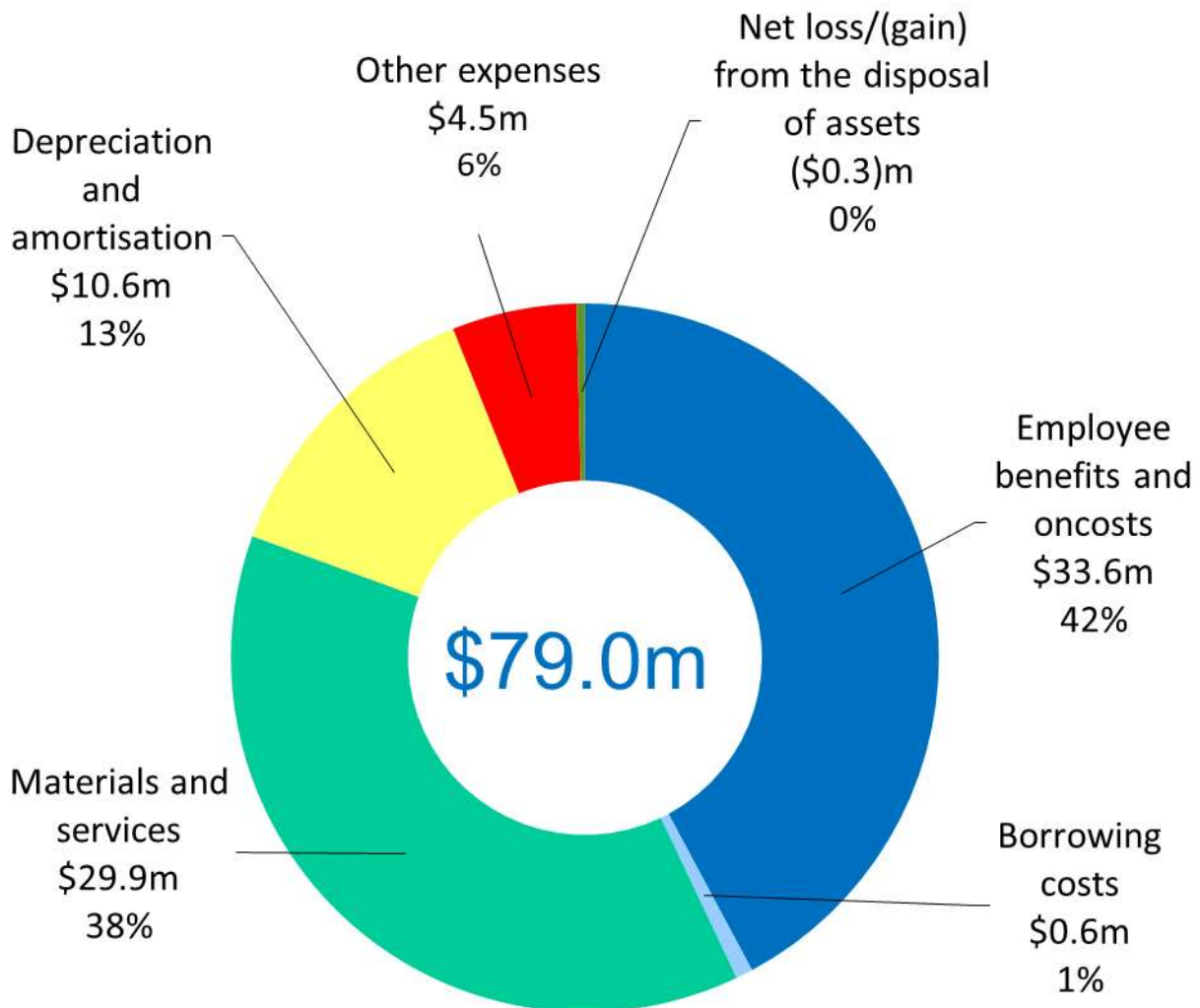
Operating Expenses Year to Date (YTD) Analysis

Total operating expenses at the end of September 2021 is \$79.0 million, which is \$7.7 million under the forecast. The principal reasons for this variance are as follows:

Operating expenses as at 30 September 2021 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
(355)	Employee Benefits & Oncosts
(3)	Borrowing Costs
7,395	Materials and Services <ul style="list-style-type: none"> • Lower than anticipated expenditure: <ul style="list-style-type: none"> ○ Cleaning \$0.5m ○ Utilities \$0.4m ○ Stationery, printing and postage \$0.2m • Higher than anticipated expenditure: <ul style="list-style-type: none"> ○ Waste disposal/processing (\$0.9m) due to additional domestic waste disposal volumes. ○ Kimbriki (\$0.6m) as a result of the higher volumes of waste processed. These costs have been offset by additional income. ○ Waste collection (\$0.2m) due to additional domestic waste collections for bulky goods and the service of old bins. • Timing of works: <ul style="list-style-type: none"> ○ Bush regeneration \$0.7m ○ Environment and floodplain management \$1.1m ○ External roadwork \$0.5m ○ IT and communications expenses due to the timing of software licence renewals and contracts expenditure \$0.5m ○ Narrabeen Lagoon entrance clearing \$0.4m
600	Depreciation and Amortisation <ul style="list-style-type: none"> • Due to the timing of the completion and capitalisation of new assets
(98)	Other Expenses
149	Gain / (Loss) on the Disposal of Assets <ul style="list-style-type: none"> • Higher net gain from vehicles sold at auction
7,689	TOTAL OPERATING EXPENSES VARIANCE - YTD ACTUALS WITH YTD BUDGET

Expenses from Continuing Operations



Expense Items	For the period 1 July 2021 to 30 Sept 2021			
	YTD Actual (\$'000)	YTD Budget (\$'000)	YTD Variance (\$'000)	% Variance
Employee benefits and oncosts	33,567	33,212	(355)	(1.1)%
Borrowing costs	614	611	(3)	(0.5)%
Materials and services	29,949	37,344	7,395	19.8%
Depreciation and amortisation	10,625	11,226	600	5.3%
Other expenses	4,533	4,435	(98)	(2.2)%
Net loss/(gain) from the disposal of assets	(301)	(152)	149	(98.4)%
Total Expenses from Continuing Operations	78,987	86,676	7,689	8.9%

Materials and Services

Item	For the period 1 July 2021 to 30 September 2021				Proposed Budget Incr / (Decr)
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	
Agency Personnel	719	509	(211)	(41)%	59
Bush Regeneration	302	996	693	70%	(100)
Cleaning	1,107	1,620	514	32%	(383)
Coast and Waterways	10	28	18	63%	0
Consultancy	139	115	(23)	(20)%	0
Electricity, Heating and Water	807	1,192	385	32%	(523)
Environment and Floodplain Management	172	1,225	1,053	86%	133
External Roadwork	675	1,169	495	42%	0
Golf Course and Driving Range	310	307	(3)	(1)%	70
Insurance	771	757	(13)	(2)%	55
IT and Communications	2,433	2,901	468	16%	860
Kimbriki Waste and Recycling Centre	3,737	3,183	(553)	(17)%	0
Land Use Planning	126	459	333	72%	213
Legal Fees - Other	125	412	287	70%	0
Legal Fees - Planning and Development	222	375	153	41%	0
Lifeguard Services	358	358	(0)	(0)%	0
Maintenance and Servicing	1,408	1,267	(141)	(11)%	15
Management Fees	346	470	123	26%	(589)
NSW Revenue Fine Processing Fees	37	277	240	87%	(483)
Performance and Events	41	332	291	88%	(387)
Plant and Vehicle	677	642	(35)	(5)%	(190)
Printing, Postage & Stationery	195	385	190	49%	(95)
Raw Materials and Consumables	851	1,138	287	25%	(308)
Recreation and Sportsfields	1,683	1,504	(178)	(12)%	7
Stormwater	65	200	135	68%	(100)
Street Lighting	462	613	151	25%	0
Training Costs	102	291	189	65%	(50)
Tree Works	798	1,112	314	28%	(121)
Waste Collection	4,079	3,936	(143)	(4)%	(49)
Waste Disposal and Processing	4,191	3,304	(887)	(27)%	(21)
Other Contracts	1,104	2,447	1,344	55%	(664)
Other	1,899	3,819	1,920	50%	(525)
Total Materials and Services	29,949	37,344	7,395	20%	(3,177)

Other Expenses

Item	For the period 1 July 2021 to 30 September 2021				Proposed Budget Incr / (Decr)
	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Variance %	
Bad and Doubtful Debts	1	7	6	80%	0
Planning Levy	518	169	(349)	(207)%	0
Waste Levy	1,902	2,015	113	6%	0
Emergency Services Levy	1,604	1,604	0	0%	0
Other Levies	5	28	24	83%	0
Donations, Contributions and Assistance	422	534	113	21%	1,803
Land Tax	82	78	(4)	(5)%	0
Total Other Expenses	4,533	4,435	(98)	(2)%	1,803

Capital Budget Statement

Capital expenditure is forecast to decrease by \$11.4 million to \$124.9 million, primarily due to the re-phasing of projects to provide capacity to respond to the financial impact of the COVID-19 lockdown this financial year.

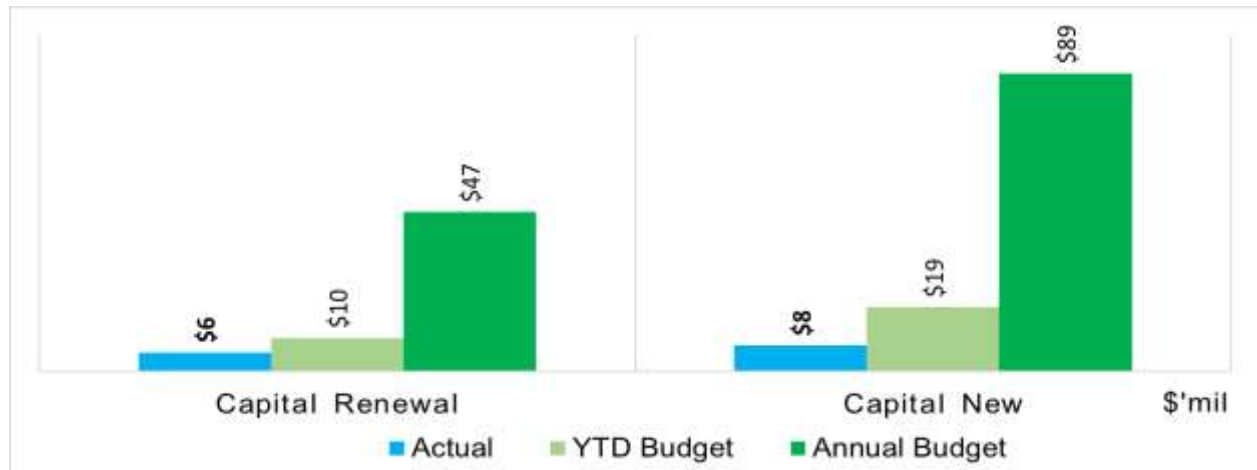
Proposed variations to the capital expenditure budget are outlined in Attachment 2 and include:

- Budget increases \$1.8 million including works funded through new grants including:
 - \$0.8m Sportsfield Renewal Program grant for Cromer synthetic fields
 - \$0.5m PCYC Renewal Works to remove the aluminium composite cladding
- Budget reductions of \$13.2 million due to the impact of COVID-19 including:
 - \$3.0m Warriewood Valley Community Centre – project will commence in 21/22 for completion in 22/23
 - \$2.7m Planned Stormwater Renewal Works –defer Dee Why GPT, Darley Road and Abbott Road drainage upgrades and design of Brookvale WSUD
 - \$1.8m Surf Life Savings Club Major Renewal Fund – Manly Life Saving Club works not due to commence in 22/23
 - \$0.7m Wharves Works Program – Currawong Wharf upgrade to be rescheduled
 - \$0.6m Church Point - New Infrastructure – Re-phased to complete in 22/23

Capital Expenditure Year to Date (YTD) Analysis

Expenditure on Capital Works for the three months ended 30 September 2021 is \$13.2 million against a year to date budget of \$29.1 million.

Capital budget summary – as at 30 September 2021



The principal reasons for the variance in expenditure versus the year to date budget are as follows:

Capital expenditure as at 30 September 2021 – Variance to Approved YTD Budget

YTD Variance	Details – Favourable / (Unfavourable) YTD Variance
\$'000	
4,385	Capital Expenditure – Renewal Projects <ul style="list-style-type: none"> Primarily due to the timing of payments and the impact of the COVID lockdown on projects.
11,489	Capital Expenditure – New Projects <ul style="list-style-type: none"> Projects include: <ul style="list-style-type: none"> Kimbriki Clean Water Diversion System \$2.5m – behind schedule Safer Schools Infrastructure \$1.4m – timing of payments Connecting Communities – Cycleways \$1.3m – commences Q3 Narrabeen Lagoon bridge \$1.2m – tender awarded to commence Q2
15,874	TOTAL CAPITAL EXPENDITURE VARIANCE – YTD ACTUALS WITH YTD BUDGET

Further information on the progress of capital projects is available within Attachment 1 'Quarterly Report on Service Performance'.

Merger Savings Fund allocation to the PCYC

Savings of \$10 million achieved in the first two years of Northern Beaches Council were transferred to an internally restricted reserve, the 'Merger Savings Fund', established by the Administrator in June 2017. On 27 June 2017 the Administrator resolved, in part, to allocate from the Merger Savings Fund the following: "...PCYC in Dee Why: six major annual youth events and activities - \$200,000 per year for four years commencing 2017/18".

Over these four financial years \$336,669 in funding was required for these events and a further \$66,800 was allocated by Council for the 2021/22 financial year. From the Administrator's allocation

of \$800,000, a balance of \$396,531 will remain in the fund at the end of this financial year as summarised in the following table.

Merger Savings Fund – PCYC Activities Allocation

	Approved total allocation	2017/18 Actual	2018/19 Actual	2019/20 Actual	2020/21 Actual	2021/22 Budget	Funds Remaining
PCYC activities	800,000	119,093	127,668	59,067	30,841	66,800	396,531

As reported to Council in June 2021, urgent works are required to replace the aluminium composite panel on the PCYC building in Dee Why. The existing panels no longer meet the minimum acceptable standard under the Building Code of Australia. The cost of the works is estimated at \$490,650 and is included in the September Budget Review capital expenditure variation schedule (Attachment 2). Due to the urgent nature of the works, it is recommended Council redirect \$300,000 from the funds held within the Merger Savings Fund for 'PCYC activities' to this project. The remaining \$96,531 would be available for PCYC activities in future budgets.

Cash and Investments

The balance of cash and investments as at 30 September 2021 was \$172 million. The revised projected balance on 30 June 2022 is \$90 million, \$5 million higher than the Original Budget forecast of \$85 million, primarily due to higher than expected restricted reserves balances including an additional \$0.9m in development contributions.

Cash and investments – as at 30 September 2021



Further information is available within Attachment 2 to this report on cash and investments.

Financial Performance Measures

The following financial performance measures indicate that Council's financial results will be temporarily impacted by the COVID-19 pandemic. With an \$6.0 million operating deficit (excluding capital grants and contributions) forecast, Council is unlikely to meet the Operating Performance ratio benchmark of 0% at this time. Council has adjusted funding for expenditure programs to provide capacity to respond to the pandemic and to retain our long term strong and sustainable position.

\$ '000	Forecast result 30/6/2021	Forecast indicator 30/6/2021		Benchmark
1. Operating Performance				
Total continuing operating revenue ¹ excluding capital grants and contributions less operating expenses	(5,736)			
<hr/>				
Total continuing operating revenue ¹ excluding capital grants and contributions	344,916	(1.66%)	X	>0%
<p>This ratio measures Council's achievement of containing operating expenditure within operating revenue. It is important to distinguish that this ratio is focusing on operating performance and hence capital grants and contributions, fair value adjustments, net gain on sale of assets and reversal of revaluation decrements are excluded.</p> <p>For the 2021-22 financial year, the forecast result will not meet the benchmark due to the impact of the COVID-19 pandemic.</p>				
2. Own Source Operating Revenue				
Total continuing operating revenue ¹ excluding all grants and contributions	322,434			
<hr/>				
Total continuing operating revenue ¹ inclusive of capital grants and contributions	400,195	80.57%	✓	>60%
<p>This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions. Council's financial flexibility improves the higher the level of its own source revenue.</p>				
3. Unrestricted Current Ratio				
Current assets less all external restrictions	86,945			
<hr/>				
Current liabilities less specific purpose liabilities	52,564	1.65x	✓	>1.5x
<p>The Unrestricted Current Ratio is specific to local government and is designed to represent a Council's ability to meet short term obligations as they fall due. Restrictions placed on various funding sources (e.g., development contributions and domestic waste income) complicate the traditional current ratio used to assess liquidity of businesses as cash allocated to specific projects is restricted and cannot be used to meet a Council's other operating and borrowing costs – these funding sources are removed from this ratio.</p> <p>For the 2021-22 financial year, the forecast result will continue to meet the benchmark, as the impact of the COVID-19 pandemic is primarily proposed to be offset by reductions in capital expenditure within the financial year.</p>				

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

CONSULTATION

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

TIMING

The Quarterly Budget Review Statement meets the requirements of the Local Government Act 1993 (s404(5)) and Local Government (General) Regulation 2021 (Cl203), namely that Council report quarterly on a budget review statement, and at least every six months on the principal activities of its Operational Plan.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

The operating surplus (which includes capital grants and contributions) for the financial year is forecast to decrease by \$12.4 million to a surplus of \$49.3 million. Excluding capital grants and contributions the result is forecast to decrease by \$16.7 million, from a surplus of \$10.7 million to a deficit of \$6.0 million. Capital Expenditure is forecast to decrease by \$11.4 million to \$124.9 million.

Council's financial results will be temporarily impacted by the COVID-19 pandemic, with a deficit position forecast. Council is unlikely to meet the Operating Performance ratio benchmark of 0% at this time. The Council has adjusted funding for its expenditure programs to provide capacity to respond to the pandemic and retain our long term strong and sustainable position.

SOCIAL CONSIDERATIONS

The report discloses progress on implementing the Operational Plan 2021/22. This includes the continued delivery of services and capital works that support our community and economy. These initiatives will have a positive social and economic impact on the community, including additional services and support available during the current COVID-19 pandemic.

ENVIRONMENTAL CONSIDERATIONS

The report provides progress on implementing the Operational Plan 2021/22 which includes a range of projects to protect and enhance our natural environment - by managing our coast, bush and biodiversity; implementing catchment management initiatives; and a variety of on-ground works and education in our urban and natural settings.

GOVERNANCE AND RISK CONSIDERATIONS

The Quarterly Budget Review Statement meets the statutory reporting requirements for progress at the end of the quarter – i.e., implementation of the Operational Plan 2021/22 and Council's overall financial position. It is provided to enable informed decision making while also ensuring transparency on Council's governance, business assurance and financial sustainability.

ITEM 9.5	2020/21 FINANCIAL STATEMENTS
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS
TRIM FILE REF	2021/683477
ATTACHMENTS	1 ⇒2020/21 Financial Statements including Auditor's Reports (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present Council's audited Financial Statements, together with the Auditor's reports in accordance with Section 419(1) of the Local Government Act 1993 (the Act).

EXECUTIVE SUMMARY

At Council's meeting on 28 September 2021, Council referred the draft Financial Statements for the financial year ended 30 June 2021 to Council's Auditor for audit. The Audit Office of NSW have conducted this audit and provided their Auditor's reports, which are now contained within the attached final 2020/21 Financial Statements.

The Auditor's reports state Council's accounting records have been maintained and the Financial Statements have been presented in accordance with the Act and present fairly the financial position and performance of the Council in accordance with Australian Accounting Standards.

Public notice was provided to the community that the 2020/21 Financial Statements will be presented to Council at the meeting of 26 October 2021. Submissions on the Auditor's Reports and the audited Financial Statements close on 2 November 2021, seven days after this Council Meeting in accordance with the Act. Any submissions will be referred to the Auditor in accordance with the Act.

The Council's financial results over the past financial year largely reflects the impact of COVID-19 pandemic restrictions on operations and the support measures in place for the community. The Net Operating Result for the 2020/21 financial year was a \$0.1 million surplus, which is reduced to a deficit \$26.5 million when excluding grants and contributions received for capital expenditure purposes. The Council delivered a capital works expenditure program of \$73.9 million and repaid \$5.1 million in loans.

Council has met all financial and asset performance benchmarks set by the Office of Local Government apart from the Operating Performance ratio (due to the deficit operating result). However, if once-off material items are excluded this ratio would also meet the benchmark.

The Financial Statements are also an attachment to the Annual Report, which is subject to a separate report within this meeting agenda.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That, in accordance with section 419(1) of the Local Government Act 1993, the audited Financial Statements and the Auditor's Reports for the 2020/21 financial year are hereby received.

REPORT

BACKGROUND**Audit**

At Council's meeting on 28 September 2021, Council resolved, in part, that the Annual Financial Statements for the year ended 30 June 2021 be referred to the Council's Auditor for audit and, upon receipt of the Auditor's Reports, public notice be given and the audited Financial Statements and Auditor's Reports be presented at the next available Council Meeting.

Following the 28 September 2021 Council Meeting, the Audit Office of NSW finalised an audit of the 2020/21 Financial Statements and provided their Independent Auditor's Reports and their Report on the Conduct of Audit, which are now contained within the attached final 2020/21 Financial Statements (Attachment 1 to this report).

Auditor's Report on the General Purpose Financial Statements

The Auditor expressed an unmodified opinion on the Financial Statements, stating in their opinion:

- The Council's accounting records have been kept in accordance with the requirements of the Act, Chapter 13, Part 3, Division 2.
- The financial statements:
 - have been prepared, in all material respects, in accordance with the requirements of this Division
 - are consistent with the Council's accounting records
 - present fairly, in all material respects, the financial position of the Council as at 30 June 2021, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards.
- All information relevant to the conduct of the audit has been obtained.
- No material deficiencies in the accounting records or financial report have come to light during the audit.

Public Notice

A public notification of the date of the Council Meeting for presentation of the audited Financial Statements was placed on Council's website on Friday 15 October 2021. These audited Financial Statements have been available for public inspection at Council's customer service centres at Avalon, Dee Why, Manly and Mona Vale and at the library branches at Dee Why, Forestville, Glen Street in Belrose, Manly, Mona Vale and Warringah Mall in Brookvale and by viewing on Council's website since 15 October 2021.

In accordance with Section 420 of the Act, submissions must be in writing and lodged with Council within 7 days after the public meeting at which these Statements are presented. Therefore, submissions on the Auditor's Reports and the audited Financial Statements will close on 2 November 2021. Any submissions will be referred to the Auditor in accordance with the Act.

2020/21 Result

The draft net operating result for the year ended 30 June 2021 was reported to the Council on 28 September 2021. These results have since been confirmed following the completion of the audit.

The principal features of the Financial Statements for the year ended 30 June 2021 are as follows:

The principal features of the Annual Financial Statements for 2020/21 are as follows:

Income Statement for the year ended 30 June 2021

Total income from continuing operations	\$365.8m
Total expenses from continuing operations	\$365.7m
Net operating result for the year	\$0.1m
Net operating result for the year before capital grants and contributions	(\$26.5m)

Capital Expenditure for the year ended 30 June 2021

New capital works	\$33.8m
Capital renewal works	\$39.3m
Non-cash asset dedications	\$0.8m
Total capital expenditure	\$73.9m

Financial Position as at 30 June 2021

Total assets	\$5,245.2m
Total liabilities	\$198.6m
Net assets	\$5,046.6m

Performance Indicators

Financial performance indicators

Operating performance	-7.32%	X
Own source operating revenue ratio	87.42%	✓
Unrestricted current ratio	1.69x	✓
Debt service cover ratio	2.81x	✓
Rates and annual charges outstanding percentage	3.92%	✓
Cash expense cover ratio	5.20 months	✓

Infrastructure asset performance indicators

Buildings and infrastructure renewals ratio	117.21%	✓
Infrastructure backlog ratio	1.50%	✓
Asset maintenance ratio	106.52%	✓
Cost to bring assets to agreed service level	1.25%	n/a

✓ indicates performance indicator has achieved the OLG benchmark.

Material changes from 2019/20 to 2020/21

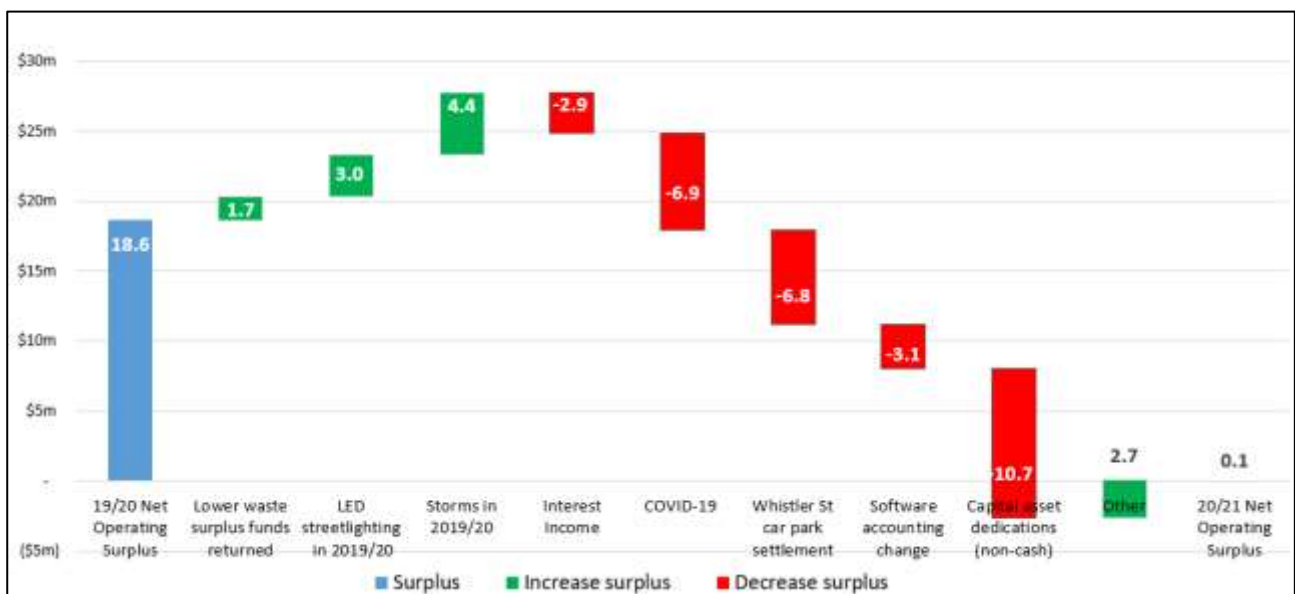
The following information is summarised from the Financial Statements and the Auditors' Reports:

Income Statement

The Surplus from Continuing Operations for the full financial year is \$0.1m (2019/20 \$18.6m). The primary differences between the two financial years being:

- **Lower waste surplus funds returned:** Income from domestic waste charges increased by \$4.9m (12%). The 2019/20 domestic waste charge included a greater offset from surplus funds from the waste reserve (\$3.7m) compared to 2020/21 (\$2m).
- **LED Streetlighting:** In 2019/20 operating expenses included an additional \$3m to replace street lights with energy efficient LED lights.
- **Storms:** 2019/20 included an additional \$3.8m in clean up and restoration costs following the November 2019 and February 2020 storms. In 2020/21 Council received a first natural disaster support payment of \$0.5m towards these costs.
- **Interest income:** \$2.9m reduction in interest and investment revenue due to lower balances and interest rates and the impact of COVID-19 which included an interest free period on overdue rates from 1 July 2020 to 31 December 2020.
- **COVID-19:** COVID-19 significantly impacted 2019/20 and 2020/21 as a result of closed services and less demand for others along with community support costs. The cost of the pandemic in 2019/20 (excl interest) was \$10.8m versus \$17.7m in 2020/21.
- Settlement of the **Whistler Street Car Park** matter.
- **Software accounting change:** A recent International Financial Reporting Standards Interpretations Committee (IFRIC) decision has changed the way the implementation of 'software as a service' is accounted for, resulting in additional operating expenses of \$3.1m.
- **Capital grants and contributions:** Capital asset dedications (non-cash) were lower in 2020/21 compared to 2019/20 by \$10.7m as 2019/20 included an \$11.8m dedication for the Warriewood B-Line carpark from Transport for NSW.

Table 1 Change in surplus (incl. capital grants and contributions) 2019/20 to 2020/21 (\$'m)



Statement of Cash Flows and Financial Position

Cash balances have declined from \$154.3m to \$147.2m principally due to the delivery of projects being funded through large grants including the Stronger Communities Fund, settlement of the Whistler Street Car Park matter, the impact of the COVID-19 pandemic and the release of surplus funds from the domestic waste reserve to customers through lower waste charges. This was partially offset by a large number of grants received in May and June 2021 for future projects.

External restrictions relating to cash (\$30.8 million) mainly include development contributions funds. The internal restrictions (\$83.4 million) primarily related to employee leave entitlements, deposits, retentions and bonds, the future remediation of the Kimbriki landfill site and various tied grants.

Loans have reduced from \$27.4 million to \$22.3 million.

CONSULTATION

Council's external auditors have conducted audit procedures during the year and at year end.

Council's Audit, Risk and Improvement Committee was provided with a draft of the Financial Statements for the year ended 30 June 2021 at a meeting on 14th September 2021 for their assessment and advice. The Committee advised the Council that the draft Financial Statements are suitable for referral to Council's external auditors, The Audit Office of New South Wales. Recommendations from the Audit, Risk and Improvement Committee were incorporated into the draft Financial Statements prior to presenting this to Council for referral to Audit.

A public notification of the date of the Council Meeting for presentation of the audited Financial Statements was placed on Council's website on Friday 15 October 2021. These audited Financial Statements have been available for public inspection at Council's customer service centres at Avalon, Dee Why, Manly and Mona Vale and at the library branches at Dee Why, Forestville, Glen Street in Belrose, Manly, Mona Vale and Warringah Mall in Brookvale and by viewing on Council's website since 15 October 2021. They are now presented to Council in accordance with Section 419(1) of the Act.

Submissions on the Auditor's Reports and the audited Financial Statements close on 2 November 2021, 7 days after this Council Meeting in accordance with the Act. Any submissions will be referred to the Auditor in accordance with the Act.

TIMING

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

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

The attached statements fairly present Council's operating result and financial position for the financial year 1 July 2020 to 30 June 2021 and accord with relevant accounting records.

Council's Net Operating Result for the 2020/21 financial year is \$0.1m surplus (2019/20: \$18.6m surplus) and a Net Operating Result before Capital Grants and Contributions of \$26.5m deficit (2019/20: \$16.5m deficit).

The financial result for the year has been significantly impacted by the COVID-19 pandemic. The net cost to Council of the COVID-19 pandemic to 30 June 2021 was \$28.5 million, of which \$17.7 million relates to the 2020/21 financial year. While the Council did not meet the Operating Performance ratio benchmark of 0% in 2020/21, the Council has met all other financial and asset performance ratios and working capital is sufficient to meet the Council's operating requirements.

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

SOCIAL CONSIDERATIONS

There are no significant social considerations relating to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental considerations relating to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Financial Statements for the year ended 30 June 2021 were considered by the Audit, Risk and Improvement Committee for presentation to Council. The Financial Statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the Local Government Act (1993) (NSW) and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting.

ITEM 9.6	MONTHLY INVESTMENT REPORT - SEPTEMBER 2021
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2021/689309
ATTACHMENTS	NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, 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 \$173,325,287 comprising:

- Trading Accounts \$2,332,121
- Investments \$170,993,166

Performance over the period from 1 July 2021 to date exceeded the benchmark: 0.40%pa vs. 0.04%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 2021* and existing Investment Policies.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the Investment Report as at 30 September 2021, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, a report setting out the details of money invested must be presented to Council on a monthly basis.

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

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

Actual investment income for the period from 1 July 2021 to date was \$156,019 compared to budgeted income of \$140,100, a positive variance of \$15,919.

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The Investment Policy was reviewed by the Audit, Risk and Improvement Committee at its meeting in December 2020 and no change to the Policy was required following that review.

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

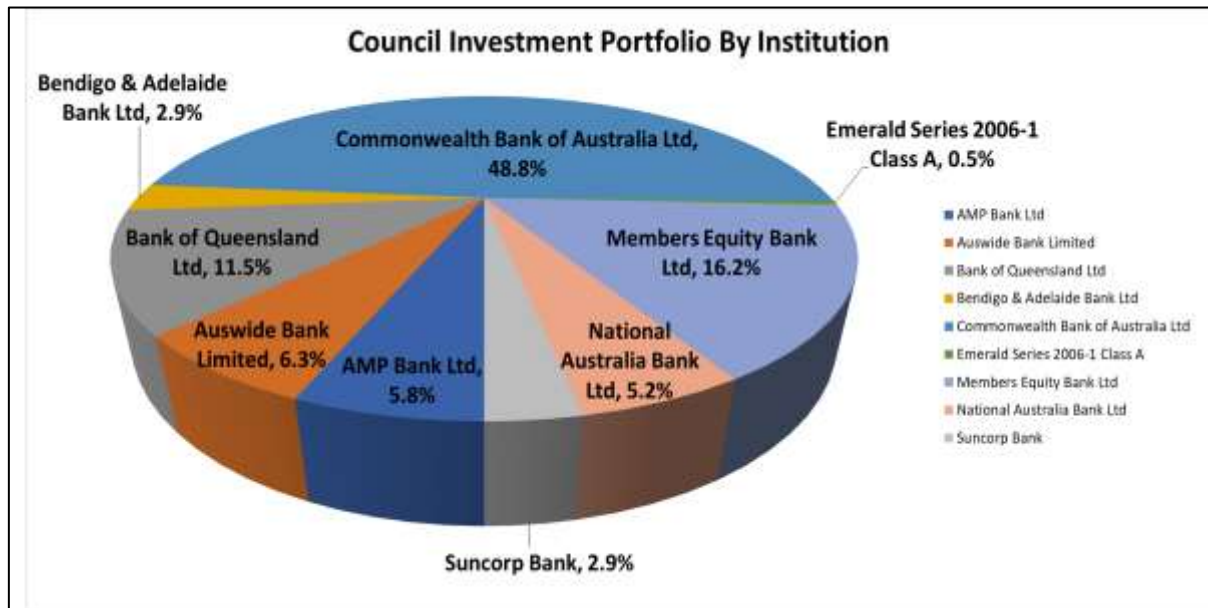
Investment Balances

INVESTMENT BALANCES					
As at 30-Sep-2021					
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE	
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	319,822		0.15%	
National Australia Bank Ltd	A1+	9,589		0.00%	
		329,411			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	3,861,442	At Call	0.20%	
		3,861,442			
Mortgage Backed Securities					
Emerald Series 2006-1 Class A	A*	801,554	21-Aug-51	0.4600%	
		801,554			
Term Deposits					
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Oct-21	0.31%	
Auswide Bank Limited	A2	2,000,000	05-Oct-21	0.55%	
Bank of Queensland Ltd	A2	2,000,000	07-Oct-21	0.35%	
Auswide Bank Limited	A2	2,000,000	12-Oct-21	0.55%	
Auswide Bank Limited	A2	2,000,000	14-Oct-21	0.45%	
AMP Bank Ltd	A2	900,000	19-Oct-21	0.75%	
Bank of Queensland Ltd	A2	2,000,000	19-Oct-21	0.35%	
Bank of Queensland Ltd	A2	2,000,000	21-Oct-21	0.35%	
Members Equity Bank Ltd	A2	1,000,000	21-Oct-21	0.45%	
Members Equity Bank Ltd	A2	2,000,000	26-Oct-21	0.45%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Oct-21	0.41%	
Bank of Queensland Ltd	A2	2,000,000	28-Oct-21	0.40%	
Bank of Queensland Ltd	A2	2,000,000	02-Nov-21	0.35%	
Bank of Queensland Ltd	A2	1,000,000	04-Nov-21	0.40%	
Auswide Bank Limited	A2	2,500,000	09-Nov-21	0.55%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	09-Nov-21	0.31%	
Members Equity Bank Ltd	A2	2,000,000	11-Nov-21	0.45%	
Members Equity Bank Ltd	A2	3,000,000	16-Nov-21	0.45%	
Commonwealth Bank of Australia Ltd	A1+	3,000,000	18-Nov-21	0.33%	
Members Equity Bank Ltd	A2	2,000,000	23-Nov-21	0.45%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	02-Dec-21	0.31%	
Commonwealth Bank of Australia Ltd	A1+	3,000,000	07-Dec-21	0.34%	
Suncorp Bank	A1	3,000,000	09-Dec-21	0.30%	
National Australia Bank Ltd	A1+	2,000,000	14-Dec-21	0.28%	
National Australia Bank Ltd	A1+	2,000,000	16-Dec-21	0.28%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Dec-21	0.33%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Dec-21	0.33%	
Commonwealth Bank of Australia Ltd	A1+	3,000,000	21-Dec-21	0.35%	
National Australia Bank Ltd	A1+	2,000,000	21-Dec-21	0.27%	
Auswide Bank Limited	A2	2,500,000	23-Dec-21	0.35%	
National Australia Bank Ltd	A1+	2,000,000	04-Jan-22	0.28%	
AMP Bank Ltd	A2	1,500,000	04-Jan-22	0.75%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	06-Jan-22	0.34%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Jan-22	0.34%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	13-Jan-22	0.33%	
Members Equity Bank Ltd	A2	2,000,000	17-Jan-22	0.40%	
AMP Bank Ltd	A2	2,000,000	18-Jan-22	0.75%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	20-Jan-22	0.34%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	25-Jan-22	0.34%	
Bendigo & Adelaide Bank Ltd	A2	2,000,000	27-Jan-22	0.30%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-Jan-22	0.34%	

INVESTMENT BALANCES				
As at 30-Sep-2021				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
Bank of Queensland Ltd	A2	3,000,000	01-Feb-22	0.40%
National Australia Bank Ltd	A1+	1,000,000	04-Feb-22	0.40%
Bendigo & Adelaide Bank Ltd	A2	1,000,000	08-Feb-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	08-Feb-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Feb-22	0.34%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Feb-22	0.34%
AMP Bank Ltd	A2	2,500,000	16-Feb-22	0.55%
Members Equity Bank Ltd	A2	2,000,000	17-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	22-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	24-Feb-22	0.50%
Members Equity Bank Ltd	A2	2,000,000	28-Feb-22	0.50%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Mar-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Mar-22	0.34%
Bank of Queensland Ltd	A2	2,000,000	08-Mar-22	0.38%
Members Equity Bank Ltd	A2	1,000,000	10-Mar-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	10-Mar-22	0.34%
Members Equity Bank Ltd	A2	2,000,000	15-Mar-22	0.50%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	17-Mar-22	0.36%
Bank of Queensland Ltd	A2	2,000,000	22-Mar-22	0.38%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	24-Mar-22	0.35%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Mar-22	0.35%
Members Equity Bank Ltd	A2	2,000,000	29-Mar-22	0.50%
Members Equity Bank Ltd	A2	1,000,000	31-Mar-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Apr-22	0.35%
Bank of Queensland Ltd	A2	2,000,000	07-Apr-22	0.38%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	12-Apr-22	0.37%
Members Equity Bank Ltd	A2	2,000,000	14-Apr-22	0.40%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Apr-22	0.37%
Suncorp Bank	A1	2,000,000	28-Apr-22	0.32%
AMP Bank Ltd	A2	2,000,000	07-Jun-22	0.75%
AMP Bank Ltd	A2	1,100,000	21-Jun-22	0.75%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	04-Aug-22	0.40%
		143,000,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	2,002,709		0.00%
		2,002,709		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	118,057	At Call	0.01%
Commonwealth Bank of Australia Ltd	A1+	1,814,513	At Call	0.01%
		1,932,570		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	13-Oct-21	0.36%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Nov-21	0.35%
Commonwealth Bank of Australia Ltd	A1+	12,397,600	22-Nov-21	0.31%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	29-Nov-21	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Dec-21	0.33%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Dec-21	0.24%
		21,397,600		
Total Cash and Investments		173,325,287		

*Rating is based on a private rating advised by the issuer to Council's Investment Advisors.

Portfolio Analysis

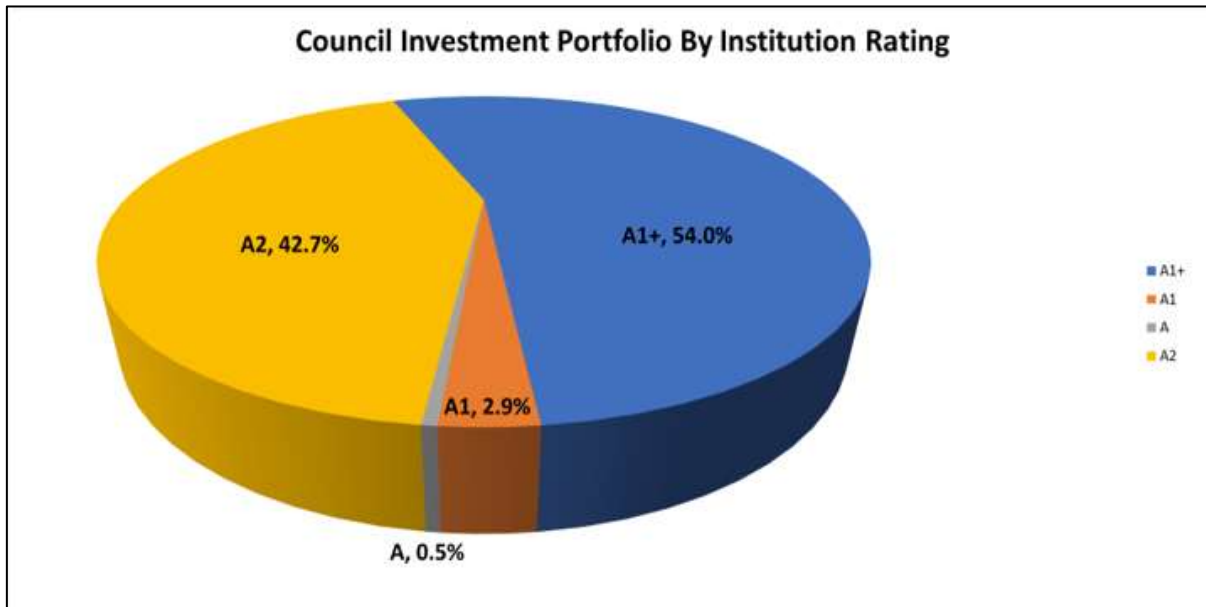


Institutional Credit Framework – Compliance with Investment Policy Requirements

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)

As Members Equity Bank is a fully owned subsidiary of Bank of Queensland, the holdings are combined to determine the maximum percentage which can be held under clause 4.2.2 (Institutional Credit Framework Guidelines) of Council's Investment Policy.



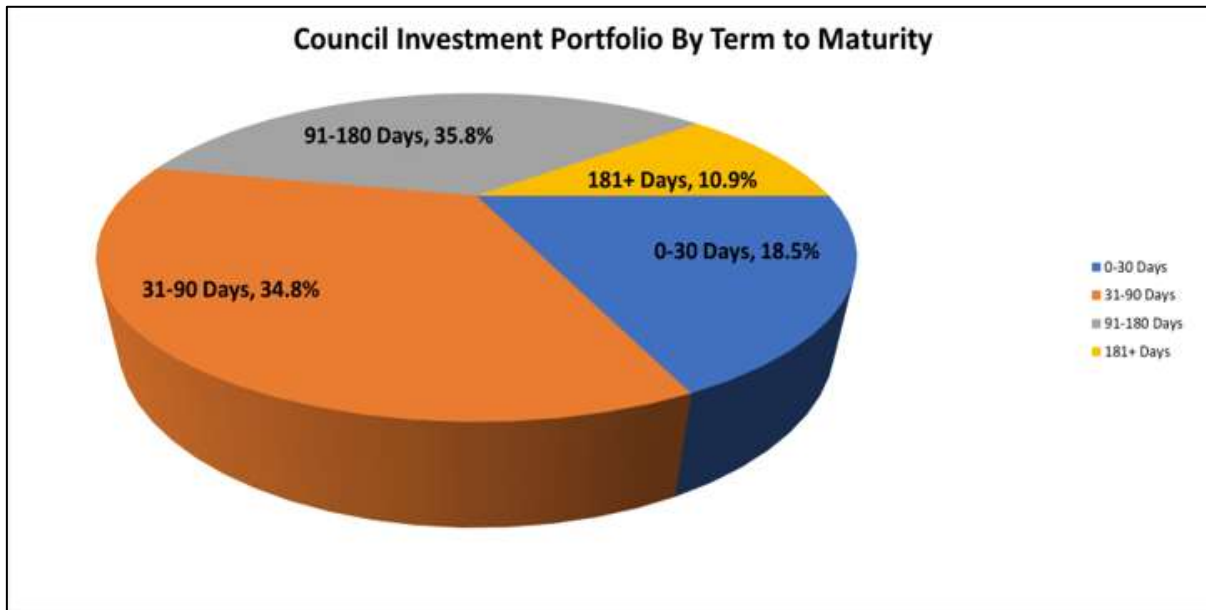
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

Clause 4.2.1 of Council’s Investment Policy requires that the total percentage exposure within the market to any particular credit rating category be limited, as detailed in the table below:

S&P Long Term Rating*	S&P Short Term Rating*	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	100%	Yes
AA+			
AA			
AA-			
A+	A-1	100%	Yes
A			
A-			
BBB+	A-2	80%	Yes
BBB			
BBB-	A-3	30%	Yes
Unrated**	Unrated**	20%	Yes (\$Nil)

* Or Moody’s / Fitch equivalents

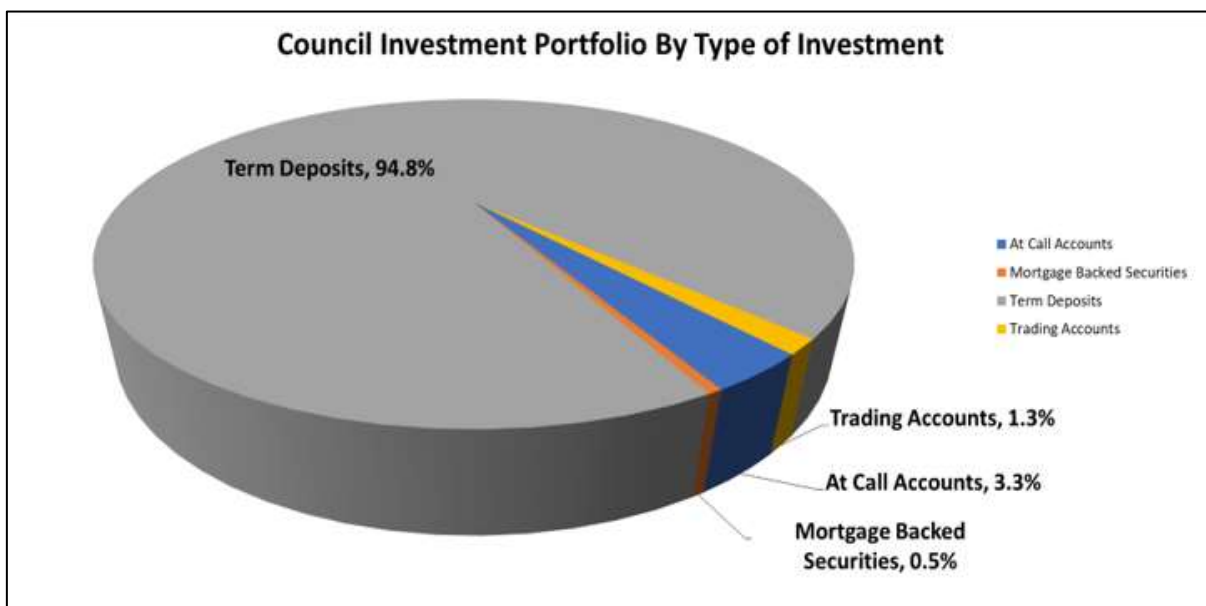
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



Term to Maturity Framework – Compliance with Investment Policy Requirements

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

Overall Portfolio Term to Maturity Limits			Portfolio Complies with Policy?
Portfolio % <1 year	Min 40%	Max 100%	Yes
Portfolio % >1 year ≤3 year	Min 0%	Max 60%	Yes
Portfolio % >3 year ≤5 year	Min 0%	Max 30%	Yes

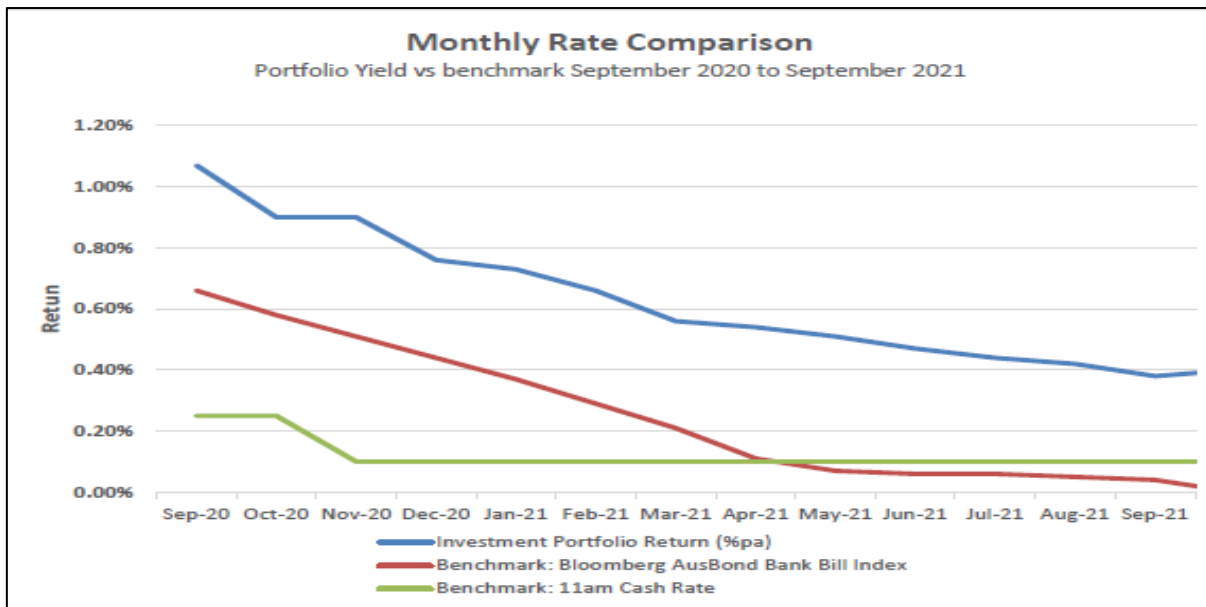


Investment Performance Vs. Benchmark

	Investment Portfolio Return (%pa) *	Benchmark: Bloomberg AusBond Bank Bill Index	Benchmark: 11am Cash Rate **
1 Month	0.40%	0.04%	0.10%
3 Months	0.40%	0.04%	0.10%
6 Months	0.44%	0.05%	0.10%
FYTD	0.40%	0.04%	0.10%
12 Months	0.56%	0.19%	0.10%

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

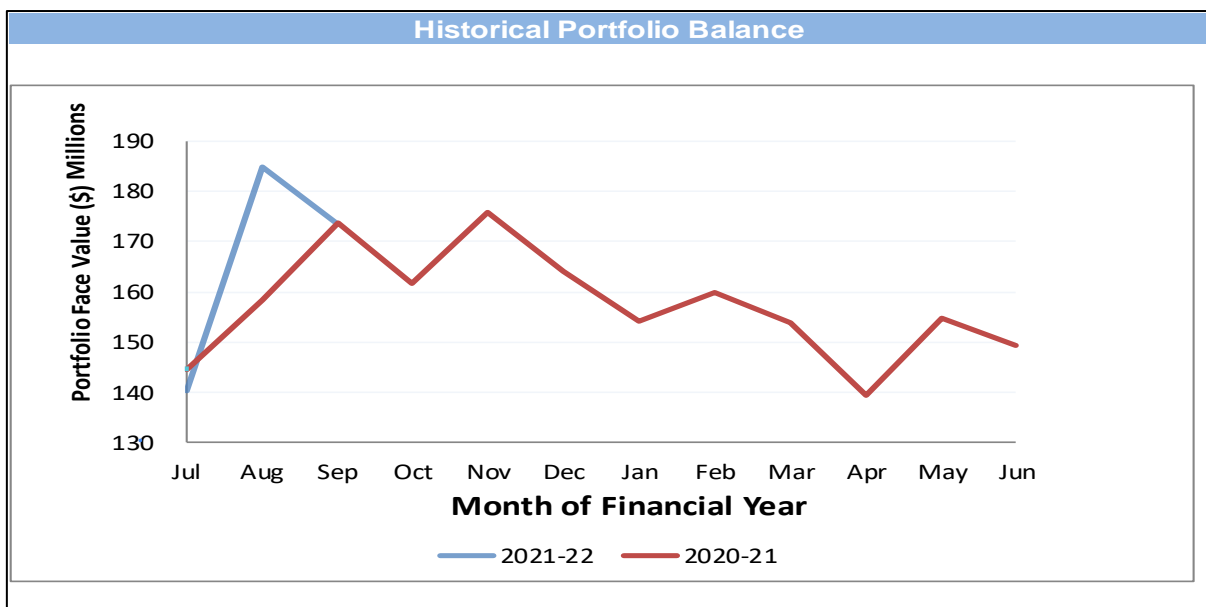


Monthly Investment Income* Vs. Budget

	Sep 2021 \$	Year to Date \$
Investment Income	55,605	149,796
Adjustment for Fair Value	2	6,223
Total Investment Income	55,607	156,019
Budgeted Income	46,300	140,100

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2021-22	2020-21
Jul	140,264,007	144,611,603
Aug	184,686,438	158,270,262
Sep	173,325,287	173,826,570
Oct		161,704,389
Nov		175,913,936
Dec		163,952,299
Jan		154,102,219
Feb		159,915,952
Mar		153,861,974
Apr		139,392,596
May		154,616,319
Jun		149,441,669
Average Portfolio Balance	166,091,911	157,467,482



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)

September was a risk off month for investors as the most richly valued share markets succumbed to mounting concern about downside risks to global economic growth. Downside risks that ranged from the latest wave of Delta variant infections even in countries with high vaccination rates, to the faltering passage of US legislative bills relating to hard and social infrastructure spending and debt ceiling issues, to stubborn inflation pushing central banks to consider reducing monetary support and rising bond yields, and a range of developing headwinds to China's economic growth prospects including a rumbling potential credit crisis centred on its biggest property development company. Set against these rising concerns the economic data releases, especially out of the US, remained consistent with strong economic growth.

Credit markets weakened in September amid the general risk off sentiment among investors. The first signs that central banks may bring forward official rate hikes and rising government bond yields limited appetite to chase yield while the potential default problems and repercussions of China's giant property development company Evergrande also promoted an upward drift in credit yield spreads.

Australian risk spreads widened in September but appear less vulnerable to substantial sell-off partly because the RBA is not among the cohort of central banks considering higher official interest rates in the near term. Another factor providing relative support to Australian credit is that Australian housing credit metrics remain strong with rising house prices, still low borrowing interest rates and concessions from banks keeping default rates on Australian home loans low.

Government bond yields moved higher through September as pressure continued to mount on central banks to respond to inflation looking stubbornly less temporary than expected. The essential cause of the bigger than expected lift in inflation in many countries around the world in mid-2021 has been fast rising demand outstripping supply of many goods. International supply chains have been disrupted by pandemic restrictions and the view of most central banks until recently has been that disruptions are temporary, and supply will recover reducing inflation before it becomes entrenched. What became clearer during September was that supply disruptions are taking longer to resolve and, in some cases, such as energy supply are worsening. Also, big increases in house prices and rents will soon feed into consumer price inflation readings.

Strong economic growth also fanning higher inflation is causing a shift by some central banks towards considering a near-term lift in official interest rates. In developed economies, Norway's central bank increased its official cash rate from zero to 0.25% in September. The Bank of England at its September policy meeting heralded an official rate rise before the end of the year. The Reserve Bank of New Zealand is expected to lift its cash rate this week from 0.25% to 0.50%. The US Federal Reserve indicated at its September policy meeting both a start to reducing its purchases of bonds this year and a first official rate hike before the end of 2022.

In Australia, the rise in longer-term bond yields in September was larger than the rise in US bond yields, a surprising result given that the RBA at every opportunity reinforced its guidance that the official cash rate was unlikely to rise before 2024. The 10-year bond yield rose by 33bps to 1.48%. Part of the reason for the bigger rise in longer-term Australian bond yields came down to mixed messaging from the RBA. While it remained adamant that there could be no sustained inflation lift until wage growth supported such a lift, the reason for continuing to nominate 2024 at the earliest for an official rate hike, it also saw enough reason in its optimistic view of how well the economy would rebound beyond the current lockdowns in New South Wales and Victoria to continue with its plan to reduce monthly bond purchases from \$A5 billion to \$A4 billion weekly in September. The RBA is in the leading group of central banks reducing bond purchases but plans to be right at the back of the central bank queue to start hiking official interest rates.

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	2021/22 COMMUNITY GRANTS PROGRAM - FUNDING RECOMMENDATIONS
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2021/640199
ATTACHMENTS	<ol style="list-style-type: none"> 1 ↓Arts and Creativity Grants 2021/22 - Funding Recommendations - Attachment 1 2 ↓Community Development Grants 2021/22 - Funding Recommendations - Attachment 2 3 ↓Community Development Grants 2021/22 - Multi-year Funding - Attachment 3

SUMMARY

PURPOSE

To seek approval to allocate funding under Council's Community Grants Program 2021/22.

EXECUTIVE SUMMARY

The 2021/22 Community Grants Program provides grants of up to \$10,000 to eligible individuals and organisations to support projects and initiatives that deliver direct benefit to local people and communities of the Northern Beaches Local Government Area.

The 2021/22 Community Grants Program has been developed in accordance with the adopted Community Grants and Partnerships Policy.

The 2019/20 Community Grants Program included multi-year funding of up to three years as a trial to evaluate whether social outcomes can be increased over three-year successive funding. Five applications were approved for multi-year funding with commitments towards these projects funded from the \$240,000 allocated funding, resulting in \$193,064 available for new applications to these streams for the 2021/22 program.

The number of applications received for 2021/22 far exceed the number Council is able to support within the adopted budget. Due to the high number of applications, approximately 13% of new, eligible applications received are recommended for funding.

Council received the following applications to each grant stream:

Grant Stream	Applications Received	Eligible Applications	Eligible Applications Amount Requested	Amount Available
Arts and Creativity	147	145	\$1,047,405.45	\$193,064.00
Community Development	104	100	\$849,869.99	
TOTAL	251	245	\$1,897,275.44	\$193,064.00

The number of applications recommended for funding are shown below:

Grant Stream	Applications Recommended for Funding	Full Funding	Partial Funding	Amount Recommended (ex GST)
Arts and Creativity	20	5	15	\$96,700.00
Community Development	12	8	4	\$96,364.00
Multi-year projects	5	5	0	\$46,936.00
TOTAL	37	18	19	\$240,000.00

A summary of successful applications, including a brief project description and assessment feedback, are detailed in Attachment 1 - Arts and Creativity Grants 2021/22, Attachment 2 - Community Development Grants 2021/22, and Attachment 3 - Multi-year Funding Approved in 2019/20.

The delivery date for funded projects is from 1 November 2021 to 31 December 2022. Once successful applications have been approved, unsuccessful applicants will be notified with the opportunity provided to receive feedback on their application.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That pursuant to Section 356 of the Local Government Act, 1993, Council approve the allocation of \$240,000 under the 2021/22 Community Grants Program, as recommended by the Assessment Panels, including:

1. \$96,700 towards the Arts and Creativity grants stream as detailed in Attachment 1
 2. \$96,364 towards the Community Development grants stream as detailed in Attachment 2.
 3. \$46,936 towards the third year of multi-year funding as recommended in the 2019/20 Community Grants Program as detailed in Attachment 3.
-

REPORT

BACKGROUND

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

Following evaluation of the 2020/21 Community Grants Program, changes made to the 2021/22 grants program include the introduction of more specific funding priorities derived from the recently adopted Better Together Social Sustainability Strategy 2021-2040.

As with previous years, this grants round was highly competitive, with only 12.7% of eligible applications recommended to receive funding, resulting in many quality submissions not recommended for funding in 2021/22.

Each funding stream in the 2021/22 Community Grants Program is detailed individually in the following report.

1. Arts and Creativity Grants

The Arts and Creativity grants stream, now in its second year, continues to realise the vision of the Arts and Creativity Strategy, *Connected through Creativity 2029*. The grants provide vital support for the arts sector, ensuring a vibrant, connected and engaged community. This support is especially needed at this time, acknowledging that the sector has been particularly impacted by the pandemic over the past 2 years.

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

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

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

1. Rationale and Impact
 - Clear rationale and demonstrated need for the project/initiative
 - Social and cultural outcomes including how they will be measured
2. Excellence and Innovation
 - Excellence in arts and creative practice and demonstrated history of the delivery of arts and creative projects
 - Unique, authentic, experimental, innovative ideas and approaches
3. Connection and Collaboration
 - Enhance community connection to the arts and creativity in the public domain (physical or digital space)
 - Creative collaborations across disciplines and industries, new networks, and partnerships
4. Viability
 - Capacity to deliver a well-planned project, including applicant experience and skills

- Realistic budget with detailed income and expenditure, and capacity to manage funds
- Realistic and achievable timeline
- Evidence of appropriate cultural permissions/ adherence to relevant cultural protocols (e.g., for use of Aboriginal and Torres Strait Islander stories or content that is not your own)
- Evidence of appropriate consultation for any permissions required and/or availability of proposed venue/s (e.g., Council facilities including Creative Space, Avalon Workshop, Mona Vale Creative Pop-up and other community centres)

There are 20 applications recommended for funding, with 5 projects recommended to receive the full amount requested and 15 to receive partial funding, as detailed in the following table:

Applicant	Project Title	Recommended Funding (ex GST)
Airena Nakamura	Cousin Quartet Recital	\$1,400
Anita Patricia Connell (trading as "Tuned in Music Therapy")	Colouring the Spectrum	\$3,900
Dr. Brent Keogh	The Turimetta Suite	\$5,000
Ibrahim El Badawi	Tracking Time	\$5,000
Julia Davis	Borderlands (working title)	\$5,000
Julie Nicholson	Art W**k Podcast	\$2,500
Katika Schultz	Printmaking studio at Narrabeen RSL	\$8,000
Les Sculptures Incorporated	Les Sculptures Refusées	\$5,000
Louise Whelan	Art as Resistance	\$3,800
Michael Booth (trading as "The Sydney Actors Playhouse")	The Manly Bookshop Theatre Project	\$5,000
Natasha Lorenzen Obad	Luminary Magazine	\$5,000
Northern Sydney Symphonic Wind Ensemble	NSSWE Summertime Music in the Forest	\$10,000
Paul Allinson	Found Sound Aural / Physical Exercise	\$4,000
SciComms Films Pty Ltd	The Key of Sea – Music of Manly	\$9,000
SEVENmile Ltd	Publishers Studio	\$4,000
Sheriden Bird	Creation story	\$5,000
SheSaw Pty Ltd	Now You See Her - The hidden stories of local women	\$5,000
Turtle Pictures Pty Ltd	Collaborating connecting and caring for Country	\$4,850
Van-Anh Nguyen	Piano Masterclass Series	\$2,000
William Bain	"Being Manly" Billy Bain Solo Exhibition	\$3,250
TOTAL		\$96,700

Note: Further detail on each of these projects is available in the Attachments to this report.

2. Community Development Grants

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

Northern Beaches Council acts principally as a facilitator and enabler of social sustainability in order to build the capacity and resilience of the community to achieve individual and collective wellbeing. Community development activities are carried out in collaboration with individuals and service providers, including community groups, charitable organisations, government and non-government agencies and neighbouring Councils.

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

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

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

Funding Priorities

Funding priorities were derived from the recently adopted Better Together Social Sustainability Strategy 2021-2040 and focused on projects that address the targeted actions under the following two priorities:

1. Mental health and wellbeing:
 - Strengthen individual and collective wellbeing
 - Deliver youth development programs that build capacity and resilience of a diverse cross section of young people and local youth services
 - Increasing access to mental health services for young people.
2. Building community connections:
 - Deliver programs that reduce social isolation in the community and increase connections and wellbeing
 - Collaborate with the community to address barriers for some members of the community in accessing and participating in sport, health and wellbeing programs
 - Strengthen community connections for priority populations including:
 - Young people (12-24)
 - Older people (60+)
 - Aboriginal and Torres Strait Islanders
 - Cultural and linguistically diverse communities (CALD)

- People with disability
- Essential workers
- Families

There are 12 applications recommended for funding, with eight (8) projects to receive the full amount requested and four (4) to receive partial funding, as shown in the following table:

Applicant	Project Title	Recommended Funding (ex GST)
Easylink Community Services Limited	Easylink Art Social Program	\$5,800
KYDS Youth Development Service Incorporated	School Mental Health Workshops	\$9,966
Link Wentworth Housing Limited	Let's Get Gardening! Community Greening for Social Housing residents	\$4,360
Literacy Network Manly Warringah Inc	English for living on the Northern Beaches with free tutoring, either one-to-one in your home, or online	\$6,199
Northern Beaches Women's Shelter Incorporated	NBWS Safety and Wellbeing Program	\$7,500
One Eighty Avalon Incorporated	Open Up youth peer support group - Brookvale	\$9,566
Share the Spark, Inc.	Share the Spark 2022 Mentoring Program: Empowering Youth to Make Life-Affirming Choices	\$9,091
SNPHN Ltd (sponsor)	Connected Mobs Youth Group	\$9,260
Streetwork Australia Limited	PRIDE Empowerment Program	\$10,000
Sunnyfield	Let's Get Physical	\$5,531
Taldumande Youth Services Inc.	Beach Reach	\$10,000
The Warrior Woman Foundation Ltd	The Young Warrior Woman Program (YWWP)	\$9,091
TOTAL		\$96,364

Note: Further detail on these projects is available in the Attachments to this report.

3. Multi-year funding

In the 2019/20 Community Grants Program, multi-year funding of up to three years was supported as a trial to evaluate whether social outcomes can be increased over three-years of successive funding. Five applications were approved for multi-year funding. Upon successful acquittal of funds, these applicants remain eligible to receive the final year of funding in the 2021/22 Community Grants Programs.

Each of these recipients have completed an acquittal and have been recommended for their final year of multi-year funding in 2021/22. Of these 5 applicants, one grant of \$10,000 is an Arts and Creativity project, and four grants of \$36,936 are Community Development projects. Commitments towards these projects come out of the \$240,000 allocation of funding for these two streams, resulting in a reduced starting base of \$193,064 available for new applications.

Evaluation of the success of the multi-year funding will be undertaken in 2023, following the completion of the third year of funding.

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

Applicant	Project Title	Recommended Funding (ex GST)
La Crème Creative Incorporated	The La Crème Creative Residency Program	\$10,000.00
Lifeline Northern Beaches Incorporated	Seasons for Growth: an innovative grief and loss education program	\$8,588.00
Northern Beaches Women's Shelter Incorporated	Volunteer Coordinator Program	\$10,000.00
Northside Enterprise Incorporated	Inclusive bush regeneration at Orara Reserve	\$9,568.00
SNPHN Ltd (sponsor)	Dementia Friendly Community Northern Beaches	\$8,780.00
TOTAL		\$46,936.00

Note: Further detail on these projects is available in the Attachments to this report.

CONSULTATION

The 2021/22 Community Grants Program was open for applications from 28 June 2021 until 9 August 2021, extended from an initial closing date of 2 August 2021.

The Community and Belonging Strategic Reference Group (SRG) were engaged in the review of the 2020/21 Community, Arts and Culture Grants Program, and proposed changes for the 2021/22 Program.

Three Grant Workshops were scheduled for the community regarding the Community Development and Arts and Creativity Grants available. COVID-19 restrictions impacted on the face-to-face delivery of these workshops, with only one tailored for Arts and Creativity applicants delivered before stay at home orders came into effect in late June. The information continued to be provided on Council's website, and staff provided additional personal assistance and guidance to applicants, where requested.

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

In addition to the promotion of the overarching Grants program, a specific approach was taken to develop a targeted promotional campaign for the Arts and Creativity Grants to reach a diverse arts audience and ensure information was widely shared. This included advertising on sector specific online platforms and a strong targeted presence on social media. The response received, visible in the number of applications, reflects the strong need in the community for support due to the current state of the creative industry. New community members from across diverse art forms have begun engaging with Council that have not previously seen the relevance before, with a growing awareness that Council has the capacity to support them.

Assessment Panels

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

The Arts and Creativity Assessment Panel comprised of:

- Two representatives from Council's Arts and Culture team
- Two representatives from the local arts and cultural sector
- One representative from the Public Art Working Group

The Community Development Assessment Panel comprised of:

- One representative from Council's Youth Development team
- One representative from Council's Social Planning team
- One community member from the Community and Belonging Strategic Reference Group
- Four community members from the Partnership and Participation Strategic Reference Group

Assessment Panel members undertook individual online assessments and submitted a score for each application against the Assessment Criteria, resulting in a priority ranking. The Assessment Panels met online to discuss the priority ranking and reach consensus on the projects recommended for funding. A representative from the Department of Communities and Justice was present for the meeting of the Community Development Assessment Panel to provide any further advice to assist the assessment panel with their recommendations.

A final meeting was arranged with the Executive Manager Community, Arts and Culture, Manager Arts and Culture and Acting Manager Youth and Community Development to confirm the precise allocations for the Arts and Creativity and Community Development grants streams which was split out of the same pool of funding. All recommended applicants were maintained with only a few applications requiring a slight adjustment in the total amount to ensure a funding total of \$240,000. Council staff notified all members of the Assessment Panels of these final recommendations.

TIMING

The 2021/22 Community Grants Program was open for applications from 28 June 2021 until 9 August 2021, extended from an initial closing date of 2 August 2021.

Program funding will be distributed as soon as practicable following Council approval. Grant funded projects are to be completed by 31 December 2022 and to be acquitted by 31 January 2023.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Community and Belonging - Goal 10: Our community is stimulated through a diverse range of cultural and creative activities and events.
- Community and Belonging - Goal 11: Our community feels safe and supported.
- Community and Belonging - Goal 12: Our community is friendly and supportive.

It aligns with the priorities of the Better Together Social Sustainability Strategy 2021-40:

- Strategic Direction 1: A Safe Community
- Strategic Direction 2: An Inclusive Community
- Strategic Direction 3: A Connected Community

It aligns with the Arts and Creativity Strategy: Connected through Creativity 2029:

- Outcome 1: Inspiring Places & Spaces
- Outcome 2: Innovative & Creative Industries

- Outcome 3: Engaged Community

FINANCIAL CONSIDERATIONS

The 2021/22 Community Grants Program was allocated \$240,000. Eligible applications requested a total sum of \$1,897,275.44 across the two streams.

SOCIAL CONSIDERATIONS

The 2021/22 Community Grants Program has been developed to enable the community to facilitate the delivery of community development and arts and creativity projects across the Northern Beaches.

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

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

The 2021/22 Community Grants Program aligns with the strategic direction of the Social Sustainability Policy, focusing on Council's role as facilitator and enabler of local groups, services and organisations.

ENVIRONMENTAL CONSIDERATIONS

Several of these projects will promote care for the environment and have a positive impact on the local environment.

GOVERNANCE AND RISK CONSIDERATIONS

The 2021/22 Community Grants Program is in accordance with Section 356, Chapter 12, Part 1, of the Local Government Act 1993.

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

The 2021/22 Community Grants Program is in accordance with the Community Grants and Partnerships Policy.

2021/22 Community Grants Program
Arts & Creativity stream - Applicant Overview

Council received one hundred and forty-seven (147) applications to the 2021 Arts & Creativity grants round, with one hundred and forty-five (145) proceeding to assessment after eligibility checks. The one hundred and forty-five (145) eligible applicants requested a total of \$1,047,405.45. The Arts & Creativity grants had the following assessment criteria:

1. Rationale and Impact

- Clear rationale and demonstrated need for the project/initiative
- Social and cultural outcomes including how they will be measured

2. Excellence and Innovation

- Excellence in arts and creative practice and demonstrated history of the delivery of arts and creative projects
- Unique, authentic, experimental, innovative ideas and approaches

3. Connection and Collaboration

- Enhance community connection to the arts and creativity in the public domain (physical or digital space)
- Creative collaborations across disciplines and industries, new networks, and partnerships

4. Viability

- Capacity to deliver a well-planned project including applicant experience and skills
- Realistic budget with detailed income and expenditure, and capacity to manage funds
- Realistic and achievable timeline
- Evidence of appropriate cultural permissions/ adherence to relevant cultural protocols (e.g. for use of Aboriginal and Torres Strait Islander stories or content that is not your own)
- Evidence of appropriate consultation for any permissions required and/or availability of proposed venue/s e.g. Council facilities including Creative Space, Avalon Workshop, Mona Vale Creative Pop-up and other community centres.

Projects recommended for funding

Following the assessment of the one hundred and forty-five (145) eligible applications, the Panel recommends twenty (20) projects for grant funding amounting to \$96,700.00. This includes 5 projects for full funding and 15 projects for partial funding. The following table details the projects recommended for funding:

Applicant	Project	Request ex GST	Recommendation ex GST	Comments
Airena Nakamura	Presentation of a recital by the <i>Cousin Quartet</i> to be professionally recorded and filmed for livestream and for future viewing in aged care, retirement homes and special needs venues for communities unable to easily attend concert.	\$1,400.00	\$1,400.00	High quality work from a young quartet of aspiring musicians. Video component increases reach to audiences. Excellent value for money. Aligned with key strategy in Arts & Creativity Strategy to: Make Creativity Inclusive.
Anita Patricia Connell (T/As Tuned In Music Therapy)	Delivery of <i>Colouring the spectrum</i> , a series of weekly, 90-minute workshops for young adults living with autism, to develop skills in music- making, song writing and creative art to explore images of self and their vision for the future. The project will develop artistic skills and provide insight for the community into life with autism.	\$3,990.00	\$3,900.00	Engaging creative community project. Increase accessibility to the arts and aligns with key strategy in Arts and Creativity Strategy – Make creativity inclusive. Evidence provided on outcomes, addressing special needs of participants well.
Dr. Brent Keogh	Development and recording of a new suite of original music for cello, flute, octave mandolin and Indian tabla. The Turrimetta suite will comprise of three movements, inspired by local birdlife in the area and utilise a local studio for recording, mixing and mastering.	\$5,000.00	\$5,000.00	Presents a high standard of excellence. Support of local musicians to develop and record new work. Important sector support at this time. Viability high with outstanding delivery of the project, based on previous experience and expertise. Will contribute to a strong awareness of arts from audiences locally and beyond.

1400

Applicant	Project	Request ex GST	Recommendation ex GST	Comments
Ibrahim El Badawi	Development of diverse stories of local grassroots artists, cultural or creative workers from the Northern Beaches. Each story will unpack an answer to the question: <i>Why do you find yourself here?</i>	\$7,100.00	\$5,000.00	Excellent storytelling project of diverse, authentic perspectives. Collaboration opportunity with newly arrived marginal groups in Northern Beaches. Aligns strongly with key strategy of Arts and Creativity Strategy - sharing local stories.
Julia Davis	Development of a collaborative video artwork with soprano and composer Jane Sheldon that uses audio data as a driver to manipulate moving image, exploring new ways of imagining the limits of our physical surrounds and rethinking our relationship to the abstract and concrete borders that determine our sense of place.	\$5,000.00	\$5,000.00	High excellence in artistic aspect. Experimental, multidisciplinary artwork. National artist with strong reputation. Interesting collaboration. Will present high quality work to the community and potential to connect with audiences more broadly.
Julie Nicholson	Ongoing development and growth for a local podcast sharing stories and insights of local artists and creative workers.	\$5,042.00	\$2,500.00	Supports the development of a local artists through a newly created, highly successful podcast - currently voluntarily produced. Podcast builds skills and increase connection of practitioners with audiences broadly. Supports the local sector by sharing stories and insights of local creatives.
Katika Schultz	Establishment of a local, not-for-profit printmaking studio, creating ongoing opportunities for local artists to teach and learn. Onsite at the Narrabeen RSL, the studio will offer workshops to local residents, with an aim to attract and enhance the broad, diverse community that enjoys the facilities at this recreational hub.	\$8,775.00	\$8,000.00	Great community benefit for local artists - access to space and equipment for printmaking. Strong ongoing engagement with community through workshops and programming. Excellent opportunities for artists to teach/facilitate workshops and develop own practice. Expanding on existing providing a much-needed printmaking space Northern end of the Northern Beaches.
Les Sculptures Incorporated	Delivery of a high profile, free to the public, sculpture exhibition that re-imagines the Quarantine Station location and cultural context and provides a major public art event in Manly.	\$9,990.00	\$5,000.00	Thorough planning, strong viability for a successful project. Experience delivering on a similar scale. Activates public space well with a broad appeal for a large audience both locally and beyond. Good prior consultation with Council.

Applicant	Project	Request ex GST	Recommendation ex GST	Comments
Louise Whelan	Development of a socially engaging and participatory arts project addressing the lack of understanding around the complexities of family and domestic violence. Engaging lived experience, conversations, and collaborations to produce art works that broaden the visual language ascribed to intimate violence.	\$3,800.00	\$3,800.00	High in artistic excellence. Innovative use of art to facilitate social themes and conversations around a difficult topic. Strong photographic project by well recognised artist. Well planned, extending the development of a previous body of work.
Michael Booth (T/As The Sydney Actors Playhouse)	Development and performance of original work in the tradition of the one-location play, set in Manly's very own iconic Desire Books and Records. Employing a variety of talented local Northern Beaches performers, the play will tell the story of the colourful characters who frequent the bookshop.	\$5,000.00	\$5,000.00	Development of new work, excellent collaboration aspect through workshopping the new play. Supports a local writer and director to develop and deliver the new play and increase connection with audiences. Potential to have ongoing benefits with further performances. Contributes to a vibrant Manly town centre.
Northern Sydney Symphonic Wind Ensemble	Delivery of an outdoor band festival for school concert bands across the Northern Beaches, hosting 7 concerts over a weekend with 10 invited bands performing and a potential audience of 500 people for each concert. The concerts will be free for audiences and will be family-friendly, inclusive, and accessible.	\$10,000.00	\$10,000.00	Great community connection- covid safe alternative to delivery of live music supporting many young local musicians. Strong reputation of delivering well planned events. Will reach a broad community audience.
Natasha Lorenzen Obad	Development of an inspirational and creative online magazine that celebrates and promotes the art and creative community on the Northern Beaches.	\$7,680.00	\$5,000.00	Great platform for sharing local stories and creating awareness of the creative sector and its practitioners. Excellent quality and great design of previous work. Good collaboration identified - strong connection with the community sector and beyond.

Applicant	Project	Request ex GST	Recommendation ex GST	Comments
Paul Allinson	Development of new music inspired by local sites across the Northern Beaches. Five original pieces will be composed and recorded using 'found sounds' specific to the sites, hosted and streamed from the internet and accessible on walking tracks via QR codes printed on bio- degradable paper posted in key locations along the routes.	\$5,000.00	\$4,000.00	Strong on innovation, with the development on new experimental work, sensitive to the environment and site specific. Interesting approach to responding to local sites and activation of the public domain with an element of surprise.
SEVENmile Ltd	Development and delivery of creative writing workshops for young people to encourage and enable the craft of creative writing.	\$10,000.00	\$4,000.00	Innovative youth literature project. Excellent mentorship opportunity to develop the skills of aspiring writers.
SheSaw Pty Ltd	Development and delivery of a self-guided Augmented Reality (AR) art walk, bringing to life the hidden stories of inspiring local women from all over the Northern Beaches.	\$10,000.00	\$5,000.00	Great innovation in terms of digital technology and activating public spaces. Proven viability from previous projects. Will add an element of surprise in the public domain and connect with a broad audience.
Sheriden Bird	Development of an exhibition by a local Indigenous artist with accompanying public programming including workshops and talks. Journey through Country Creation; land, rivers, oceans, reef, animals, marine life, community, and culture.	\$5,000.00	\$5,000.00	Strong artistic practice sharing Aboriginal heritage and culture. Contributes to community enrichment and connection to arts and culture. Engagement of Community Elders to participate and share knowledge. Aligns to key strategy in Arts and Creativity Strategy of <i>Listen to and support Aboriginal communities</i> .
SciComms Films Pty Ltd	Development of a new documentary film, <i>The Key of Sea - The Music of Manly</i> rich in history of Manly's musical legacy during the 1980s. Focusing on a time when bands such as INXS, Midnight Oil, Ice House and even David Bowie all lived in, played in and were inspired by Manly.	\$10,000.00	\$9,000.00	Interesting concept and aligns well with the Arts and Creativity Strategy goal to share local stories. Broad reach and potential for increased audience for the work and the local story. Supports the development of new work and will have ongoing benefit of being a film-based project. Involves several collaborators in the development. High value for money.

Applicant	Project	Request ex GST	Recommendation ex GST	Comments
Turtle Pictures Pty Ltd	Development and delivery of artistic workshops by local creatives to inspire and encourage, connecting and caring for Country	\$4,850.00	\$4,850.00	Excellent engagement with community through schools/students. Strong capacity for well-planned project. Increased participation through workshops and knowledge sharing.
Van-Anh Nguyen	Development and recording of a series of piano masterclasses by a local, highly renowned pianist. Focusing on the professional development and skill sharing for local musicians and beyond.	\$3,000.00	\$2,000.00	Excellent professional development of aspiring musicians. High in artistic excellence with classes delivered by professional concert pianist. Encourages increased participation in the arts and fosters ongoing skills development and lifelong learning. Legacy of project will be online resources.
William Bain	Development of a solo exhibition <i>Being Manly</i> by a local emerging Indigenous artist. Developing and presenting a new body of work at Manly Art Gallery and Museum consisting of ceramic sculptures and paintings. The works to discuss themes regarding Manly's cultural identity from an Indigenous Perspective.	\$5,000.00	\$3,250.00	High quality application, with important and interesting stories/themes from local Aboriginal artist. Provides valuable emerging artist support to increase audience and professional development.

2021/22 Community Grants Program

Community Development stream - Applicant Overview

Council received one hundred and four (104) applications to the Community Development stream with one hundred (100) applications proceeding to assessment after eligibility checks. The one hundred (100) applications requested a total of \$849,869.99. The community development stream had the following assessment criteria:

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

Projects recommended for funding

Following the assessment of the one hundred (100) applications, the Panel recommends twelve (12) projects for grant funding of \$96,364.00. This includes eight (8) projects for full funding and four (4) projects for partial funding. The following table details the projects recommended for funding:

Organisation	Project	Request ex GST	Recommendation ex GST	Comment
Easylink Community Services Limited	The "Easylink Art Social Program" program aims to bring together isolated elderly and those living with disability on the Northern Beaches by taking them to a weekly art class. The program supports the local arts sector, while also promoting positive mental health outcomes and a sense of connection amongst participants.	\$5,800.00	\$5,800.00	Demonstrates a clear rationale with identified community need, addresses at least one of the targeted actions under the priority areas, demonstrates clear and achievable project outcomes including how they will be measured, demonstrates use of community development principles and demonstrates value for money with a detailed income and expenditure for how the funds will be used and the capacity to manage the funds.
KYDS Youth Development Service Incorporated	To deliver bespoke primary prevention focused mental health workshops with supporting resources at 3 high schools in the Northern Beaches LGA.	\$9,966.00	\$9,966.00	Demonstrates a clear rationale with identified community need, addresses at least one of the targeted actions under the priority areas, demonstrates clear and achievable project outcomes including how they will be measured, demonstrates use of community development principles and demonstrates value for money with a detailed income and expenditure for how the funds will be used and the capacity to manage the funds.

Organisation	Project	Request ex GST	Recommendation ex GST	Comment
Link Wentworth Housing Limited	"Let's Get Gardening" will equip Northern Beaches social housing residents with gardening equipment to participate in various therapeutic gardening workshops, break down barriers to participation in Link Wentworth's Annual Gardening Competition and achieve meaningful social and wellbeing outcomes.	\$5,052.00	\$4,360.00	Demonstrates a clear rationale with identified community need, addresses at least one of the targeted actions under the priority areas, demonstrates clear and achievable project outcomes including how they will be measured, demonstrates use of community development principles and demonstrates value for money with a detailed income and expenditure for how the funds will be used and the capacity to manage the funds. Funding towards all expenditure items excluding marketing costs.
Literacy Network Manly Warringah Inc	To provide free individualised English tuition to enable people from diverse cultural, language and educational backgrounds to participate successfully in the community at work and socially. In 2022, they will provide on-line interactive lessons using Zoom to enhance essential language and digital skills, plus tutoring for students preparing for Citizenship.	\$6,199.00	\$6,199.00	Demonstrates a clear rationale with identified community need, addresses at least one of the targeted actions under the priority areas, demonstrates clear and achievable project outcomes including how they will be measured, demonstrates use of community development principles and demonstrates value for money with a detailed income and expenditure for how the funds will be used and the capacity to manage the funds.
Northern Beaches Women's Shelter Incorporated	Using the "MY Safety Kit", a professional practitioner will facilitate workshops cover the six domains of wellbeing: participation, material basics/economic wellbeing, physical and mental health, learning, love and connection, and safety to the women who are living in our Northern Beaches Women's Shelter.	\$10,000.00	\$7,500.00	Demonstrates a clear rationale with identified community need and demonstrates clear and achievable project outcomes including how they will be measured. Funding towards program to be run three times throughout the year rather than four.
One Eighty Avalon Incorporated	"Open Up" is a mental health peer support program where young people practise skills of sharing, listening, connecting with others, and asking for help. It is a space where young people can come together to talk openly about their mental health and be guided to connect with appropriate professionals.	\$9,566.00	\$9,566.00	Demonstrates a clear rationale with identified community need and addresses at least one of the targeted actions under the priority areas.
Share the Spark Inc.	The Spark mentoring program will improve mental health and safety of youth through one-on-one mentoring that inspires passion, purpose, and a spark for life and will increase the capacity of and access to local youth services through interagency cooperation and referrals so no young person falls through the gap.	\$10,000.00	\$9,091.00	Demonstrates a clear rationale with identified community need and addresses at least one of the targeted actions under the priority areas. GST component removed.

Organisation	Project	Request ex GST	Recommendation ex GST	Comment
SNPHN Ltd (sponsor)	Connected Mobs is a group that meets in the Northern Beaches of Sydney. Its aim is to bring Aboriginal families together in the region for cultural connection and improved social, and emotional wellbeing. The project is to establish a Connected Mobs Youth Group to meet regularly, participate in cultural activities.	\$9,260.00	\$9,260.00	Demonstrates a clear rationale with identified community need, addresses at least one of the targeted actions under the priority areas, demonstrates clear and achievable project outcomes including how they will be measured, demonstrates use of community development principles and demonstrates value for money with a detailed income and expenditure for how the funds will be used and the capacity to manage the funds.
Streetwork Australia Limited	PRIDE is an eight-week early intervention program that focuses on reducing psychological distress by stabilising and/or improving mental health and overall wellbeing. It is specifically designed to empower young people by supporting them to improve their personal capabilities and ability to respond to psychological stressors.	\$10,000.00	\$10,000.00	Demonstrates a clear rationale with identified community need and addresses at least one of the targeted actions under the priority areas. Funding towards Youth Case Workers, Psychologists, Counselling Support, Fitness Instructors and Life coach educators.
Sunnyfield	The "Let's Get Physical" program can provide local clients with intellectual and physical disabilities access to 40 free physical activity sessions. Throughout the program, clients will learn new skills, further develop current abilities, build confidence in themselves, connect positively with their community and engage socially with their peers.	\$5,531.00	\$5,531.00	Demonstrates a clear rationale with identified community need, addresses at least one of the targeted actions under the priority areas and demonstrates clear and achievable project outcomes including how they will be measured.
Taldumande Youth Services Inc.	"Beach Reach" is an innovative partnership between Taldumande Youth Services and the Northern Beaches NSW Police Force. It is a night mobile outreach service where experienced youth workers assist local police during increased presence of young people. Taldumande engage positively with young people and assist in reducing anti-social behaviours in community.	\$10,000.00	\$10,000.00	Demonstrates a clear rationale with identified community need, addresses at least one of the targeted actions under the priority areas, demonstrates clear and achievable project outcomes including how they will be measured, demonstrates use of community development principles and demonstrates value for money with a detailed income and expenditure for how the funds will be used and the capacity to manage the funds.

Organisation	Project	Request ex GST	Recommendation ex GST	Comment
The Warrior Woman Foundation Ltd	The "Young Warrior Woman Program" is a holistic mentoring and psycho-educational program which provides connection, life skills education, and mental health support to vulnerable young women 15-25 years of age transitioning from out-of-home care into independent living and who are at high risk of homelessness.	\$10,000.00	\$9,091.00	Demonstrates a clear rationale with identified community need, addresses at least one of the targeted actions under the priority areas, demonstrates clear and achievable project outcomes including how they will be measured, demonstrates use of community development principles and demonstrates value for money with a detailed income and expenditure for how the funds will be used and the capacity to manage the funds. GST component removed.

Community Grants Program - Multi-year Funding

Five (5) projects were recommended in the 2019/20 Community Grants Program for multiyear funding of \$46,936 in 2021/22 for the third and final year of funding. Multi-year funding will be reviewed upon completion to determine the extent to which funding has resulted in increased social outcomes and building community capacity.

Organisation	Project	Request ex GST	Recommendation ex GST	Comment
La Crème Creative Incorporated	The La Crème Creative Residency Program offers a studio residency to artists from the local community needing assistance, support and the opportunity to build their artistic career. The program runs for 3 months, offering the opportunity to 4 artists per year. The selected artists are given a studio for the duration and the opportunity to exhibit in the new exhibition space that will be developed in support of this project. The local community will be invited to follow the journey of these artists and to engage with the artists by attending the final exhibitions.	\$10,000.00 for 2021/22	\$10,000.00	Third and final year of Multi-year funding for 2021/22. Continues to demonstrate direct community benefit and community development principles extremely well. Able to maintain original project goals during COVID-19.
Lifeline Northern Beaches Incorporated	The funding in 2021-22 will continue to enable more of Lifeline Northern Beaches counsellors to be trained in the "Seasons for Growth" programs. This training will equip a team of counsellors to respond to bereavement, grief and loss in the community by continuing to offer seminars and small groups for affected adults on an as needs basis. The additional parenting seminars assist parents to support their children through bereavement and loss.	\$8,588.00 for 2021/22	\$8,588.00	Third and final year of Multi-year funding for 2021/22. Exemplifies direct community benefit and community development principles extremely well with a clear and detailed budget. The current pandemic has resulted in more calls to Lifeline and an increased need for grief counselling.
Northern Beaches Women's Shelter Incorporated	To develop a formalised Volunteer Coordinator Program to increase service capacity. In 2020/21 we planned to extend our occupational therapy program for residents on top of the gardening, knitting, sewing and yoga we offered. Particularly during COVID-19, these programs have been crucial to support the resident's mental health and it is planned to grow this offering. This program is unfunded, and cannot continue or grow without the skills and generosity of our volunteers.	\$10,000.00 for 2021/22	\$10,000.00	Third and final year of Multi-year funding for 2021/22. Demonstrated direct community benefit, social inclusion had clear and achievable outcomes and community development principles extremely well.

Organisation	Project	Request ex GST	Recommendation ex GST	Comment
Northside Enterprise Inc.	Inclusive bush regeneration at Orara Reserve: Bushlink will continue to be employed to demonstrate and contribute to the education of students from The Beach School about environmental awareness while retaining the remnant bushland surrounding the school. The main activities include working together to protect the bushland associated with the school, and to continue to document the project through video to be shared on social media.	\$9,568.00 for 2021/22	\$9,568.00	Third and final year of Multi-year funding for 2021/22. Demonstrated direct community benefit, social inclusion and community development principles extremely well. Final year funding request is to continue video project.
SNPHN Ltd (sponsor)	Dementia Friendly Community Northern Beaches: In 2021-22 the Northern Beaches Dementia Alliance will continue to build on our programs and deliver the outcomes above via online platforms. This includes: the development of a new website, live and/or pre-recorded webinars, online support for organisations and community groups via dedicated e-mailbox and/or Zoom, continued online meetings for the Alliance and Advisory groups and digital marketing and promotion. We are also working on development of cards for businesses to use as a reference communicating with someone with Dementia.	\$8,780.00 for 2021/22	\$8,780.00	Third and final year of Multi-year funding for 2021/22. Addresses social inclusion and uses community development principles well.

ITEM 10.2	COMMUNITY LIBRARY FUNDING
REPORTING MANAGER	EXECUTIVE MANAGER LIBRARY SERVICES
TRIM FILE REF	2021/654351
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek approval to provide funding to the Northern Beaches community libraries to maintain and enhance their collections for the 2021/22 financial year.

EXECUTIVE SUMMARY

Council has a long history of providing an annual subsidy to the community libraries of Avalon, Terrey Hills, Balgowlah Seaforth and Booklovers' Club Northern Beaches Inc. The funding is a cost effective approach to delivering basic library services in these localities and is highly valued and appreciated by each of the libraries and the community.

Each community library submits a formal application for financial support to continue their operations. It is recommended that funding for each service be provided for the 2021/22 financial year and that funding for outer years be considered as part of the annual budget process for Council.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Continue to support the community libraries with an annual funding allowance for the financial year 2021/22.
 2. Provide financial assistance to the community libraries on a pro rata basis as a result of the COVID lockdown in quarter one of this financial year to the value of:
 - A. \$48,750 (ex GST) per annum to Avalon Community Library for the 2021/22 financial year
 - B. \$18,000 (ex GST) per annum to Balgowlah Seaforth Community Library for the 2021/22 financial year
 - C. \$1,500 (ex GST) per annum to Booklovers Club Northern Beaches Incorporated for the 2021/22 financial year
 - D. \$19,500 (ex GST) per annum to Terrey Hills Community Library for the 2021/22 financial year.
 3. Provide the funding as detailed above to community libraries once the previous year's grant acquittals are received and reviewed in line with their funding request.
-

REPORT

BACKGROUND

Avalon, Terrey Hills, Balgowlah Seaforth and Booklovers' Club community libraries are free for all residents of the Northern Beaches local government area. Council historically provide these libraries an annual subsidy to assist with the development of their library collections and minor operational expenses. The subsidy is a reliable source of funding for each of the libraries and is highly valued by them and their communities.

All the libraries are within Council managed buildings for the purpose of delivering a range of library services and learning programs to their local communities.

The community libraries' core services include:

- A wide selection of adult fiction and non-fiction collections
- Young adult collections
- Junior collections
- Infant literacy collections.

Council has budgeted to provide funding to the community libraries each financial year. In financial year 2020/21, Council approved and provided the following funding:

- Avalon Community Library - \$65,000
- Balgowlah Seaforth Community Library - \$24,000
- Booklovers' Club Northern Beaches Incorporated - \$2,000
- Terrey Hills Community Library - \$26,000.

Council historically provide the community libraries a consistent annual subsidy (ex GST and indexed to CPI) to the values provided in FY2020/21. As a result of COVID-19 lockdown for the first quarter of FY21/22, the community library funding requests have been calculated on a pro rata basis. The calculation takes into consideration the period of closure of the community libraries and the continuous collection acquisition costs for the financial year 2021/22. As a result, it is recommended Council provide the following funding this financial year:

- Avalon Community Library - \$48,750
- Balgowlah Seaforth Community Library - \$18,000
- Booklovers' Club Northern Beaches Incorporated - \$1,500
- Terrey Hills Community Library - \$19,500.

The reduced funding will result in overall savings of \$29,250 from this financial year's budget to be returned to Council reserves.

CONSULTATION

Council consults with the community in its community survey about the library service. In addition, feedback from library users is regularly gathered to improve the service offering. Community libraries form part of the wider network of the library service which continues to be highly valued.

TIMING

The disbursement of the grant funds to community libraries occurs between August and November each year after they have submitted their financial audits and statements along with a funding request. The only exception is Booklovers' Club Inc. who work on a calendar year basis and request their funding between April and June.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and Belonging - Goal 12: Our community is friendly and supportive.

FINANCIAL CONSIDERATIONS

Funding to support the community libraries is included in the existing Northern Beaches Library Services operational budget.

SOCIAL CONSIDERATIONS

Avalon, Terrey Hills, Balgowlah Seaforth and Booklovers' Club community libraries are important social and community assets that not only provide library services to residents in the local government area but also create engaging opportunities for volunteering within their communities.

The pro rata calculation of the FY21/22 funding reduces the expected subsidies by one financial quarter.

ENVIRONMENTAL CONSIDERATIONS

There are no adverse environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

Under Section 356 of the Local Government Act 1993, Council may resolve to grant financial assistance to an external body. The allocation of funding would provide community benefit.

ITEM 10.3	OUTCOME OF PUBLIC EXHIBITION OF PROPOSAL TO RE-ESTABLISH ALCOHOL FREE ZONES
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2021/672100
ATTACHMENTS	1 ⇒ AFZ Maps October 2021 (Included In Attachments Booklet) 2 ↓ Letter of Police Support - AFZ Stage 2 2021 3 ⇒ Community Engagement Report - Alcohol Free Zones AFZs Stage 2 - Oct 2021 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report on the outcomes of the public exhibition and for Council to consider the re-establishment of Alcohol-Free Zones in Avalon, Church Point, Dee Why, Freshwater, Mona Vale, Newport, Newport Residential and Palm Beach.

EXECUTIVE SUMMARY

To support the Police and Council Rangers in the management of alcohol related antisocial behaviour, Council declared a number of public roads, footpaths and car parks throughout the Local Government Area as Alcohol Free Zones (AFZs). As per the Ministerial Guidelines on Alcohol-Free Zones 2009, the principal objective of an AFZ is to prevent disorderly behaviour caused by the consumption of alcohol in public areas to improve public safety. Once an AFZ is established, the drinking of alcohol is prohibited twenty-four hours a day in that zone. Under the Local Government Act AFZs must be reviewed every four years and re-establishment requires community consultation.

Eight existing Alcohol Free Zones are due to expire on 9 December 2021 at Avalon, Church Point, Dee Why, Freshwater, Mona Vale, Newport, Newport Residential and Palm Beach (Attachment 1).

Consultation has occurred with Northern Beaches Police Area Command in relation to this proposal during which Police have expressed their support for the continuation of the AFZs. Formal advice from Police (Attachment 2) indicates that Police do not object to the eight zones being re-established as proposed.

A 30-day engagement program was undertaken between 27 August to 27 September 2021 to gain feedback from the community in accordance with Council Resolution 224/21. A total of 366 submissions were received across all eight proposed zones. Community engagement and analysis were completed during and after the close of the exhibition period.

As detailed in the Community Engagement Report (Attachment 3), comments received canvassed a variety of issues, and varied across zones and within zones.

The key themes in the feedback across all proposed zones were:

- Improved safety: Most submissions support the Alcohol Free Zones, with comments valuing their contribution to community and personal safety.
- Alcohol related anti-social behaviour: Several submissions referred to continuing alcohol related antisocial behaviour in the proposed areas.

- Over-regulation: Several submissions expressed concern that placing restrictions on the whole community to address the actions of a few individuals impinges on the rights of the public. It was felt that existing laws for dealing with alcohol related behaviour are sufficient to address incidents as they arise. Several further comments were received that, considering COVID-19 restrictions, the imposition of further restrictions is unsupported. The sentiment of these comments was that in the current environment it is important for community members to be able to socialise with friends and family in an outdoor setting.
- Not required: Some of the submissions stated that none or only occasional alcohol related behaviour was observed, and as such it was not considered that the AFZ is required.
- Enforcement: Several respondents requested increased enforcement of AFZs.
- Parks: There was some confusion over the difference between AFZs that apply to roads, footpaths and carparks, and Alcohol Prohibited Areas (APAs) which apply to parks and other public spaces. As such, a small number of comments expressed that community members want to be able to enjoy public spaces and have picnics. It was stated that outdoor recreation is particularly important to the community during COVID-19. These comments do not relate to the proposed AFZs.
- Requests for expanded zones: A large number of requests for extension of AFZs were received, across all proposed AFZs. These requests will be subject of a further consultation process. To extend or establish an AFZ, support from the Northern Beaches Local Area Command is required prior to the presentation of a proposal to Council, then broad community engagement can occur.

Submissions received from the community regarding each of the proposed AFZs have been considered, along with the advice from Northern Beaches Police Area Command. Whilst several opposing submissions have been received, these submissions are not sufficient to outweigh the supporting submissions and the support of the Police for re-establishment of the zones.

The community feedback has not been supportive of the re-establishment of the existing AFZ in Freshwater, however during the public exhibition period requests were received for establishment of an AFZ in adjoining streets. Considering this situation, it is proposed that the AFZ be re-established in its current form until Police are consulted on the requested boundary changes and community consultation undertaken if appropriate. The issues reported in the park behind the surf club will also be assessed by Council.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Note the outcome of the public exhibition of the proposal to re-establish Alcohol Free Zones.
 2. Re-establish the Alcohol Free Zones in Avalon, Church Point, Dee Why, Freshwater, Mona Vale, Newport, Newport Residential and Palm Beach as shown in Attachment 1, for a period of up to 4 years, from 1 December 2021 to 30 November 2025.
-

REPORT

BACKGROUND

The establishment and re-establishment of Alcohol Free Zones (AFZs) requires community consultation as per Sections 644, 644A, 644B, 644C and 646 of the Local Government Act 1993, and the associated Ministerial Guidelines on Alcohol Free Zones 2009. On 24 August 2021, Council endorsed the public exhibition of the proposal to re-establish Alcohol Free Zones. Police are supportive of this action.

The relevant provisions of the *Local Government Act 1993*, (including sections 644, 644A, 644B, 644C and 646), and the associated Ministerial Guidelines on Alcohol Free Zones 2009, enable Councils to establish AFZs to help manage the consumption of alcohol in public spaces.

The principal objective of an AFZ is to prevent disorderly behaviour caused by the consumption of alcohol in public areas and to improve public safety (Ministerial Guidelines on Alcohol-Free Zones 2009). Once established, drinking of alcohol is prohibited twenty-four hours a day in an AFZ.

AFZs allow the Police and Rangers to empty or otherwise dispose of alcohol if a person is drinking, if there is reasonable cause to believe the person is about to drink or has recently been drinking alcohol in a designated AFZ. If a person does not cooperate with a request of a police officer or enforcement officer to hand over alcohol, they can be charged with obstruction under the Local Government Act, carrying a maximum penalty of \$2,200 (Section 660 Local Government Act 1993 and Ministerial Guidelines on Alcohol-Free Zones 2009).

AFZs can only be established for public roads, footpaths and car parks, and may remain in force for up to four years. They differ from Alcohol Prohibited Areas (APAs) which are applicable in parks and reserves and come under Section 632A of the Local Government Act.

The AFZs referred to in the attached indicative maps (Attachment 1) are only applicable to public roads, footpaths and car parks contained within the areas identified in the maps.

The existing AFZs located in the following locations are set to expire on 9 December 2021.

- Avalon - extends across the main shopping centre and is bounded by Central Road to the north; Barrenjoey Road and adjacent carparks to the east; Surfside Avenue; Dress Circle Road and Bellevue Avenue to the south (Map 1).
- Church Point – extends from the cargo wharf in McCarrs Creek Road to the eastern end of the Church Point carpark (Map 2).
- Dee Why - bounded by Pittwater Road to the west; extending down Pacific Parade, Oaks Avenue and Howard Avenue to Avon Road; Richmond Avenue to the north; The Strand to the east, extending to the Dee Why Surf Life Saving Club; by Pacific Parade to the south. (Map 3).
- Freshwater - bounded by Lawrence Street from Oliver Street to the west; Ocean View Road to the north; Undercliff Road to the south; the public carpark adjacent to Freshwater Beach and next to the Freshwater Surf Life Saving Club to the east. (Map 4).
- Mona Vale - bounded by the junction of Darley Street and Pittwater Road to the north; along Surfview Road to the east; through to close to the junction of Mona Vale Road and Pittwater Road. (Map 5).
- Newport - extends through the main shopping centre and is bounded by the carparks parallel to Barrenjoey Road to the east; Seaview Avenue and up Foamcrest Avenue; Neptune Road to the north. (Map 6).

- Newport Residential - bounded by Barrenjoey Road in the east; Gladstone Street in the north; Beaconsfield Street in the south; Pittwater in the west (Map 7).
- Palm Beach - bounded by Ocean Road from the rock pool end, through to the junction with Palm Beach Road (Map 8).

Following consultation with Council staff about these existing AFZs, the Northern Beaches Police Area Command provided written support (Attachment 2) for the re-establishment of each of the currently declared AFZ areas in Maps 1 through 8 (Attachment 1).

In accordance with Council Resolution 224/21, community consultation has been undertaken regarding the re-establishment of these AFZs.

Analysis of submissions for each Alcohol Free Zone

Avalon (Map 1)

Of the 38 submissions received 29 (77%) support the re-establishment of the AFZ in this area, either as proposed (66%), or with changes (11%). Comments from those who support the re-establishment of this AFZ include ongoing issues with alcohol related antisocial behaviour and an increased feeling of safety with restrictions in place. Some respondents questioned the need for and effectiveness of an AFZ in this area and expressed a feeling of over-regulation.

Church Point (Map 2)

Of the 53 submissions received 29 (55%) support the re-establishment of the AFZ in this area, either as proposed (44%), or with changes (11%). There was a mixed response in submissions, particularly in relation to the use of the area as a social hub for onshore and offshore residents. While some respondents perceive this as a practice and tradition that is an important aspect of the community, others expressed that this activity negatively impacts community use of this shared space.

Dee Why (Map 3)

Of the 89 submissions received 48 (54%) support the re-establishment of the AFZ in this area, either as proposed (48%), or with changes (6%). While several respondents expressed the position that an AFZ is not needed in this area several others shared their observations of a high level of ongoing alcohol related antisocial behaviour in the proposed zone. Several of the unsupportive submissions expressed a negative sentiment that AFZs are an over-regulation of the community.

Freshwater (Map 4)

Of the 65 submissions received 23 (35%) support the re-establishment of the AFZ in this area, either as proposed (29%), or with changes (6%). Most respondents (63%) do not support re-establishment of AFZ with many respondents expressing a view that the AFZ is unnecessary in Freshwater and is an over-regulation of the community.

The community feedback has not been supportive of the re-establishment of the existing AFZ, however requests have now been received for establishment of an AFZ in adjoining streets. Considering this situation, it is proposed that the AFZ be re-established in its current form until Police are consulted on the requested boundary changes and community consultation undertaken, if appropriate. The issues reported in the park behind the surf club will also be assessed by Council.

Mona Vale (Map 5)

Of the 26 submissions received 14 (54%) support the re-establishment of the AFZ in this area, either as proposed (46%), or with changes (8%). Most of the community has expressed a preference for the AFZ to be re-established. Comments suggest this support has a view to impacting alcohol related antisocial behaviour that primarily occurs in connection with patrons outside and leaving licensed premises.

Newport (Map 6)

Of the 42 submissions received 25 (60%) support the re-establishment of the AFZ in this area, either as proposed (52%), or with changes (8%). Most respondents support the re-establishment of the AFZ, with comments indicating ongoing street drinking activity in the area. Most comments received expressed a negative sentiment that AFZs are an over-regulation of the community.

Newport Residential (Map 7)

Of the 29 submissions received 22 (76%) support the re-establishment of the AFZ in this area, either as proposed (66%), or with changes (10%). Several comments relate to people approaching and/or leaving licensed premises while continuing to consume alcohol and creating a disturbance.

Palm Beach (Map 8)

Of the 22 submissions received 13 (60%) support the re-establishment of the AFZ in this area, either as proposed (55%), or with changes (5%). The small number of comments received were mixed, reflecting both a feeling of over-regulation and a desire for an extended zone.

General issues raised in submissions regarding AFZs:

A range of further observations raised by the community during this consultation process will be considered by Council in future examination of the alcohol restriction program, as well as in social and place planning. These issues include:

- The desire to be able to consume alcohol in public spaces in a responsible manner, without regulation.
- A perception that the responsible public consumption of alcohol does not negatively impact the community.
- An increase in high density housing is changing the way many of us live and public spaces are increasingly becoming our shared backyard.
- Social hubs in public spaces as an important aspect of community interaction and tradition.
- The move to outdoor and public socialising due to public health orders and the development of a village atmosphere.

CONSULTATION

Section 644A of the *Local Government Act 1993* and the Ministerial Guidelines on Alcohol Free Zones 2009 require Council to undertake a specific public consultation process to re-establish AFZs.

In line with those requirements, Council invited submissions through the following avenues:

- Published a public notice.
- Forwarded a copy of the proposal to the Northern Beaches Police Area Commander.
- Forwarded correspondence to liquor licensees of premises that border on, or adjoin, or are adjacent to the proposed AFZ.

- Forwarded correspondence to the NSW Aboriginal Education Consultative Group (AECG) and Aboriginal Heritage Office.

In addition to these requirements, Council also:

- Erected signage in the proposed locations inviting submissions from the community.
- Distributed advice via Council's Have Your Say engagement newsletters.
- Notified key stakeholders.
- Published a notice in the Northern Beaches Review.

A detailed Community Engagement Report is included (Attachment 4) outlining the findings of the public consultation process.

In addition, extensive community engagement was undertaken in 2020 in the development of the Northern Beaches Community Safety Plan and Better Together Social Sustainability Strategy 2040, with high levels of concerns expressed about alcohol related antisocial behaviour in public spaces and the impact of that behaviour on personal safety when walking and using public transport at night.

TIMING

The AFZs proposed to be re-established expire on 9 December 2021. Council may re-establish AFZs for a period of up to four years. It is proposed that the AFZs be re-established for the period 1 December 2021 to 30 November 2025. Further consideration will be given to aligning all AFZ renewals in 2025.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Community and Belonging - Goal 11: Our community feels safe and supported.

This report relates to the Better Together Social Sustainability Strategy 2040 outcomes of:

- Safe People
- Safe Places

This report relates to the Community Safety Plan 2021-2026 action:

- Conduct a full review of alcohol restricted zoning.

FINANCIAL CONSIDERATIONS

There will be a capital cost for the reskinning of existing signage and the installation of new signage once the AFZs are enacted. This will be covered within existing operational budgets.

SOCIAL CONSIDERATIONS

Council is committed to ensuring that open spaces are high quality, safe, accessible and facilitate the healthy and active lifestyle that is important to the Northern Beaches community.

To improve public safety AFZs have been established in public roads, footpaths and public carparks to reduce disruptive and anti-social behaviour as well as alcohol-related crime in public places. They often work in partnership with APAs, which relate to parks and reserves.

Consultation undertaken in the development of the Northern Beaches Community Safety Plan and Better Together Social Sustainability Strategy 2040 indicates that the Northern Beaches community has a high level of concern about alcohol related antisocial behaviour in open spaces and the impact of that behaviour on personal safety when walking and using public transport at night. The community has identified a reduction in alcohol related behaviour in open spaces as a means of achieving increased safety and better use of shared spaces.

The ability to enforce AFZs is a valuable tool in the management of alcohol related antisocial behaviour in the community.

ENVIRONMENTAL CONSIDERATIONS

Council has undertaken an environmental assessment by taking into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposal and it is considered that the re-establishment of AFZs is unlikely to have any discernible environmental impacts. Accordingly, it has been determined that the proposal will not significantly affect the environment.

GOVERNANCE AND RISK CONSIDERATIONS

This proposal has been prepared in line with the requirements of Part 4 (Street Drinking) of the Local Government Act 1993 and the associated Ministerial Guidelines on Alcohol Free Zones 2009. The proposal to re-establish the AFZs complies with Section 644 via Council Resolution 224/21 and is supported by Police (Attachment 2). Public consultation on the proposal was undertaken in line with Section 644A with public exhibition of the proposal from 27 August to 27 September 2021, publication of a public notice, and direct correspondence with key stakeholders. The current report seeks to re-establish these AFZs in accordance with Section 644B of the Act.

Once AFZs are re-established by Council, they will operate under Sections 644C and 646 of the Act, and a response to non-compliance is able to be implemented under Section 642 (confiscation of alcohol) and Section 660 (penalty for obstruction).

Community safety is identified as a strategic risk to the Northern Beaches. The draft Community Safety Plan, currently on public exhibition, proposes actions that will address identified community safety and crime prevention priorities of the community, mitigating the strategic risks posed.

OFFICIAL: Sensitive



6 September 2021

D/2021/1135435

Kylie Walshe
Executive Manager Community, Arts and Culture
NORTHERN BEACHES COUNCIL

Dear Kylie,


**Re-establishment of Alcohol Free Zones (AFZs) in Avalon, Church Point, Dee Why,
Freshwater, Mona Vale, Newport (2 zones) and Palm Beach.**

Thank you for your correspondence dated 1 September 2021 in relation to the community consultation phase by Northern Beaches Council as to the re-establishment of Alcohol Free Zones (AFZs) in Avalon, Church Point, Dee Why, Freshwater, Mona Vale, Newport (2 zones) and Palm Beach.

I can confirm that these AFZs were subject to a meeting between Northern Beaches Council and Northern Beaches Police Area Command in May 2021.

The position of Northern Beaches Police Area Command remains in accordance with the written advice provided to Council by Sergeant O'Donnell on 31 May 2021 (copy attached).

Yours faithfully,


PG SHARKEY
Superintendent
Commander Northern Beaches PAC

Cc Letter from Sgt O'Donnell

FOR OFFICIAL USE ONLY



NSW Police Force
www.police.nsw.gov.au

NSW POLICE

NORTHERN BEACHES POLICE AREA COMMAND

Licensing Unit

3 Belgrave Street, Manly NSW 2000

Ph: (02) 9976 8040 Eagle: 88040

Fax: (02) 9976 8090 Eagle: 88090

RENEWAL OF ALCOHOL FREE ZONES

31st May 2021

Northern Beaches Police have been requested by the Northern Beaches Council to make comment on the renewal of Alcohol Free Zones (AFZ).

NSW Police has a strong interest in the ensuring the safety of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

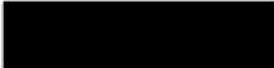
- It is not possible to make areas evaluated by NSW Police absolutely safe for the community and their property
- Recommendations are based upon information provided to, and observations made by NSW Police at the time the document was prepared.
- The contents of the evaluation are not to be copied or circulated otherwise than for the purposes of Northern Beaches Council.

As a result of a meeting between Police, Northern Beaches Council and assessing each of the areas designated as Alcohol Free Zones, Police support each declared area.

Northern Beaches Police do not object to the continuation of the existing Alcohol Free Zones.

Should any information relating to the renewal of Alcohol-Free Zones be required, don't hesitate to contact Licensing Office on 9976 8075.

Kind regards,



I. O'DONNELL
A/Sergeant
Licensing Unit
Northern Beaches PAC
31/05/2021

ITEM 10.4	COMMUNITY HIRE OF MANLY TOWN HALL MEETING ROOMS (RESPONSE TO NOTICE OF MOTION 16/2019)
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2021/718789
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To report to Council on the community use of the meeting rooms at Manly Town Hall, as per the Council resolution of 24 November 2020.

REPORT

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

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

That:

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

Following this resolution, the hire of the Manly Town Hall meeting rooms was advertised from December 2019. Two community groups hired the facility, one in January and the other in February 2020. There were no other bookings of the meeting rooms in 2020, due to the NSW Health Orders that came into effect in March 2020 in response to COVID-19. Due to the inability to adequately review the usage, a report was presented to Council on 24 November 2020, where it was resolved:

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

Since this time, the Northern Beaches was placed in lock down in December 2020 and early January 2021. When Council reopened community centres for casual hirers in March 2020 the meeting rooms were not made available due to the decision to limit movement through the Customer Service foyer area of the Town Hall, which is also the access way to the meeting rooms. This has again reduced the ability to assess the popularity of the meeting rooms for community use.

It is recommended that the report on the usage of the meeting rooms be delayed for a further twelve months, until November 2022. The additional twelve months will allow time for community hire to occur as restrictions ease over the coming months.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Community and Belonging - Goal 12: Our community is friendly and supportive.

FINANCIAL CONSIDERATIONS

Manly Town Hall Meeting Rooms has a forecasted income of \$2,050 in the 2021/22 approved budget.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts.

SOCIAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

There are no governance considerations.

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

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council extend the review of the community usage of the Manly Town Hall meeting rooms for a further twelve months, to be reported back to Council in November 2022.

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1	PUBLIC EXHIBITION OF THE DRAFT NORTHERN BEACHES ENVIRONMENT STUDY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2021/312166
ATTACHMENTS	1 ⇒ Draft Northern Beaches Environment Study (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval to place the draft Northern Beaches Environment Study on public exhibition.

EXECUTIVE SUMMARY

The draft Northern Beaches Environment Study (the Study), provided as Attachment 1, has been prepared to support and inform the development of the new Northern Beaches Local Environment Plan (LEP) and the subsequent Development Control Plan (DCP) and to help meet a number of outcomes within the Environment & Climate Change (E&CC) Strategy.

The draft Study:

- Describes the natural environment of the Northern Beaches local government area including the bushland and biodiversity, coasts, catchments and waterways.
- Describes the importance of open space and the connections between the natural and urban environment, the opportunities for a low-carbon community with high energy, water and waste efficiency as well as the impact of natural hazards and climate change.
- Describes the challenges that may impact the natural environment and discusses opportunities in relation to future growth.
- Recommends environmental planning actions to help deliver five planning priorities adopted in the Local Strategic Planning Statement (LSPS) - Towards 2040 and a number of outcomes in the E&CC Strategy.

The Northern Beaches area has a unique character and diverse natural environmental values, which set it apart from other areas of the state and even Australia. In particular, the coast, bushland and waterways are highly valued by the community and contribute to the sense of place. The vision, outcomes and strategies within the E&CC Strategy and the LSPS further highlight the importance of these environments to the community and is one of the primary attractions of the Northern Beaches.

The E&CC Strategy includes outcomes and a suite of strategies to protect the natural environment and create sustainable built environments. A number of these strategies are being addressed through the development of this Study. The LSPS is aligned closely to the Greater Sydney Commission's North District Plan and includes four themes; Sustainability, Infrastructure and Collaboration, Liveability and Productivity; and within each of these are a series of planning priorities. The draft Study recommends environmental planning actions spanning five identified

Sustainability planning priorities adopted in the LSPS (refer to Figure 1). For each planning priority, the draft Study includes:

- the LSPS principles
- a description of the characteristics of the planning priority
- the challenges and opportunities
- suggested environmental planning actions to help deliver the planning priority that demonstrate the link to the LSPS actions and the outcomes in the E&CC Strategy.
- timeframes for implementation being Short Term (< 3 years) or Ongoing.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

1. Council exhibit the draft Northern Beaches Environment Study for a minimum of 28 days.
 2. The outcome from the public exhibition of the draft Northern Beaches Environment Study be used to assist with the preparation of the Northern Beaches Local Environmental Plan and Development Control Plan.
-

REPORT

BACKGROUND

In March 2018, the Greater Sydney Commission (GSC) released the Greater Sydney Region Plan – A Metropolis of Three Cities (the Region Plan), which presents a vision for managing Sydney's growth for the next 20 years. To implement the Region Plan, the GSC also released the North District Plan (which includes the Northern Beaches LGA).

Council was required to prepare a Local Strategic Planning Statement (LSPS). The LSPS was adopted by Council on 26 March 2020. Several actions within the LSPS identify further technical studies that will inform how we plan for future housing, jobs and infrastructure needs. These studies, including this Northern Beaches Environment Study (the Study), will provide an evidence base that will directly inform the new LEP and the subsequent DCP and will also help meet a number of outcomes within the Environment & Climate Change (E&CC) Strategy.

The draft Study:

- Describes the natural environment of the northern beaches including the bushland and biodiversity, coasts, catchments and waterways.
- Describes the importance of open space and the connections between the natural and urban environment; the opportunities for a low-carbon community with high energy, water and waste efficiency as well as the impact of natural hazards and climate change.
- Describes the challenges that may impact the natural environment and discusses opportunities in relation to future growth.
- Recommends environmental planning actions to help deliver five planning priorities adopted in the LSPS and a number of outcomes in the E&CC Strategy.
- Supports and informs the development of the LEP and DCP.

The Northern Beaches area has a unique character and diverse natural environmental values, which sets it apart from other areas of the state and even Australia. In particular, the coast, bushland and waterways are highly valued by the community and contribute to the sense of place. The vision, goals and strategies within the E&CC Strategy and the LSPS further highlight the importance of these environments to the community and is one of the primary attractions of the Northern Beaches.

The E&CC Strategy includes goals and a suite of strategies to protect the natural environment and create sustainable built environments. A number of these strategies are being addressed through the development of this Environment Study and include that we will '*Protect our bushland and its associated biodiversity through strategic land-use planning and development controls*', '*Protect our waterways with strategic land-use planning and development controls including water sensitive urban design*' and '*Improve local planning controls to ensure residential and non-residential buildings and infrastructure are sustainably designed and built*'.

The LSPS is aligned closely to the GSC's North District Plan and includes four themes – Sustainability, Infrastructure and Collaboration, Liveability and Productivity and within each of these are a series of planning priorities. The draft Study recommends environmental planning actions spanning five identified Sustainability planning priorities adopted in the LSPS (refer to Figure 1).

For each planning priority, the draft Study includes:

- The LSPS principles.
- A description of the characteristics of the planning priority.

- The challenges and opportunities.
- Environmental planning actions to help deliver the planning priority that demonstrate the link to the LSPS actions and the outcomes in the E&CC Strategy.
- Timeframes for implementation being Short Term (< 3 years) or Ongoing.

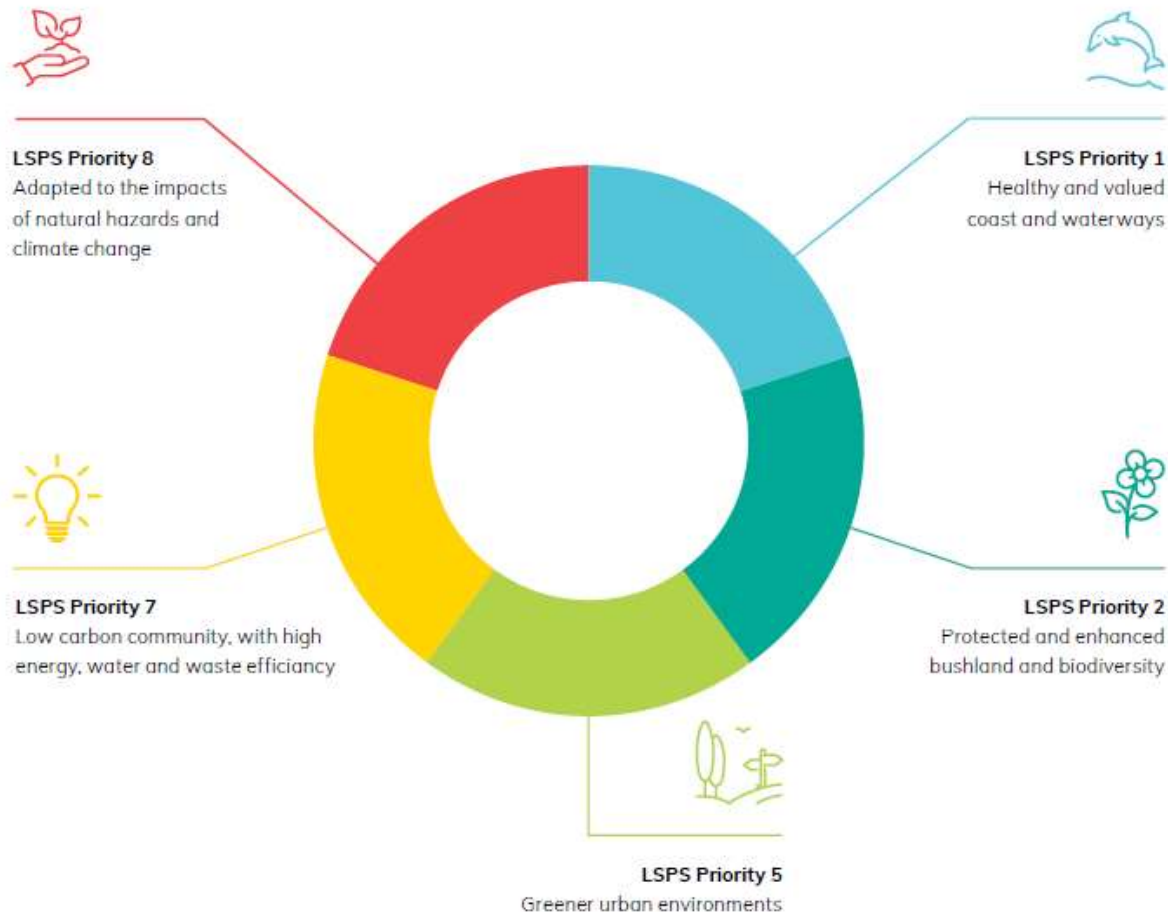


Figure 1: Sustainability Planning Priorities considered in the draft Northern Beaches Environment Study

CONSULTATION

The draft Study has been developed through extensive internal consultation with relevant divisions including Planning and Place and Transport and Assets, and through detailed consultation within the Environment and Sustainability Division. It is proposed to undertake consultation with the community for a minimum period of 28 days (extended as required). The outcomes from the public exhibition of the draft Northern Beaches Environment Study will be used to assist with the preparation of the Northern Beaches LEP and DCP.

TIMING

The public exhibition of the draft Study is expected to commence in December but is contingent upon the preparation of associated consultation material, avoiding any conflicts with the election process, and avoiding the Christmas/New Year period. Councillors will be advised of the final timing once planning is complete.

LINK TO STRATEGY

This report aligns to the LSPS – Towards 2040, which in turn aligns to the GSC's North District Plan and the Greater Sydney Regional Plan. In addition, this report aligns to the *Environment and Climate Change Strategy – Protect.Create.Live* and to the following outcomes of the *Community Strategic Plan – Shape 2028*:

- Protection of the Environment - Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Protection of the Environment - Goal 2: Our environment and community are resilient to natural hazards and climate change.
- Environment Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles.
- Environment Sustainability - Goal 6: Our community will continue to work towards sustainable use of resources.
- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

Expenditure related to the development of the draft Study is mainly associated with technical studies, engagement activities and the development of planning controls. This expenditure is included within the existing delivery program.

SOCIAL CONSIDERATIONS

The natural environment contributes to community health and provides extensive passive and active recreational opportunities. Our waterways, beaches, bushland, open spaces and parks are integral to the liveability and wellbeing of our community. The draft Study, whilst supporting the protection of the environment, incorporates the social benefits of a healthy environment and creates a Northern Beaches that is more resilient to the impact of natural hazards.

ENVIRONMENTAL CONSIDERATIONS

The draft Study describes the natural environment of the area and the challenges and opportunities for protection and enhancement of the environment and sustainability as relevant to future growth. The Study will be supported by various technical reports which will include details that will make Council and community obligations clearer and decision-making easier.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Study has been developed to support and inform the new Northern Beaches LEP and DCP and deliver some of the strategies in the E&CC Strategy. It has been developed to reduce the risk of the environment on the community as well as protecting and enhancing the natural environment during the consideration of future growth over the next 20 years.

ITEM 11.2	2021/22 ENVIRONMENTAL GRANTS PROGRAM - FUNDING RECOMMENDATIONS
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2021/672086
ATTACHMENTS	1 ↓Environmental Grants 21/22 - Application Overview

SUMMARY

PURPOSE

To seek approval to allocate funding under Council's 2021/22 Environmental Grants Program.

EXECUTIVE SUMMARY

The 2021/22 Environmental Grants Program provides grants of up to \$5,000 to eligible individuals and organisations to support projects and initiatives that deliver direct benefit to local people, communities, and the environment of the Northern Beaches Local Government Area. The 2021/22 Environmental Grants Program has been developed in accordance with the adopted Community Grants and Partnerships Policy.

This program aligns with the following goals and strategies identified in Council's Community Strategic Plan 2018 - 2028:

- Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Goal 2: Our environment and community are resilient to natural hazards and climate change.
- Goal 3: Our community is well-supported in protecting the environment.
- Goal 6: Our community will continue to work towards sustainable use of resources.

It also aligns with goals and commitments in Council's *Protect. Create. Live* Northern Beaches Environment and Climate Change Strategy 2040.

Council has allocated \$40,000 to the 2021/22 Environmental Grants Program. This program is run separately to the Eco Schools Grant Program, the timing of which reflects the schools programming that runs to the calendar year.

Although application numbers were lower than last year, the number of applications received still exceeded the number that Council is able to support within the adopted budget. The summary of the applications received are shown in the table below:

Applications Received	Eligible Applications	Total amount requested (ex GST) - eligible applications	Amount available
25	22	\$99,191	\$40,000

The Assessment Panel, comprising Council staff and Environment Strategic Reference Group members, undertook a thorough assessment of applications. Individual assessments were combined and ranked, and an assessment process independently convened was undertaken to confirm panel recommendations.

In 21/22, 45% of the eligible applications have been recommended for funding. The number of applications recommended for funding are shown in the table below:

Applications recommended for funding	Full Funding	Partial Funding	Amount recommended (ex. GST)
10	7	3	\$40,000

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

The delivery date for these projects is 31 December 2022. Once successful applications have been approved, the unsuccessful applicants will be notified.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council, in accordance with Section 356 of the Local Government Act (1993), award Environmental Grants totalling \$40,000 (ex GST) to the successful applicants as outlined in Attachment 1.

REPORT

BACKGROUND

The Northern Beaches Council Environmental Grants Program commenced in 2020/21 and was established to assist Council to support the community to deliver the aspirations and commitments in the Council adopted *Protect. Create. Live* – Northern Beaches Environment and Climate Change Strategy.

The Environmental Grants Program, with a budget of \$40,000, has a clearly defined assessment criteria and an assessment panel of suitably skilled members. This program is run separately to the Eco Schools Grant Program, the timing of which reflects the schools programming that runs to the calendar year.

The grants program covers three key areas:

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

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

Essential criteria:

1. Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas
2. Demonstrates a positive environmental impact in the short and long-term including how this will be measured and maintained
3. Capacity and demonstrated ability of the individual or organization to manage a well-planned project
4. A realistic budget with all income and expenditure identified.

Highly regarded criteria:

1. Evidence of partnerships with other organisations
2. Applications that address more than one category and/or priority
3. Experimental, innovative ideas and approaches
4. Longevity of the project benefits.

The funding priorities for this grants program are:

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

Ten applications are recommended for funding, including seven projects to receive the full amount requested and three to receive partial funding, as recommended in the table below.

Applicant	Project Title	Recommended Funding (ex GST)
The Catholic Parish of French's Forest	Kieran's Creek Bank Stabilisation and Restoration	\$1,950
Planting Seeds Projects	The Northern Beaches B&B Highway	\$4,500
Avalon Beach Surf Lifesaving Club Inc	Carbon Neutral Surf Club 2023	\$5,000
Harriet Cunningham	Simplifying Solar for Industry: Brookvale Powerhouse	\$5,000
Northside Enterprise Incorporated	Bushlink restoration and protection of Flora Ritchie Reserve	\$4,784
Pittwater Natural Heritage Association	Palmgrove Park Avalon Spotted Gum EEC Restoration	\$5,000
Deborah Collins	Avalon Beach 100 Trees, 100 Years	\$4,055
Nature In Motion Inc	Halve My Waste – Residential	\$5,000
Boomerang Bags Inc	Boomerang Bunting: Northern Beaches	\$3,494
KU Children's Services	Permaculture Preschool	\$1,217

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

CONSULTATION

The 2021/22 Environmental Grants Program was open for applications from 28 June 2021 until 9 August 2021, extended from an initial closing date of 2 August, in response to the COVID-19 outbreak.

Due to COVID-19 restrictions, two planned information sessions had to take place online. Grant writing webinars were also made available online.

After learnings from the initial round of Environmental Grants Program funding in 2020, this year the program information and guidelines were advertised and promoted widely throughout the community, including information and emails to relevant grant, network and group distribution lists, Council's website and several broad and targeted social media platforms.

TIMING

Environmental Grants Program funding will be distributed as soon as practicable following Council approval. Grant funded projects are to be completed by 31 December 2022 and to be acquitted by 31 January 2023. There is no multi-year funding through this program.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Protection of the Environment - Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.

- Protection of the Environment - Goal 2: Our environment and community are resilient to natural hazards and climate change.
- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Environment Sustainability - Goal 6: Our community will continue to work towards sustainable use of resources.

This report also relates to the Protect. Create. Live – Northern Beaches Environment and Climate Change Strategy commitments of:

- Improving the quality of existing bushland
- Improving the connectivity of wildlife corridors
- Protecting our receiving waters and riparian areas
- Protecting and improving the condition of creeks and riparian vegetation
- Minimising threats to aquatic ecosystems
- Reducing the impact of urban runoff on our coast and waterways
- Maximising retention of natural coastal habitat and improve the quality of coastal vegetation
- Maximising retention and ecological condition of key habitats
- Reducing the impact of invasive species
- Improving biodiversity in the urban environment
- Reducing resource consumption in our community
- 50% of suitable premises with solar panels installed by 2030
- Increasing the existing tree canopy to expand the local green grid
- Reducing carbon emissions in our community by more than half by 2040
- Maintaining our reducing overall drinking water use in our community by 2040
- Diverting 85% of waste from landfill by 2040
- Maximising the retention of bushland
- Actively working to keep single use plastics and other litter out of our waterways

FINANCIAL CONSIDERATIONS

\$40,000 has been allocated in the 2021/22 approved budget for the 2021/22 Environmental Grants Program. Eligible applications requested a total sum of \$99,191 and the recommended total funding is \$40,000 (ex GST).

SOCIAL CONSIDERATIONS

The 2021/22 Environmental Grants Program has been developed to enable the community to facilitate the delivery of environmental initiatives across the Northern Beaches. The funding of these grants will have a significant positive impact on our local community. While it is difficult to quantify the precise social and economic value of grant funding, Council's resourcing of local

individuals, community groups, services and organisations enables them to achieve community and environmental outcomes that far exceeds Council's capacity to achieve these outcomes alone. Successful applications represent a broad spectrum of the community and include individuals and community groups.

ENVIRONMENTAL CONSIDERATIONS

The projects supported by the Environmental Grants will contribute to achieving the goals (aspirations and commitments) set out in Council's adopted Environment and Climate Change Strategy 2040 as a result of increasing participation and engagement within the community. The environmental projects will help to deliver the Protection of the Environment and the Environmental Sustainability community outcomes within Shape 2028 – The Northern Beaches Community Strategic Plan.

GOVERNANCE AND RISK CONSIDERATIONS

The 2021/22 Community Grants Program is in accordance with Section 356 of the Local Government Act 1993. Applications are assessed against pre-defined and advertised criteria and follow a clear and transparent process to ensure equity. The program was widely advertised and external, independent community members were part of the assessment process.

The 2021/22 Community Grants Program is in accordance with the Community Grants and Partnerships Policy, adopted by Council on 25 June 2019.

The entity names of the applicant or, where relevant, the sponsor have been checked and are confirmed to be correct.

2021/22 Environmental Grants Program – Application Overview

Council received twenty five (25) applications for the Environment Grants Program with twenty two (22) applications proceeding to assessment after eligibility checks. Twenty-two (22) applications requested at total of \$99,191.00. The Environmental Grants Program had the following assessment criteria:

Essential criteria:

1. Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas
2. Demonstrates a positive environmental impact in the short and long term including how this will be measured and maintained
3. Capacity and demonstrated ability of the individual or organisation to manage a well-planned project
4. A realistic budget with all income and expenditure identified.

Highly regarded criteria:

1. Evidence of partnerships with other organisations
2. Applications that address more than one category and/or priority
3. Experimental, innovative ideas and approaches
4. Longevity of the project benefits.

Projects recommended for funding

Following the assessment of the twenty two (22) applications, the Panel recommends ten (10) for grant funding, totalling \$40,000. This includes seven (7) projects for full funding and three (3) projects for partial funding. The following table details the projects recommended for funding. All of these projects met all the criteria and scored among the highest in the combined assessment scores. Comments in the following table reflect where they scored highest against the criteria.

Individual or organisation	Project	Funding request (ex GST)	Funding recommendation (ex GST)	Comment	Project Description
The Catholic Parish of Frenchs Forest	Kieran's Creek Bank Stabilisation and Restoration	\$1,950	\$1,950	Excels in all essential and highly regarded criteria	This is a 12 month project removing invasive species in Kieran's Creek, then using sustainable materials for bank stabilisation, erosion control, weed suppression and Duffys Forest revegetation.
Planting Seeds Projects	The Northern Beaches B&B Highway	\$5,000	\$4,500	Excels in essential criteria 3; and highly regarded criteria 3	The installation of B & B's (Bed & Breakfasts for Birds, Bees & Biodiversity) at three sites - one in a primary school and two in pre-schools. This includes planting pollinator-friendly plants and installing a habitat (hive, insect hotel or nesting box) and delivery of education sessions at each location.
Avalon Beach Surf Lifesaving Club Inc	Carbon Neutral Surf Club 2023	\$5,000	\$5,000	Excels in essential criteria 1 and 3	The project is part of a 3 year plan to create a carbon neutral Surf Club. This grant is for year 2, to install solar batteries.
Harriet Cunningham	Simplifying Solar for Industry: Brookvale Powerhouse	\$5,000	\$5,000	Excels in essential criteria 1 and 4; and highly regarded criteria 3 and 4	The Solar Alliance seeks to hold a professionally facilitated workshop for stakeholders to envision a pathway for volunteer groups, businesses and government to work together towards making Powerhouse Brookvale, Australia's first Urban Renewable Energy Zone. Key deliverables from this project will be a vision statement and action plan to take us through the first phase of the project, including research, program design, communication plan and the road map for a pilot scheme and integrated research project.
Northside Enterprise Incorporated	Bushlink restoration and protection of Flora Ritchie Reserve	\$4,784	\$4,784	Excels in essential criteria 1, 2 and 3; and highly regarded criteria 2	The project will employ people with disability to work within Flora Ritchie Reserve, Curl Curl, to: reduce the density of Weeds of National Significance, improve the quality of the coastal vegetation, increase resilience to infestations of invasive weeds, maintain plantings, and revegetate to reduce erosion and improve biodiversity.

Individual or organisation	Project	Funding request (ex GST)	Funding recommendation (ex GST)	Comment	Project Description
Pittwater Natural Heritage Association	Palmgrove Park Avalon Spotted Gum EEC Restoration	\$5,000	\$5,000	Excels in essential criteria 1, 2 and 3; and highly regarded criteria 1 and 3	On ground work in the lower section of Palmgrove Park between Dress Circle Rd and Bellevue Rd, including restoration of about 600 sqm of the forest by planting Spotted Gums, understorey and ground layer species of the EEC. Project also includes community engagement.
Deborah Collins	Avalon Beach 100 Trees, 100 Years	\$4,055	\$4,055	Excels in essential criteria 1, 2 and 4; and highly regarded criteria 3 and 4	AVALON BEACH 100 Trees 100 Years is a community tree giveaway project and environmental education campaign designed to celebrate the centenary of Avalon Beach with the planting of 100 local, native, canopy trees, by residents, on private land. Key deliverables will include social media engagement with photographs of the trees being planted, videos to educate the public and a location map indicating the distribution of new canopy trees and those that may follow.
Nature In Motion Inc	Halve My Waste – Residential	\$5,000	\$5,000	Excels in essential criteria 3 and 4; and highly regarded criteria 1 and 3	'Halve My Waste – Residential' is a project that empowers residents to reduce their waste to landfill by half during 2022. Using a learning platform to share digital content of unsung eco-heroes, local achievers, sporting legends and business leaders, showing a how-to or talking about the tipping point of how they reduced their food waste, started a compost, planted a veggie garden, indigenous planting, made better decisions in the supermarket, discussed circular economy with their local business, electric vehicles purchased, solar installed, and stopped buying items in plastic packaging.

Individual or organisation	Project	Funding request (ex GST)	Funding recommendation (ex GST)	Comment	Project Description
Boomerang Bags Inc	Boomerang Bunting: Northern Beaches	\$4,358	\$3,494	Excels in essential criteria 2, 3 and 4; and highly regarded criteria 1 and 3	A project to reduce the use of single-use decorative items such as balloons, streamers, string and balloon clips which we constantly see being used for celebrations at parks and reserves on the Northern Beaches. We will provide the community with a sustainable alternative for these single use decorative items by creating a library of reusable bunting for people to borrow to decorate their party space.
KU Children's Services	Permaculture Preschool	\$5,000	\$1,217	Excels in essential criteria 1, 2 and 4	A project to transform an area of the preschool into a permaculture garden to educate children on the importance of sustainable practices, permaculture and a deeper passion/respect for nature.

ITEM 11.3	ANNUAL ELECTRICITY CHARGES
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2021/672914
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To advise Council of the annual electricity charges year on year.

REPORT

Council resolution 239/19 from 23 July 2019 requires that *Staff report to Council each year for noting its annual electricity charges year on year*. In accordance with this resolution, the annual electricity charges for the 2019/2020 and 2020/2021 financial years are provided as follows:

During the 2019/2020 financial year Council spent:

- \$2,562,726 on electricity across its large and small sites
- \$2,634,774 on streetlighting electricity and maintenance comprising:
 - \$1,142,946 for electricity usage
 - \$1,491,828 for maintenance costs.

During the 2020/21 financial year Council spent:

- \$2,712,190 on electricity across its large and small sites
- \$2,614,778 on streetlighting electricity and maintenance comprising:
 - \$1,237,406 for electricity usage
 - \$1,377,372 for maintenance costs.

Notable differences over the two periods were 1) the result of our streetlighting electricity accounts coming off a historically low price available in the 2019 calendar year which increased the overall average electricity price cost (up to 21c/kWh for traditional grid power) for the second half of 19/20 and 2) a reduction in electricity costs from 1 January 2021 (down to 19c/kWh for renewable electricity), following entry into the renewable electricity PPA. Please note electricity contracts follow calendar years rather than financial years.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Environment Sustainability - Goal 4: Our Council is recognised as a community leader in environment sustainability.
- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

The Long-Term Financial Plan for 2021 included \$5.58M for large sites, small sites, streetlighting electricity and streetlighting maintenance. The total expenditure for the same items for 2020/2021, which includes six months on the new 100% Renewable Electricity PPA, is \$253,032 less than the LTFP.

ENVIRONMENTAL CONSIDERATIONS

With the commencement of the 100% Renewable Power Purchase Agreement (PPA) on 1 January 2021, overall reduction in corporate carbon emissions of ~20,000 tonnes/annum are expected to be realised once the PPA has been in place over a full year (i.e. by 1 January 2022).

SOCIAL CONSIDERATIONS

The source of the Large-scale Generation Certificates as part of the 100% Renewable Electricity PPA which commenced in January 2021 has been nominated as the Iberdrola-owned Bodangora Wind Farm. This wind farm is located in regional NSW and therefore is supporting the NSW regional economy and also renewable electricity entering the grid. The wind farm:

- Is located approximately 15 km east of Wellington, near Dubbo in New South Wales
- Provides community funding through:
 - The Bodangora Wind Farm Community Fund for a minimum of \$50,000 each year. This arrangement is in place for at least the first 25 years of the operation of the wind farm, until 2044.
 - The Bodangora Wind Farm Community Enhancement Fund which contributes \$17,000 each year to sponsor local events.

GOVERNANCE AND RISK CONSIDERATIONS

There are no known governance or risk considerations associated with this report.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council note the information contained in this report.

ITEM 11.4	RESPONSE TO NOTICE OF MOTION NO 39/2021 - RECYCLE TAKEAWAY COFFEE CUPS
REPORTING MANAGER	EXECUTIVE MANAGER WASTE MANAGEMENT & CLEANSING
TRIM FILE REF	2021/689029
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To report on the possibility of introducing a system for the recycling of takeaway coffee cups and lids on the Northern Beaches, and further promotion of Council's "Swap and Go" and "Swap This for That" programs.

REPORT

At its meeting on 28 September 2021, Council resolved as follows (282/21):

That Council:

- 1. investigate the possibility of introducing a system for the recycling of takeaway coffee cups and lids.*
- 2. consider a trial of the collection of these items at a number of relevant locations on the Northern Beaches as soon as practicable.*
- 3. consider further promotion of the "Swap and Go" coffee cup systems to cafes and coffee drinkers.*
- 4. include further promotion of Council's "Swap This for That" campaign in relation to takeaway coffee cups.*
- 5. bring back a report to Council at the October 2021 meeting.*

A response to the various components of the resolution is provided below.

The "Swap This for That" and "Swap and Go" programs

The "Swap This for That" campaign was introduced in 2017 to support the "Single Use Plastics" and "Waste Minimisation for Functions and Events Approved by Council" policies. This campaign raised awareness in the community of the impacts of single use plastics and found that the most effective measure to minimise coffee cup waste (which includes plastic lining on coffee cups and plastic lids) was to swap a disposable coffee cup with a reusable coffee cup.

The "Swap for Good" business program was introduced in 2019 to further support businesses in the transition away from single-use plastics. Council's "Swap and Go" coffee cup system was part of this program and encourages and supports local businesses to use swap cups. In Round One and Two of this program in 2020/21, Council delivered 550 returnable swap cups to participating businesses to replace disposable cups. Participating customers receive their takeaway coffee in returnable cups which are free to borrow (with a refundable deposit) and can be dropped off at a number of participating locations to be sanitised and then reused.

After implementing the "Swap and Go" system, cafes reported an increase in use of reusable cups, both swap cups and reusable cups. On average, cafes saved \$700 in packaging and 5,000 cups from landfill per year. Across the 22 cafes in the program, an estimated 112,000 coffee cups were

saved from landfill annually, at an indicative cost to Council of approximately \$0.04 to \$0.07 per cup diverted from landfill (this does not include Council staffing/promotion costs).

Coffee Cup Recycling systems

There are very few options available for separately collecting or recycling disposable take away coffee cups in NSW. Disposable coffee cups are difficult to recycle due to the range of different materials used to make them. They are generally a compound of wood/paper materials lined with polymer waterproof linings and plastic lids. This makes them difficult to sort or separate for recycling in standard material recovery facilities (MRF) where most council recycling material is sorted.

Staff have conducted an initial review of the two known collection systems, Simply Cups and Detpak with RecycleMe™. Within the Northern Beaches, a Simply Cups collection unit is currently available at the 7-Eleven store in Dee Why and a Detpak with RecycleMe™ collection system is at Seven Miles, Manly Vale.

Collection systems for recycling, if well located, can provide a convenient disposal option for consumers. With Simply Cups, the coffee cups are shredded and sent to soft plastic recyclers such as NewTechPoly in Victoria for processing into new materials or products. Based on the stated prices on the Simply Cups website, if a Simply Cups station was placed at five locations for three months, the cost is estimated to be over \$35,000. If fully utilized this would save an estimated 189,000 cups from landfill at an indicative cost to Council of approximately \$0.19 per cup diverted from landfill (excluding any staff costs). The cost of recycling each cup would be higher than the cost of purchase of a cup by a business (typically \$0.15 for a disposable coffee cup and lid).

With RecycleMe™ cups, Detpak advised that the paper in the cups can be recycled up to seven times before the fibres are too short for further recycling. We understand that the plastic lining is not recycled through their process, and is sent elsewhere for handling. The pricing for this system is not available on their website, so would need to be further investigated should Council wish to proceed with this option.

There are some limitations to the collection systems reviewed:

- It is not clear if there is any recycling option yet for the cup lids, so lids may be disposed to landfill
- The Detpak with RecycleMe™ system only recycles disposable RecycleMe™ coffee cups, which would limit the range of disposable coffee cups that could be collected
- Containers require regular collection. For example, Simply Cups 'Jumbo Cup Units' can collect 150 cups and 100 lids. If placed outside a busy café selling 3,000 coffees per week, the unit would need to be emptied up to three times per day and nearby bins (to store cups until collection) could require emptying up to three times per week.

Further discussions would be required with suppliers to understand feasibility of placing collection units outdoors, as most are currently designed to be used indoors. While it is reasonable to assume that there will be higher rates of coffee cups disposed of in areas where cafés are more prevalent (such as Manly CBD, Dee Why etc), further research would be required to determine the most suitable locations.

Reinvigorating Swap and Go and further explore for coffee cup recycling

With COVID-19 restrictions easing, Council intends to reinvigorate its "Swap and Go" coffee cup program to provide an additional 848 swap cups to the business community. Council will promote the system to locals and tourists over Summer highlighting the ease of use, including participating locations on our [website](#), and by releasing a video to raise awareness of how Swap Cup systems work. Council will review the effectiveness of this campaign in 2022 and also help guide

businesses, as part of the 'Swap for Good' program, on the benefits and disadvantages of rolling out their own coffee cup recycling systems.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Environment Sustainability - Goal 4: Our Council is recognised as a community leader in environment sustainability.
- Environment Sustainability - Goal 6: Our community will continue to work towards sustainable use of resources.

FINANCIAL CONSIDERATIONS

Initiatives to reduce business waste generally cannot be funded under the Domestic Waste Management Charge. The 'Swap for Good' program is currently budgeted under Council's grant received under NSW EPA Better Waste Recycling Fund which can be used to cover the costs of the additional swap cups as part of the reinvigorated 'Swap and Go' coffee cup program. A trial of recycling disposable coffee cups has not been budgeted in the current financial year. However, Council could ask the NSW EPA to redirect funding from 'Swap for Good' to a coffee cup recycling program.

ENVIRONMENTAL CONSIDERATIONS

In Council's Single Use Plastic Policy, Council has committed to influencing the business and retail community to provide products and services that do not rely on Single Use Plastics, and promoting alternatives to the community to single use plastic. Recycling is an important component in best management waste practices, where waste avoidance is not possible, but can carry an environmental footprint in transport and processing.

SOCIAL CONSIDERATIONS

Community groups on the Northern Beaches are actively engaged in waste reduction initiatives, and are likely to be supportive of measures which will reduce litter in the area and sustainable use of coffee cups, if accompanied by clear education.

GOVERNANCE AND RISK CONSIDERATIONS

There may be a reputational risk with the 'recycling' options as there are currently limited recycling options for the lids and plastic liners. The collection system may give the impression that the whole cup and lid is collected for recycling. Any recycling option should have clear communication about the program, also complement the Swap for Good program, and be consistent with Council's policies.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council note the information in the report.

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS
REPORTING MANAGER	EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT
TRIM FILE REF	2021/668989
ATTACHMENTS	NIL

SUMMARY

PURPOSE

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

EXECUTIVE SUMMARY

During the period 1 July 2021 to 30 September 2021, the following variations were granted:

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

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council note the Development Applications approved with variations to development standards during the period 1 July 2021 to 30 September 2021.

REPORT

BACKGROUND

The following tables show all variations to development standards (height and floor space ratio controls) approved during the period **1 July 2021 to 30 September 2021** for each of the LEPs in the Northern Beaches LGA, and whether the determination was made by staff under delegated authority or by a determination panel.

Northern Beaches Council has two external panels, being the Northern Beaches Local Planning Panel (NBLPP) and the Sydney North Planning Panel (SNPP). The internal determination panel is known as the Development Determination Panel (DDP).

It is noted that Council is currently preparing a new Local Environmental Plan. The development standards for both height and floor space ratio will be reviewed, and the review will also consider the extent and circumstances in which the existing development standards have been varied by the use of clause 4.6.

The following applications had a Clause 4.6 variation request granted during the period of **1 July 2021 to 30 September 2021**.

Pittwater LEP 2014

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2020/0967	215 Plateau Road BILGOLA PLATEAU NSW 2107	Residential - Other	4.3 Height of buildings	Variation: 4.7% Control: 8.5m Proposal: 8.9m	Staff
DA2021/0064	41 Wallumatta Road NEWPORT NSW 2106	Residential - Alterations and additions	4.3 Height of buildings	Variation: 9.4% Control: 8.5m Proposal: 9.3m	Staff
DA2021/0268	346-352 Whale Beach Road PALM BEACH NSW 2108	Residential - Single new detached dwelling	4.3 Height of buildings (NB – height exceedance due to topography/slope)	Variation: 30.35% Control: 8.5m Proposal: 11.08m	DDP
DA2021/0279	42 Weeroona Avenue ELANORA HEIGHTS NSW 2101	Residential - Alterations and additions	4.3 Height of buildings	Variation: 15.8% Control: 8.5m Proposal: 9.85m	DDP
DA2021/0457	44 Nareen Parade NORTH NARRABEEN NSW 2101	Residential - New second occupancy	4.3 Height of buildings (NB – height exceedance due to topography/slope)	Variation: 23.6% Control: 5.5m Proposal: 6.8m	DDP
DA2021/0493	10 Bilambree Avenue BILGOLA PLATEAU NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 9.65% Control: 8.5m Proposal: 9.32m	Staff
DA2021/0524	45 Park Avenue AVALON BEACH NSW 2107	Residential - New second occupancy	4.3 Height of buildings	Variation: 9.09% Control: 5.5m Proposal: 6m	Staff
DA2021/0556	39 Attunga Road NEWPORT NSW 2106	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 4.1% Control: 8.5m Proposal: 8.85m	Staff
DA2021/0619	15 Jubilee Avenue WARRIEWOOD NSW 2102	Mixed use	4.3 Height of buildings	Variation: 24.55% Control: 11m Proposal: 13.7m	NBLPP
DA2021/0927	224 Hudson Parade CLAREVILLE NSW 2107	Residential - Alterations and additions	4.3 Height of buildings	Variation: 19.4% Control: 8.5m Proposal: 10.15m	DDP

DA2021/1123	60 Cabarita Road AVALON BEACH NSW 2107	Residential - Alterations and additions	4.3 Height of buildings (NB – height exceedance due to topography or site and existing dwelling not compliant)	Variation: 25.9% Control: 8.5m Proposal: 10.7m	DDP
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Manly LEP 2013

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2020/1433	91 Lauderdale Avenue FAIRLIGHT NSW 2094	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 9.98% Control: 8.5m Proposal: 9.35m	Staff
DA2020/1718	479 Sydney Road BALGOWLAH NSW 2093	Residential - Other	4.3 Height of buildings	Variation: 19% Control: 8.5m Proposal: 10.12m	NBLPP
DA2020/1784	30 Macmillan Street SEAFORTH NSW 2092	Residential - Single new detached dwelling	4.4 Floor space ratio	Variation: 8.1% Control: 0.45:1 (202.14m ²) Proposal: 0.487:1 (218.6m ²)	Staff
DA2021/0115	1 / 57 Lauderdale Avenue FAIRLIGHT NSW 2094	Residential - Alterations and additions	4.4 Floor space ratio (NB - existing building significantly exceeded the FSR control)	Variation: 46.6 Control: 0.5:1 (449.2m ²) Proposal: 0.73:1 (658m ²)	NBLPP
DA2021/0129	107 Frenchs Forest Road SEAFORTH NSW 2092	Residential - Single new detached dwelling	4.4 Floor space ratio	Variation: 13.3% Control: 0.45:1 (163.17m ²) Proposal: 0.51:1 (184.92m ²)	DDP
DA2021/0318	14 South Steyne MANLY NSW 2095	Commercial/Ret ail/Office	4.4 Floor space ratio	Variation: 1.02 Control: 1.5:1 (263.26m ²) Proposal: 1.52:1 (267.4m ²)	NBLPP
REV2021/0012	396-400 & 402 Sydney Road BALGOWLAH NSW 2093	Mixed	4.3 Height of buildings	Variation: 27.2% Control: 12.5m Proposal: 15.9m	NBLPP
DA2021/0411	62 Birkley Road MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 7% Control: 0.6:1 (205.09m ²) Proposal: 0.64:1 (219.5m ²)	Staff
DA2021/0476	21 Gurney Crescent SEAFORTH NSW 2092	Residential - Alterations and additions	4.3 Height of buildings (NB – existing dwelling exceeds height control and sloping site)	Variation: 39.06% Control: 8.5m Proposal: 11.82m	DDP
DA2021/0497	87-88 North Steyne MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings	Variation: 79.2% Control: 13m Proposal: 23.3m	NBLPP

			(NB – existing building exceeds height control – DA approved changes to balustrades)		
DA2021/0502	1 Steinton Street MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 8.3% Control: 0.75:1 (119.25m ²) Proposal: 0.82:1 (130m ²)	Staff
DA2021/0623	12 Carlton Street MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 7.6% Control: 0.6:1 (131.16m ²) Proposal: 0.65:1 (141.1m ²)	DDP
DA2021/0632	7 Reddall Street MANLY NSW 2095	Residential - Alterations and additions	4.3 Height of buildings	Variation: 24.7% Control: 8.5m Proposal: 10.6m	NBLPP
DA2021/0757	33 Lauderdale Avenue FAIRLIGHT NSW 2094	Residential - Alterations and additions	4.3 Height of buildings 4.4 Floor space ratio	Variation: 5.88% Control: 8.5m Proposal: 9m Variation: 55% Control: 0.5:1 (165.05m ²) Proposal: 0.75:1 (249.6m ²)	DDP
DA2021/0842	29 A Quinton Road MANLY NSW 2095	Residential - Alterations and additions	4.4 Floor space ratio	Variation: 5.6% Control: 0.6:1 (223m ²) Proposal: 0.64:1 (235.5m ²)	Staff
DA2021/1062	10 Arthur Street FAIRLIGHT NSW 2094	Residential - Alterations and additions	4.4 Floor space ratio (NB – existing building exceeds the FSR control)	Variation: 20% Control: 0.6:1 (167.22m ²) Proposal: 0.72:1 (200.7m ²)	DDP
DA2021/1422	17 Edwin Street FAIRLIGHT NSW 2094	Residential - Alterations and additions	4.3 Height of buildings	Variation: 8.12% Control: 8.5m Proposal: 9.19m	Staff

Warringah LEP 2011

App No.	Address	Category of Development	Development Standard Varied	Variation, Control & Approval	Determined By
DA2020/0917	36 The Esplanade NARRABEEN NSW 2101	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.75% Control: 8.5m Proposal: 8.82m	Staff
DA2021/0101	1 Seddon Hill Road FRESHWATER NSW 2096	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 8% Control: 8.5m Proposal: 9.18m	DDP
DA2021/0507	147 Campbell Parade MANLY VALE NSW 2093	Residential - Single new detached dwelling	4.3 Height of buildings	Variation: 3.5% Control: 8.5m Proposal: 8.8m	DDP
DA2021/0527	31 Oxford Falls Road BEACON HILL NSW 2100	Subdivision only	4.1 Minimum subdivision lot size	Lot 1 Variation: 13.2% Control: 600m ² Proposal: 520.7m ² Lot 2 Variation: 20% Control: 600m ² Proposal: 479.7m ²	NBLPP

DA2021/0628	9 Beach Street CURL CURL NSW 2096	Residential - Alterations and additions	4.3 Height of buildings	Variation: 13.59% Control: 8.5m Proposal: 9.655m	DDP
DA2021/0801	22 Townsend Avenue FRENCHS FOREST NSW 2086	Residential - Alterations and additions	4.3 Height of buildings	Variation: 6.1% Control: 8.5m Proposal: 9.02m	Staff
DA2021/0894	73 Edgecliffe Boulevard COLLARROY PLATEAU NSW 2097	Residential - Alterations and additions	4.3 Height of buildings	Variation: 5.8% Control: 8.5m Proposal: 9m	Staff
DA2021/1014	61 Aubreen Street COLLARROY PLATEAU NSW 2097	Residential - Alterations and additions	4.3 Height of buildings	Variation: 2% Control: 8.5m Proposal: 8.68m	Staff
DA2021/1128	20 Ballyshannon Road KILLARNEY HEIGHTS NSW 2087	Residential - Alterations and additions	4.3 Height of buildings	Variation: 7.53% Control: 8.5m Proposal: 9.14m	Staff
DA2021/1494	18 Eastbank Avenue COLLARROY NSW 2097	Residential - Alterations and additions	4.3 Height of buildings	Variation: 3.5% Control: 8.5m Proposal: 8.8m	Staff

CONSULTATION

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

TIMING

Not applicable.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

ITEM 12.2	PUBLIC EXHIBITION OF NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2021 (AMENDMENT)
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2021/631530
ATTACHMENTS	1 ⇒Figure - Land to which this Plan Applies (Included In Attachments Booklet) 2 ⇒Draft Amendment - Northern Beaches Section 7.12 Contributions Plan 2021 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To obtain Council endorsement to place on public exhibition an amendment to the Northern Beaches Section 7.12 Development Contributions Plan 2021 to remove land identified in the Frenchs Forest Place Strategy (recently exhibited by the Department of Planning, Industry and Environment (DPIE)) from the Section 7.12 Plan. This amendment will facilitate the introduction of a new Frenchs Forest Contributions Plan to be applied to this area.

EXECUTIVE SUMMARY

The Northern Beaches Section 7.12 Contributions Plan 2021 (the 'Plan') was most recently updated by Council at its meeting on 15 June 2021 and came into force on 19 June 2021.

From 23 July to 3 September 2021, DPIE exhibited the Draft Frenchs Forest 2041 Place Strategy, Explanation of Intended Effect (EIE) and the Frenchs Forest Draft Green Plan. Concurrently, Council exhibited a draft Development Control Plan for the precinct.

Council at its meeting on 28 September 2021 resolved to support a Submission to DPIE in relation to the draft Frenchs Forest Place Strategy Planning Package.

To ensure there is only one development contributions plan applicable to the land identified in the Frenchs Forest Place Strategy, it is proposed to amend the existing S7.12 Contributions Plan by changing the map entitled "Attachment 1 – Land to which this Plan applies" to expressly exclude the land in the Frenchs Forest Place Strategy (See Figure 1 & 2). This same approach has been applied for the Warriewood Valley Land Release Area and Dee Why Town Centre to enable these growth areas to have their own contribution plans to collect funds for the infrastructure to accommodate the higher rates of growth anticipated in these areas.

The draft Section 7.11 Development Contributions Plan for Frenchs Forest is currently under preparation in accordance with Section 7.11 of the Environmental Planning and Assessment Act. The draft Contributions Plan specifically identifies the infrastructure needed to support the incoming population from the development proposed under the Frenchs Forest Place Strategy.

If agreed by Council, the amended Northern Beaches Section 7.12 Contributions Plan will be placed on public exhibition for a minimum 28 days at the same time as the draft Frenchs Forest Section 7.11 Development Contributions Plan. This is in accordance with Council's previous resolution of 1 August 2017 to prepare and exhibit a Development Contributions Plan among other documents for the Northern Beaches Hospital Precinct Structure Plan.

Following public exhibition, a report presenting the outcomes of the public exhibition will be reported back to Council for consideration and adoption.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

1. Council place on public exhibition the amendments to the Northern Beaches Section 7.12 Development Contributions Plan 2021 for a minimum of 28 days.
 2. The amended Northern Beaches Section 7.12 Development Contributions Plan 2021 is publicly exhibited at the same time as the draft Frenchs Forest Section 7.11 Development Contributions Plan.
 3. The outcome of the public exhibition of the amended Northern Beaches Section 7.12 Development Contributions Plan 2021 and draft Frenchs Forest Section 7.11 Development Contributions Plan be reported to Council.
-

REPORT

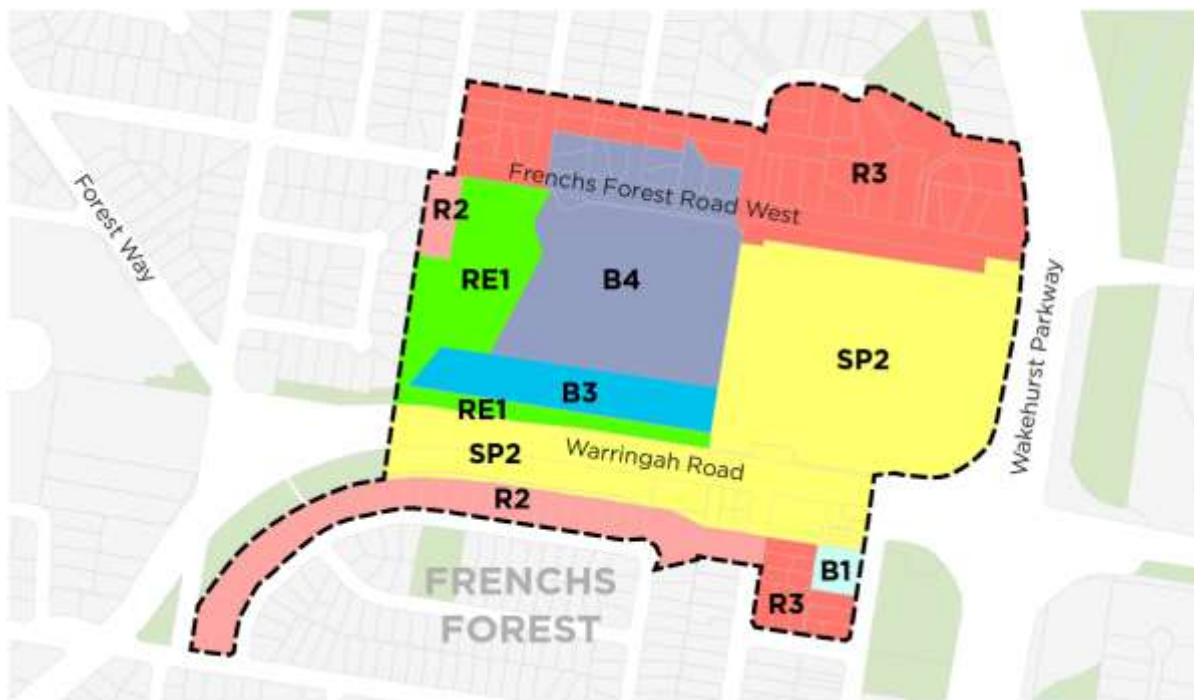
BACKGROUND

At its meeting of 15 June 2021, Council adopted the Northern Beaches Section 7.12 Contributions Plan 2021, which came into force from 19 June 2021. This Plan applies to all development, including Complying Development Certificates, where the cost of works is above \$100,000 across the majority of land in the Northern Beaches, with the exception of the Warriewood Valley Release Area and Dee Why Town Centre. The Plan also includes a Works Schedule that is consistent with the Capital Works Delivery Program 2021-2025.

Land in the exhibited draft Frenchs Forest Place Strategy

From 23 July to 3 September 2021, DPIE exhibited the Draft Frenchs Forest 2041 Place Strategy, Explanation of Intended Effect (EIE) and the Frenchs Forest Draft Green Plan.

The draft Place Strategy and rezoning seeks to deliver the new Frenchs Forest strategic centre (generally Phase 1 of Council’s adopted Northern Beaches Hospital Precinct Structure Plan) including 2,000 new homes, 250 affordable dwellings, around 2,000 new jobs, public open spaces, and easier walking and cycling connections. This area is identified in Figure 1 below.



Land Zone	
B1 Neighbourhood Centre	B3 Commercial Core
B4 Mixed Use	R2 Low Density Residential
R3 Medium Density Residential	RE1 Public Recreation
SP2 Infrastructure	

Figure 1: Land Impacted by the Frenchs Forest Place Strategy

Council, at its meeting on 28 September 2021, resolved to support a Submission to DPIE in relation to the draft Frenchs Forest Place Strategy Planning Package.

At the time of exhibition of the Frenchs Forest Place Strategy, the Frenchs Forest Development Contributions Plan was still under preparation. When finalised, the draft Frenchs Forest Section 7.11 Contribution Plan will be placed on public exhibition for a minimum 28 days in accordance with Council's previous decision of 1 August 2017, which reads as follows:

That Council:

- A. *Adopt the Northern Beaches Hospital Precinct Structure Plan to provide the strategic landuse planning framework for Frenchs Forest.*
- B. *Submit the Northern Beaches Hospital Precinct Structure Plan to the NSW Department of Planning and Environment to facilitate the phased rezoning process through an amending State Environmental Planning Policy (SEPP) process.*
- C. *Review the Northern Beaches Hospital Precinct Structure Plan every five years to monitor and evaluate progress and implementation.*
- D. ***Prepare and exhibit the following documents in accordance with the planning framework identified in the Northern Beaches Hospital Precinct Structure Plan:***
 - a. *Amendment to Warringah Development Control Plan 2011.*
 - b. *Urban Design Guidelines.*
 - c. ***Section 94 Contributions Plan.***
 - d. *Infrastructure Plan.*
- E. *Work with the NSW Department of Education to prepare and exhibit a Masterplan for Aquatic Reserve to deliver a state-of-the-art education and recreation precinct at Aquatic Reserve in Frenchs Forest.*
- F. *Commit to a 15% affordable rental housing target as part of any redevelopment of the future town centre at Frenchs Forest and a 10% target applicable for the remaining rezoned area.*
- G. *Apply for a Green Star – Communities rating for the Frenchs Forest precinct.*
- H. *Continue to lobby the NSW Government for an east-west rapid transit system with an interchange incorporated into the development of the future town centre at Frenchs Forest and for the delivery of integrated public transport connections as part of the proposed Beaches Link tunnel.*
- I. *Provide a buffer area for all re-zoned land that immediately adjoins land not subject to rezoning to ensure adequate amenity, building setback and landscaping.*

Proposed Changes to the Northern Beaches Section 7.12 Development Contribution Plan

Currently the Northern Beaches Section 7.12 Development Contributions Plan 2021 applies to the land in the draft Frenchs Forest Place Strategy.

To ensure there is only one development contributions plan applicable to land identified in the Frenchs Forest Place Strategy, it is proposed to amend the existing S7.12 Contributions Plan by changing the map entitled "Attachment 1 – Land to which this Plan applies" and expressly exclude the Frenchs Forest Place Strategy area (See Figure 2). This same approach has been done for the Warriewood Valley Land Release Area and Dee Why Town Centre to enable these areas to have their own section 7.11 Contribution Plan.

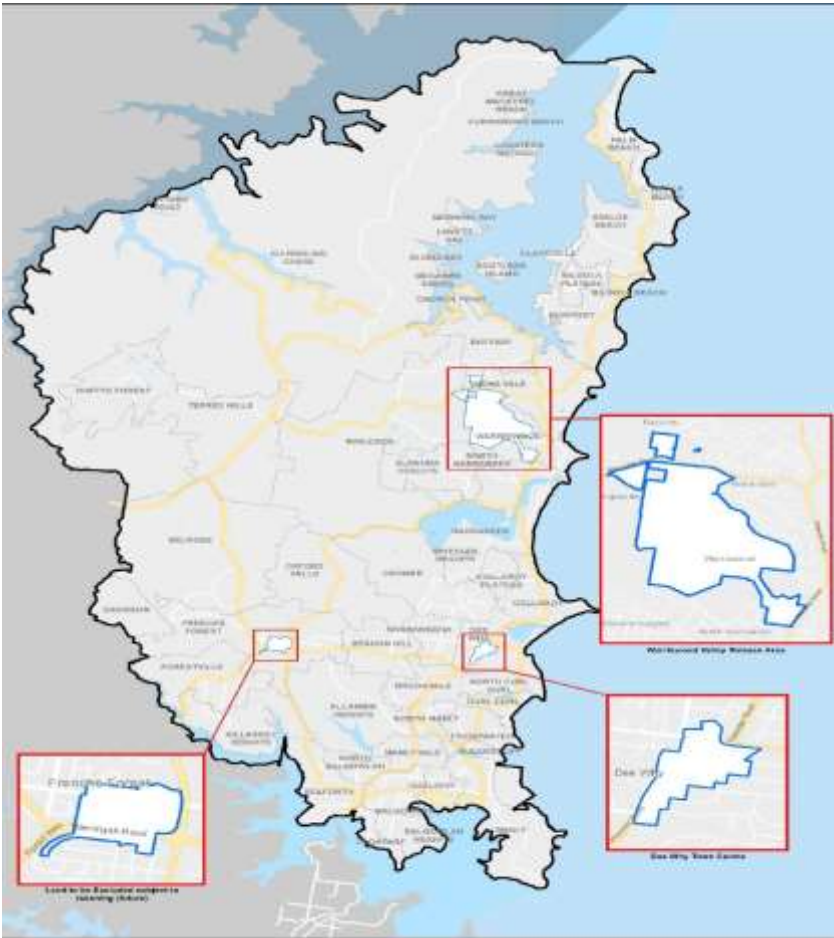


Figure 2 – Land to be Excluded from the Northern Beaches Section 7.12 Contributions Plan 2021

The amended Northern Beaches Section 7.12 Development Contribution Plan 2021 is provided at Attachment 2 and contains the proposed changes shown in ‘track changes’.

CONSULTATION

If Council agrees, the amended Northern Beaches Section 7.12 Development Contributions Plan 2021 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 and Council's Community Participation Plan.

It is prudent that the amended S7.12 Development Contributions Plan is exhibited concurrently with the draft Frenchs Forest Section 7.11 Development Contribution Plan.

A notice of exhibition including the formal exhibition documents will be published on the “Have Your Say” section of Council’s website in accordance with Council’s Community Participation Plan.

TIMING

It is proposed to exhibit the amended Northern Beaches Section 7.12 Development Contribution Plan 2021 and the draft Frenchs Forest Section 7.11 Development Contribution Plan concurrently to provide clarity on this issue.

At the close of the public exhibition period, all submissions will be considered and if deemed necessary, changes will be made to the exhibited amended S7.12 Development Contribution Plan 2021.

The outcomes of the public exhibition of both contribution plans will be reported back to Council for its consideration and final endorsement.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

The amended S7.12 Plan continually seeks to ensure an equitable and sustainable funding source for a broader range of infrastructure and services across the Northern Beaches.

Removing the Frenchs Forest land from the S7.12 Plan will essentially allow a new Contributions Plan to cover the land identified in the Frenchs Forest Place Strategy and provide a more appropriate mechanism for infrastructure delivery commensurate with the development and growth planned in Frenchs Forest.

SOCIAL CONSIDERATIONS

The amended S7.12 Plan will continue to facilitate the timely funding and delivery of public infrastructure such as public domain improvements, open space, pedestrian/cycle networks, and community facilities which will enhance social outcomes for current and future residents and workers across the Northern Beaches.

ENVIRONMENTAL CONSIDERATIONS

The amended S7.12 Plan will continue to contribute to improved environmental outcomes across the Northern Beaches through the provision of critical public amenities and infrastructure. 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 land in the draft Frenchs Forest Place Strategy will have a specific development contributions plan, prepared in accordance with Section 7.11 of the Environmental Planning and Assessment Act and will specifically identify infrastructure commensurate with development and growth in Frenchs Forest.

As Frenchs Forest will have its own development contributions plan, the infrastructure priorities for Frenchs Forest does not have to compete with the planned infrastructure for the majority of the Northern Beaches as it is listed in the Northern Beaches Section 7.12 Development Contributions Plan.

ITEM 12.3	PLANNING PROPOSAL - 5 BOWLING GREEN LANE, AVALON PEX2020/002 - POST-GATEWAY EXHIBITION REPORT
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2021/659875
ATTACHMENTS	1 ⇒ Planning Proposal (Included In Attachments Booklet) 2 ⇒ Gateway Determination (Included In Attachments Booklet) 3 ⇒ Existing Pittwater LEP 2014 Map (Included In Attachments Booklet) 4 ⇒ Proposed Pittwater LEP 2014 Map Change (Included In Attachments Booklet)

SUMMARY

PURPOSE

To inform Council of the outcome of the statutory public exhibition of Planning Proposal PEX2020/0002 'Green 3' at the Avalon Beach Bowling Club, 5 Bowling Green Lane, Avalon Beach and recommend that Council adopt the Planning Proposal and forward it to the Department of Planning, Industry and Environment (DPIE) for finalisation in accordance with the requirements of the Gateway Determination issued by the Department of Planning, Industry and Environment dated 14 May 2021.

EXECUTIVE SUMMARY

A Planning Proposal (Attachment 1) has been prepared for 'Green 3' at Avalon Beach Bowling Club, 5 Bowling Green Lane, Avalon Beach. The proposal seeks to amend Pittwater Local Environmental Plan 2014 (Pittwater LEP 2014) to rezone the site from R2 Low Density Residential to RE1 Public Recreation.

The Avalon Bowling Club is located within Dunbar Park, Avalon (Lot 7 in DP 12404000). Dunbar Park is owned and managed by Council and includes the Avalon Recreation Centre, the Avalon Bowling Club, Avalon RSL Club outdoor area (leased from Council) and Woolworth's carpark (leased from Council). The western section of the land is leased to Avalon Bowling and Recreation Centre Limited (ABBRC) to operate the Avalon Beach Bowling Club.

The site 'Green 3' consists of a bowling green which is utilised by the Avalon Beach Bowling Club for club purposes and contains no other surface improvements.

The planning proposal was placed on non-statutory exhibition from 6 November to 20 November 2020. During the non-statutory exhibition three submissions in support of the proposal were received.

An assessment of the planning proposal against DPIE's 'Planning Proposals: A Guide to Preparing Planning Proposals' confirms that the proposal is consistent with the relevant directions and objectives of the Greater Sydney Region Plan and the priorities of the North District Plan and Northern Beaches Local Strategic Planning Statement and demonstrates strategic and site specific merit.

The Northern Beaches Local Planning Panel considered the planning proposal at its meeting on 3 February 2021 and advised Council it supported the planning proposal progressing to a gateway determination.

The matter was reported to the Council meeting held on 23 February 2021 during which Council resolved that the Planning Proposal be submitted to DPIE to seek a Gateway Determination. This was undertaken accordingly and on 16 March 2021 the Planning Proposal and relevant documentation was uploaded to the NSW Planning Portal for consideration.

On 14 May 2021 DPIE issued a Gateway Determination (Attachment 2) seeking minor amendments to the Planning Proposal and statutory public exhibition for a minimum of 28 days. The Gateway Determination also authorised Council as the local plan-making authority to exercise the functions under section 3.36(2) of the EP&A Act.

The amended Planning Proposal was exhibited in accordance with the conditions of the Gateway Determination from 30 July 2021 to 29 August 2021 during which Council received seven submissions (six in support and one objection). The submissions in support of the Planning Proposal acknowledge that the proposed zoning more accurately reflects the existing and historical use of the land. The submission objecting to the proposal raises several concerns that are outside the scope of the proposed rezoning – these issues are discussed in further detail in the body of this report.

Council is the Principal Planning Authority for the Planning Proposal in accordance with the issued Gateway Determination.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Adopt the Planning Proposal PEX2020/0002 'Green 3' at the Avalon Beach Bowling Club, 5 Bowling Green Lane, Avalon Beach.
 2. Submit it to the NSW Department of Planning, Industry and Environment for finalisation to amend the Pittwater Local Environment Plan 2014 to rezone Lot 7 in DP 12404000 from R2 Low Density Residential to RE1 Public Recreation.
-

REPORT

BACKGROUND

Avalon Beach Bowling Club is located within Dunbar Park, an open space area sited adjacent to the Avalon Beach commercial centre (Figure 1). The Park, being Lot 7 in DP 1240400, is owned and managed by Council and includes the Avalon Recreation Centre, the Avalon Beach Bowling Club, Avalon RSL Club outdoor area (leased from Council) and Woolworth's carpark (leased from Council). The western section of the land is leased to Avalon Beach Bowling and Recreation Centre Limited (ABBRC) to operate the Avalon Beach Bowling Club.

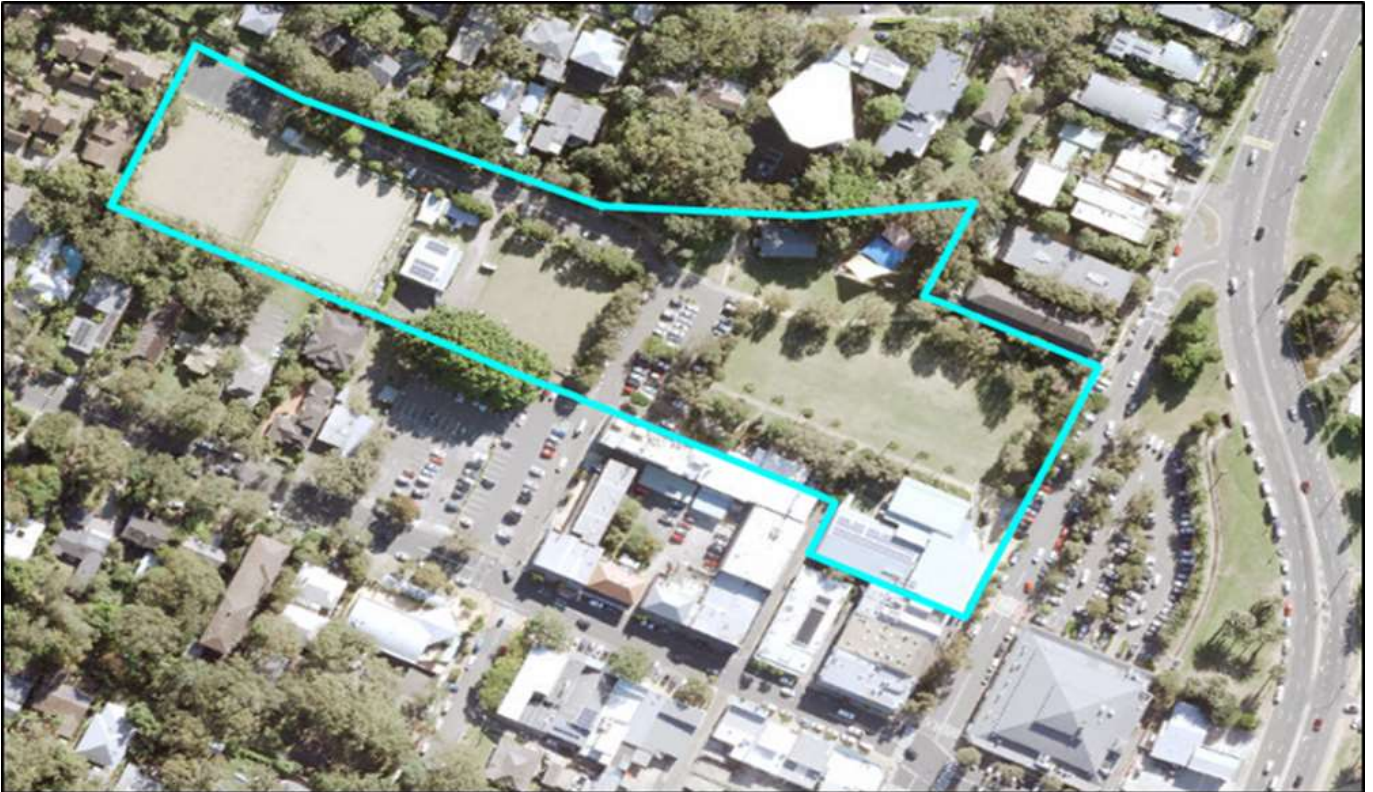


Figure 1 – Aerial Photo of Dunbar Park

The land (formally Lot 2 in DP 517185 as shown in figure 2) was purchased by Council on 26 September 2016 from ABBRC in accordance with a Pittwater Council resolution of 20 April 2015.

The land was purchased by Council on the 26 September 2016 and as a condition of sale ABBRC requested the following:

- *That the land comprising Green 3 be reclassified as Community Land, as soon as reasonably practicable after settlement as per the resolution of Council dated 20 April 2015 (Council Resolution).*
- *After completion of the contract Council will consolidate Green 3 and Lot 6 (Consolidation).*
- *Green 3 will be rezoned from R2 Low Density to RE1 Public Recreation (rezoning) as per Council Resolution.*

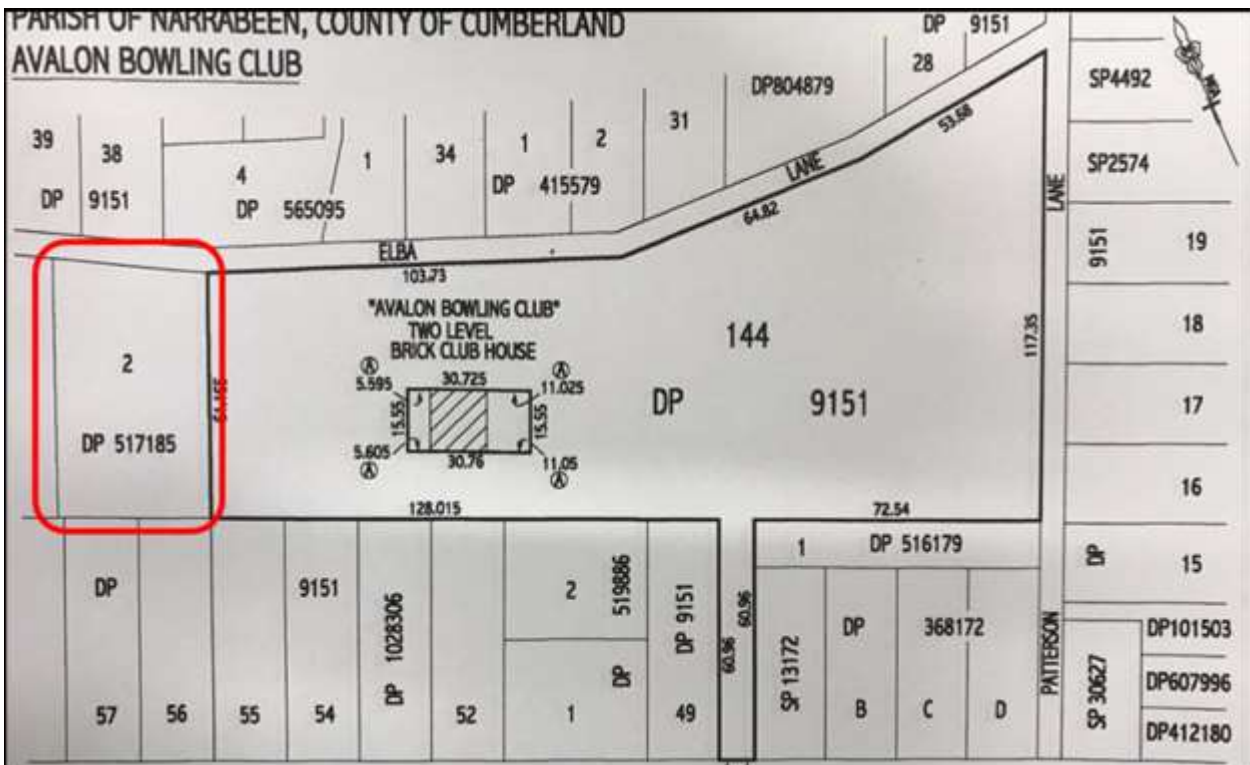


Figure 2: Plan of Subdivision Prior to Consolidation; Highlighted in Red, Lot 2 DP 517185 (Green 3).

Lot 2 in DP 517185 and Lot 6 in DP 1102075 were subsequently consolidated into one lot, being Lot 7 in DP 1240400 (Figure 3). The reclassification of Green 3 from Operational land to Community land was completed on 26 December 2016 in accordance with the requirements of the *Local Government Act 1993*.



Figure 3 – Plan of Subdivision

Site Description

The subject site incorporates Green 3 of the Avalon Beach Bowling Club (the Club) and forms the western section of Lot 7 DP 1240400, Dunbar Park (figure 4). 'Green 3' continues to be utilised by the Club for lawn bowls and club related purposes.

The subject site adjoins land developed for residential purposes to the north, south and west. Dunbar Park and the Avalon Beach Bowling Club are sited to the east.

The site does not contain any native vegetation however is subject to flooding during a 1% AEP event.

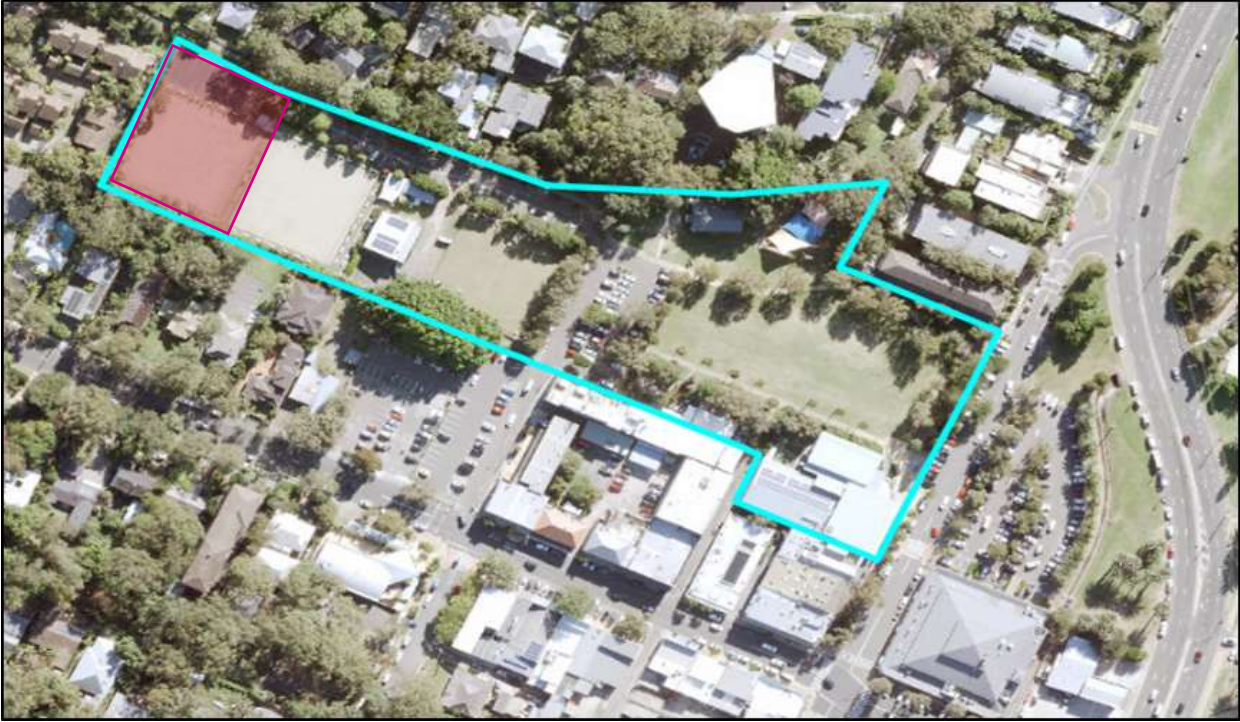


Figure 4 – Subject Site, Green 3

Current Zoning

The site Green 3 is zoned R2 Low Density Residential under Pittwater LEP 2014 (Attachment 3). Properties adjoining the site to the north, south and west are zoned R2 Low Density Residential and Dunbar Park which adjoins the site to the east is zoned RE1 – Public Recreation.



Figure 5 – Existing Zoning Map

The objectives of the R2 Low Density Residential are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.
- To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.

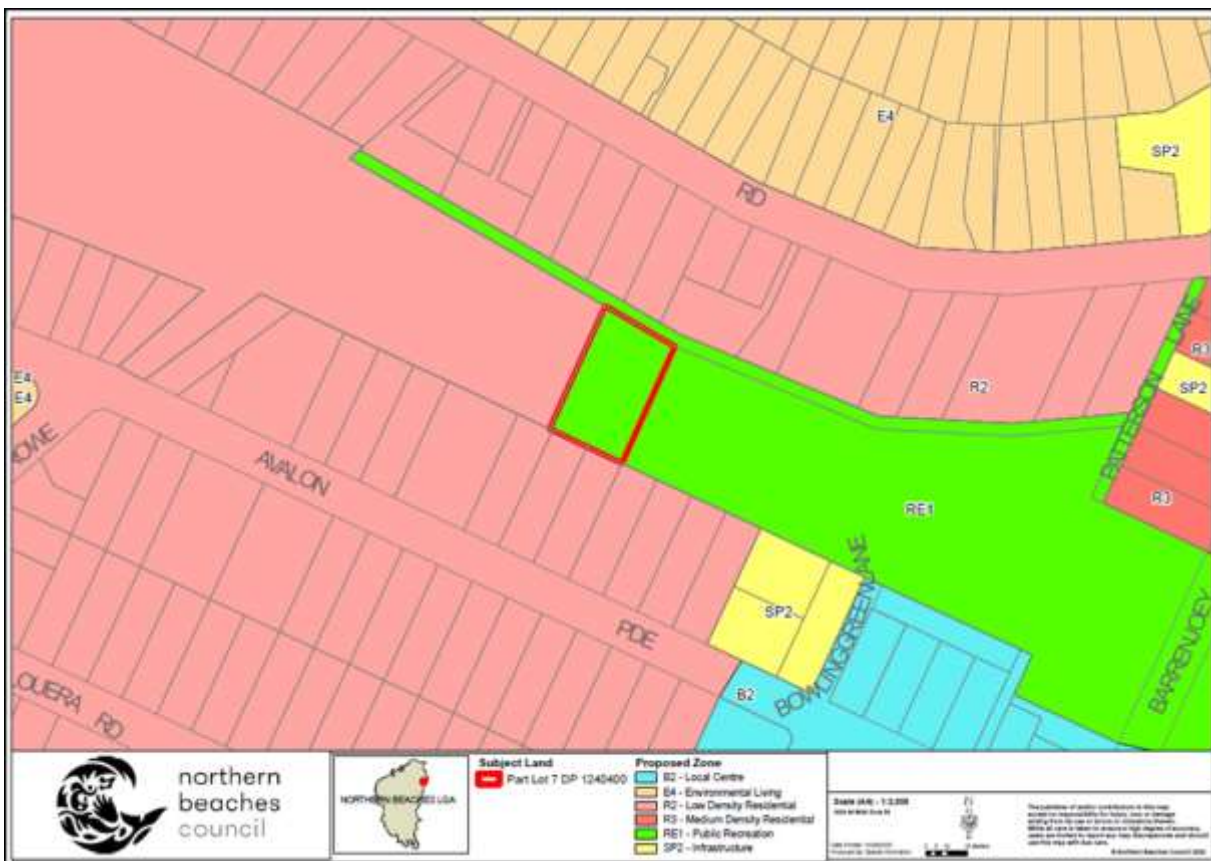


Figure 6 – Proposed Zoning Map

The Proposal

The Planning Proposal seeks to amend the planning controls within Pittwater LEP 2014 to rezone the site to facilitate public recreation uses in conjunction with the Avalon Beach Bowling Club.

Specifically, the Planning Proposal seeks to:

- Change the zoning of the site from R2 Low Density Residential to RE1 Public Recreation.

The Objectives of the RE1 Public Recreation Zones are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To allow development that does not substantially diminish public use of, or access to, public open space resources.
- To provide passive and active public open space resources, and ancillary development, to meet the needs of the community.

Assessment of Planning Proposal

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

Part 1 – Objectives or Intended Outcomes

The Planning Proposal seeks to amend the Pittwater LEP 2014 (Attachment 4) to change the zone of the subject site from R2 Low Density Residential to RE1 Public Recreation.

Part 2 – Explanation of Provisions

The proposed amendments to Pittwater Local Environmental Plan 2014 are:

- Amend LZN_016 map to change the zoning from R2 Low Density Residential to RE1 Public Recreation.

Part 3 – Justification

Section A – Need for the Planning Proposal

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

The Planning Proposal is not the result of any endorsed Local Strategic Planning Statement, strategic study, or report. The Planning Proposal is the result of a former Pittwater Council Meeting resolution of 20 April 2015 that required the following actions be undertaken following the completion of the contract for sale:

- Reclassify Green 3 (part of Lot 7 DP 1240400) from Operational Land to Community Land (Completed 26 December 2016); and
- Re-Zone Green 3 from R2 Low Density Residential to RE1 Public Recreation.

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

Yes, the Planning Proposal is the best means to rezone the subject site from R2 Low Density Residential to RE1 Public Recreation.

Section B - Relationship to Strategic Planning Framework

3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes, the Planning Proposal gives effect to the following regional plans, district plans and strategy.

3.1 A Metropolis of Three Cities – Greater Sydney Region Plan

The proposal has been reviewed against relevant outcomes of the *Greater Sydney Region Plan 'A Metropolis of Three Cities'*. The proposal is consistent with the broad directions of the Plan as outlined in Table 1 below.

Direction	Objective	Planning Proposal
A City supported by infrastructure.	Objective 2: Infrastructure aligns with forecast growth.	Avalon Beach is characterised as an ageing population with static growth, the average age of residents is 45, in comparison to 36 for Greater Sydney. Population projections indicate that the ageing trend will continue with the 75 – 79 years age group experiencing the largest growth between 2016- 2026.

	Objective 3: Infrastructure adapts to future needs.	The preservation of open space within proximity to the village centre will service the needs and requirements of the changing demographic of the area and support the use of the site for recreational purposes in line with the current Avalon Beach Bowling and Recreation Centre.
A Collaborative City	Objective 5: Benefits of growth realized by collaboration of governments, community and business.	Council is working in collaboration with the Avalon Beach Bowling and Recreation Centre to ensure that Avalon Beach has sufficient open space to satisfy community needs now and into the future
A City for people.	Objective 7: Communities are healthy, resilient and socially connected.	The Planning Proposal seeks to increase land zoned for the purpose of public recreation that will provide additional opportunities for the community to connect socially and physically through passive and active recreation.
A City of great places	Objective 12: Great places that bring people together.	The rezoning of the subject site will secure the open space for the use of the Avalon Beach Bowling and Recreation Centre and for the use of the community.
A City in its Landscape	Objective 31: Public open space is accessible, protected and enhanced.	The Planning Proposal seeks to amend the existing residential zoning of the bowling green to ensure it accurately reflects the current use of the land as open space. The Planning Proposal will ensure the land is protected as open space and responds to the needs and values of the local Avalon Beach community now and into the future.

Table 1: Relevant Objectives and Directions of a Metropolis of Three Cities.

3.2 The North District Plan:

The Planning Proposal gives effect to the following objectives of the North District Plan

Livability Theme		
Priority	Objective	Planning Proposal
Planning Priority N3 - Providing services and social infrastructure to meet people's changing needs.	Objective 6: Services and infrastructure meet communities' changing needs.	The demographics of Avalon Beach is changing with the highest growth experienced in the 75 -79 age group. The average age is 45, in comparison to 36 for Greater Sydney, with 50% of the population aged between 35-69 years. Avalon Beach is an aging population, and the planning proposal will provide additional open space zoned land to meet the demographic trend and changing needs and requirements of the community now and into the future.

<p>Planning Priority</p> <p>N4 – Fostering Healthy, Creative, Culturally Rich and Socially Connected Communities.</p>	<p>Objective 7: Communities are healthy, resilient and socially connected.</p>	<p>The Planning Proposal seeks to increase land zoned for public recreation purposes in the Avalon Beach locality. The additional public open space will provide additional opportunities for the community to connect socially and physically through passive and active recreation activities associated with the Avalon Beach Bowling Club and surrounding Dunbar Park area.</p>
<p>Planning Priority</p> <p>N6 - Creating and renewing great places and local centers, and respecting the District's heritage.</p>	<p>Objective 12: Great places that bring people together.</p>	<p>Dunbar Park is located within the Avalon Beach village and holds significant value to the local community. Dunbar Park consists of a diverse range of facilities and infrastructure catering to the social and recreational needs of the community.</p> <p>The Planning Proposal will facilitate and enable the Avalon Beach Bowling and Recreation Centre to secure their current activities and foster the development of a social and recreational hub that will bring the community together for range of social and recreation purposes.</p>
<p>Sustainability Theme</p>		
<p>Priority</p>	<p>Objective</p>	<p>Planning Proposal</p>
<p>Planning Priority</p> <p>N20 - Delivering high quality open space</p>	<p>Objective 31: Public space is accessible, protected and enhanced.</p>	<p>The North District Plan highlights the importance of open space as a form of green infrastructure that not only enhances the character of the District, but also supports active lifestyles and provides opportunities to unite and bring communities together.</p> <p>The District Plan recognises that there is limited opportunity to increase the quantity of open space.</p> <p>The Planning Proposal addresses this issue and seeks to provide additional open space zoned land by rezoning R2 Residential Low Density land to RE1 Public Open Space.</p>
<p>Planning Priority</p> <p>N22 - Adapting to the impacts of urban and natural hazards and climate change</p>	<p>Objective 37 Exposure to natural and urban hazards is reduced</p>	<p>The site is subject to high and medium flood hazards in the 1% AEP flood event. The District North Plan advocates the need to avoid or reduce exposure to natural hazards where possible. The site is currently zoned for residential purposes that would permit additional residential development to be exposed to flooding hazards. The Planning Proposal seeks to remove the residential land zoning and replace it with a public open space zone which is more compatible with the flood affectation of the site.</p>

Table 2: North District Plan –Priorities.

a. Does the proposal have strategic merit?

Yes. The Planning Proposal gives effect to an endorsed former Pittwater Council Meeting resolution relating to 5 Bowling Green Lane, Avalon Beach. Furthermore, it will give effect to the relevant directions and objectives of the Greater Sydney Region Plan, specifically objectives 2,3,5,7, 12 and 31, and Planning Priority N3, N4, N6, N20 and N22 of the Sydney North District Plan.

b. Does the proposal have site specific merit?

Yes. The Planning Proposal has site-specific merit. While the site is currently zoned R2 Low Density Residential and adjoins residential zoned land to the north, south and west it has a long history of being used for open space and recreation purposes as part of the Avalon Beach Bowling Club and adjoins Dunbar Park to the east. Furthermore, in accordance with the Council resolutions relating to the purchase of the subject site the land has been consolidated into Dunbar Park and will be leased to Avalon Beach Bowling and Recreation Centre for recreational uses.

4. Is the planning proposal consistent with a council’s local Strategy or other local strategic plans?

Yes. The Planning Proposal gives effect to the following planning priorities of the LSPS

4.1 Northern Beaches Local Strategic Planning Statement

Priority	Principles	Planning Proposal
Priority 6 High quality open space for recreation	<ul style="list-style-type: none"> • Improve the provision, diversity, and quality of open space for recreation. • Ensure open space responds to demand and meets diverse community needs. • Encourage collaboration and partnerships to promote use. 	<p>Priority 6 recognises that open space forms a central part of the Northern Beaches lifestyle and supports leisure for fun, relaxation, or fitness.</p> <p>The Planning Proposal will retain the current use of the site, as open space, and rezone the land to RE 1 Public Recreation to reflect the use and ensure it remains open space into the future.</p>
Planning Priority 11 Community facilities and services that meet changing community needs.	<ul style="list-style-type: none"> • Enhance the effectiveness of existing facilities • Encourage partnerships for shared and joint use of government and privately owned facilities for community uses 	<p>The Priority seeks to provide a range of community facilities and services that allow people to connect, create and learn.</p> <p>The Planning Proposal seeks to rezone the site to RE1 Public to support the continuation of the site for open space and recreation uses undertaken by Avalon Beach Bowling Recreation Centre.</p>
Planning Priority 12 An inclusive, healthy, safe and socially connected community.	<ul style="list-style-type: none"> • Develop neighborhoods that inspire social interaction and inclusion and support health and wellbeing. • Cater for social interaction, creative and cultural pursuits, and nighttime activity in public spaces. • Provide accessible, 	<p>The proposed rezoning will further allow Avalon Beach Bowling Club to provide outdoor physical activities and opportunities for social interaction in a safe and accessible environment.</p>

	welcoming, and safe places for all ages, abilities, and cultures.	
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Table 3: Relevant Northern Beaches Local Strategic Planning Statement Priorities.

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

Yes. The Planning Proposal is considered consistent with applicable State Environmental Planning Policies (as shown in Table 4), namely:

- **State Environmental Planning Policy (Koala Habitat Protection) 2019**

The SEPP and associated guidelines are to be applied in two ways, being:

1. By councils preparing Koala Plans of Management which forms part 2 of the Guideline,
2. By landholders and councils when preparing and assessing a development application under part 3 of the Guideline.

The Planning Proposal is consistent with the requirements of the SEPP.

- **State Environmental Planning Policy No. 55 – Remediation of Land**

The site is currently zoned R2 Low Density Residential and caters for sensitive residential land uses. The Planning Proposal seeks to rezone the site to RE1 Public Recreation. Given the current zoning and history of the site, the risk of contamination possibilities is considered low.

SEPPs (as of November 2020)	Applicable	Consistent
19 Bushland in Urban Areas	Yes	Yes
21 Caravan Parks	Yes	Yes
33 Hazardous and Offensive Development	Yes	Yes
36 Manufactured Home Estates	Yes	Yes
47 Moore Park Showground	No	N/A
50 Canal Estate Development	Yes	Yes
55 Remediation of Land	Yes	Yes
64 Advertising and Signage	Yes	Yes
65 Design Quality of Residential Apartment Development	No	N/A
70 Affordable Housing (Revised Schemes)	Yes	Yes
(Aboriginal Land) 2019	No	N/A
(Activation Precincts) 2020	No	N/A
(Affordable Rental Housing) 2009	Yes	Yes
(Building Sustainability Index: BASIX) 2004	Yes	Yes
(Coastal Management) 2018	No	N/A
(Concurrences and Consents) 2018	No	N/A
(Education Establishments and Child Care Facilities) 2017	Yes	Yes
(Exempt and Complying Development Codes) 2008	Yes	Yes
(Gosford City Centre) 2018	No	N/A
(Housing for Seniors or People with a Disability) 2004	Yes	Yes
(Infrastructure) 2007	Yes	Yes
(Koala Habitat Protection) 2019	Yes	Yes
(Kosciuszko National Park – Alpine Resorts) 2007	No	N/A
(Kurnell Peninsula) 1989	No	N/A
(Mining, Petroleum Production and Extractive Industries) 2007	No	N/A
(Major Infrastructure Corridors) 2020	No	N/A

SEPPs (as of November 2020)		Applicable	Consistent
	(Penrith Lakes Scheme) 1989	No	N/A
	(Primary Production and Rural Development) 2019	No	N/A
	(State and Regional Development) 2011	No	N/A
	(State Significant Precincts) 2005	No	N/A
	(Sydney Drinking Water Catchment) 2011	No	N/A
	(Sydney Region Growth Centres) 2006	No	N/A
	(Three Ports) 2013	No	N/A
	(Urban Renewal) 2010	No	N/A
	(Vegetation in Non-Rural Areas) 2017	Yes	Yes
	(Western Sydney Aerotropolis) 2020	No	N/A
	(Western Sydney Employment Area) 2009	No	N/A
	(Western Sydney Parklands) 2009	No	N/A
Sydney Regional Environmental Plans (Deemed SEPPs):			
8	(Central Coast Plateau Areas)	No	N/A
9	Extractive Industry (No 2 -1995)	No	N/A
16	Walsh Bay	No	N/A
20	Hawkesbury – Nepean River (No 2 – 1997)	No	N/A
24	Homebush Bay Area	No	N/A
26	City West	No	N/A
30	St Marys	No	N/A
33	Cooks Cove	No	N/A
	(Sydney Harbour Catchment) 2005	No	N/A

Table 4: Compliance with State Environmental Planning Policies (SEPPs)

6. Is the planning Proposal Consistent with Applicable Ministerial Directions (S9.1 directions)?

The Planning Proposal is consistent with applicable Ministerial Directions including:

S9.1 Direction	Requirement	Comment
<p>3.1 Residential Zones</p> <p>Objectives</p> <p>(1) The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(5) A planning proposal must, in relation to land</p>	<p>While the site is zoned for residential purposes, it has historically been used for open space and recreational purposes.</p> <p>Council now seeks to amend the existing zoning from R2 Low Density to RE1 Public Recreation to reflect the current and long-term use of the land as open space and recreation.</p> <p>On 26 September 2016, Council purchased the land on the condition that after purchase, Council will reclassify the land as Community Land and rezone the subject site to RE1 Public Recreation as per the Council Resolution.</p> <p>The proposal seeks to remove land zoned for</p>

	<p>to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	<p>residential purposes and does not broaden choice housing choice or location as per the requirements of the direction.</p> <p>Overall, the result is that the proposal is justifiably inconsistent with the direction.</p>
<p>3.4 Integrating Land Use and Transport</p> <p>Objectives</p> <p>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public</p>	<p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives, and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p>	<p>The proposal is to rezone land to RE1 Public Recreation to enable the Avalon Beach Bowling Club to operate Green 3.</p> <p>The proposal will not have an impact on housing and public transport or decreasing car dependency.</p> <p>The proposal is not inconsistent with the objectives as the Bowling Club is located in close proximity to the Avalon Town Centre and accessible via local public transportation.</p>

<p>transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>		
<p>4.3 Flood Prone Land Objectives</p> <p>(1) The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>This direction applies when a relevant planning authority prepares a planning proposal that creates, removes, or alters a zone or a provision that affects flood prone land</p>	<p>The site is flood affected in the 1% AEP flood event. Amending the zoning of the site from residential to public recreation will be consistent with the objectives of this Direction.</p>
<p>6.1 Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development</p>	<p>This direction seeks to minimise provisions that require the concurrence, consultation, or referral of development applications to a Minister or public authority.</p>	<p>The Planning Proposal does not seek to introduce approval or referral requirements and is consistent with the Direction.</p>
<p>6.2 Reserving Land for Public Purposes.</p> <p>a) To facilitate the provision of public services and facilities by reserving land for public purposes.</p>	<p>A planning proposal must not create, alter, or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director- General of the Department of Planning.</p>	<p>Council purchased the site on 26 September 2016 from Avalon Beach Bowling and Recreation Centre. Council now seeks to amend the existing zoning from R2 Low Density to RE1 Public Recreation to reflect the current and long-term use of the land as open space and recreation</p>

Table 5: Applicable Ministerial Directions (S9.1).

Directions (as of November 2020)		Applicable	Consistent
1	Employment and Resources		
1.1	Business and Industrial Zones	No	N/A
1.2	Rural Zones	No	N/A
1.3	Mining, Petroleum Production and Extractive Industries	No	N/A
1.4	Oyster Aquaculture	No	N/A
1.5	Rural Lands	No	N/A
2	Environment and Heritage		
2.1	Environment Protection Zones	No	N/A
2.2	Coastal Protection	No	N/A
2.3	Heritage Conservation	No	N/A
2.4	Recreation Vehicle Areas	No	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	No	N/A
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Yes	Yes
3.2	Caravan Parks and Manufactured Home Estates	No	N/A
3.4	Integrating Land Use and Transport	No	N/A
3.5	Development Near Licensed Aerodromes	No	N/A
3.6	Shooting Ranges	No	N/A
3.7	Reduction in non-hosted short term rental accommodation period	No	N/A
4	Hazard and Risk		
4.1	Acid Sulfate Soils	No	N/A
4.2	Mine Subsidence and Unstable Land	No	N/A
4.3	Flood Prone Land	Yes	Yes
4.4	Planning for Bushfire Protection	No	N/A
5	Regional Planning		
5.1	Implementation of Regional Strategies	No	N/A
5.2	Sydney Drinking Water Catchments	No	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	No	N/A
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008 See amended Direction 5.1)	No	N/A
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	N/A
5.8	Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	No	N/A
5.9	North West Rail Link Corridor Strategy	No	N/A
5.10	Implementation of Regional Plans	No	N/A
5.11	Development of Aboriginal Land Council land	No	N/A
6	Local Plan Making		
6.1	Approval and Referral Requirements	Yes	Yes
6.2	Reserving Land for Public Purposes	Yes	Yes
6.3	Site Specific Provisions	No	N/A
7	Metropolitan Planning		
7.2	Implementation of Greater Macarthur Land Release Investigation	No	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	No	N/A

Directions (as of November 2020)		Applicable	Consistent
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan	No	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A
7.11	Implementation of St Leonards and Crows Nest 2036 Plan	No	N/A
7.12	Implementation of Greater Macarthur 2040	No	N/A

Table 6: Compliance with Ministerial Directions

Planning Proposal Chronology

The planning proposal was placed on non-statutory exhibition from 6 November to 20 November 2020. During the non-statutory exhibition three submissions in support of the proposal were received.

An assessment of the planning proposal against DPIE's 'Planning Proposals: A Guide to Preparing Planning Proposals' confirms that the proposal is consistent with the relevant directions and objectives of the Greater Sydney Region Plan and the priorities of the North District Plan and Northern Beaches Local Strategic Planning Statement and demonstrates strategic and site specific merit.

The Northern Beaches Local Planning Panel considered the planning proposal at its meeting on 3 February 2021 and advised Council it supported the planning proposal progressing to a gateway determination.

The matter was reported to the Council meeting held on 23 February 2021 during which Council resolved that the Planning Proposal be submitted to DPIE to seek a Gateway Determination. This was undertaken and on 16 March 2021 the Planning Proposal and relevant documentation was uploaded to the NSW Planning Portal for consideration.

On 14 May 2021 DPIE issued a Gateway Determination.

The amended Planning Proposal was exhibited in accordance with the conditions of the Gateway Determination from 30 July 2021 to 29 August 2021 during which Council received 7 submissions (6 in support and 1 objection).

Council is the Principal Planning Authority for the Planning Proposal in accordance with the issued Gateway Determination.

CONSULTATION

The planning proposal was first placed on non-statutory exhibition from 6 November to 20 November 2020. During the non-statutory exhibition three submissions in support of the proposal were received.

Following the receipt of a Gateway Determination, the amended Planning Proposal was exhibited in accordance with the relevant conditions from 30 July 2021 to 29 August 2021 during which Council received seven submissions (six in support and one objection).

The submissions in support of the Planning Proposal acknowledge that the proposed zoning more accurately reflects the existing and historical use of the land. The submission objecting to the proposal raises several concerns that are outside the scope of the proposed rezoning – these issues are discussed in further detail in the submissions table below:

No.	Comment	Issue Raised in No. of Submissions	Council Response
1	In support of the Planning Proposal.	6	Noted
2	Oppose the Planning Proposal	1	Noted
Issues Raised in Submissions			
1	Good idea	1	Noted
2	Fully support the proposal as long as this means more public land	1	Noted
3	In rezoning bowling green 3 to RE1 Public Recreation, can you please confirm that it is Council's intention that bowling green 3 continues to be used as a bowling green and not for some other recreational activity? We have no objection to the rezoning provided that it is for continued use as a bowling green. However, we would strongly object to it being used for a different recreational activity, for example a skateboard park.	1	The proposal is legislative in nature. When Council initially bought the land from the bowling club it was part of the conditions that the subject site be rezoned in line with adjoining property used for public recreation.
4	This is a great cause and Green 3 should be for the public. It has so much potential for the council to invest with like minded community groups to be used for community gardens etc. It should not be zoned for housing development	1	Noted
5	Good idea. Do it with my full blessing. By the way ... Great work at the Avalon Beach surf club reserve. Pat on the back for all in doing.	1	Noted
6	It is appropriate to rezone this land to RE1 to reflect its historical and current use. This rectification of what is a planning anomaly is fully supported.	1	Noted
7	Site of High Biodiversity Value The Avalon Bowlo site is adjacent to a site identified as a critical threatened Species Habitat for the Barrenjoey Koala Colony. Report by Northern Beaches Council Staff is defectively claiming the conditions of the Koala SEPP 2019 is complied with.	1	Noted. The subject site does not contain any threatened species or habitat – it has been cleared and is currently used for recreational uses. The Planning Proposal seeks to remove the residential land zoning and replace it with a public open space zone.

8	<p>Consultation There have been no external referrals to any state agencies for comment & no internal referrals were undertaken</p>	1	<p>Due to the administrative nature of the Planning Proposal, and the proposed zoning of the site to reflect historical and existing uses, no referrals were undertaken, and the Gateway Determination issued by DPIE did not require the PP to be referred to state agencies as part of the statutory exhibition.</p>
9	<p>Missing Wildlife Corridors/Safe Native Fauna Access Corridors Lack of a Connecting Corridor of Nature Reserve from Angophora Reserve to Stapleton Reserve. The Avalon Residential Zoning seems to have an adverse impact on Environment Lands (Nature Reserves within Greater Avalon). So amending the existing Zoning will not help solve the lack of Wildlife Corridor Space between Angophora Reserve and Stapleton Reserve.</p>	1	<p>Noted. The site does not contain any wildlife habitat and it is not within the scope of the Planning Proposal to address the lack of Wildlife Corridor Space between Angophora Reserve and Stapleton Reserve.</p>
10	<p>Exposure to Natural and Urban Hazards Concerns for the rising sea levels and flood prone land such as Avalon Bowling Club and the Retirement Village (Pittwater Palms Retirement Village)</p>	1	<p>The site is flood affected in the 1% AEP flood event. The Planning Proposal seeks to remove the residential land zoning and replace it with a public open space zone which is more compatible with the flood affectation of the site. Amending the zoning of the site from residential to public recreation will be consistent with the 4.3 Flood Prone Land Objectives in accordance with the Ministerial S9.1 Direction. The land that the Pittwater Palms Retirement Village is not within the scope of this planning proposal</p>
11	<p>Creating a Green Infrastructure Corridor through Avalon Beach Keeping the existing zoning can provide space to build low density residential development. Potential solution could involve the relocation of the Pittwater Palms Retirement Village on the Avalon Bowling Club site with a Lawn Bowling Green built above, such as a 'Green Roof'. Creating a space for increased Bushland Habitat outside of the Bowlo Site. There is no gain in existing Bowling Green Space with the proposal and keeping the zoning as is allows the provision of a Green Roof Lawn Bowl Green, thus maintaining the capacity of Open Space. (In North Sydney LGA years ago, they built tennis courts on Car-Park Roof Tops)</p>	1	<p>Noted. No infrastructure is proposed as part of the Planning Proposal. The intention is for the Avalon Beach Bowling Club to continue to use the site as a bowling green.</p>

11	Refer the Planning Proposal to the Draft National Koala Recovery Plan 2021-22.	1	<p>Noted.</p> <p>The draft National Koala Recovery Plan 2021-22 doesn't require consideration and therefore does not sit within the scope of the planning proposal.</p> <p>The planning proposal has been considered against and is consistent with the SEPP (Koala Habitat Protection) 2019.</p>
12	As per the Northern Beaches Council LEP/DCP Discussion Paper, The National Parks and Wildlife Act 1974 is used within the Northern Beaches LGA, is the Pittwater Palms Retirement Village (approved in circa 1985) approved in 'breach' of the National Parks and Wildlife Act 1974?	1	<p>The Pittwater Palms Retirement Village does not sit within the scope of the planning proposal and will not be impacted by the rezoning of the subject site.</p>

Agency Referrals

The Planning Proposal was not referred to any state agencies for comment.

Internal referrals

Given the administrative nature of the Planning Proposal, no internal referrals were undertaken.

Based on the review of submissions received during the statutory exhibition period, no further amendments to the Planning Proposal were deemed necessary.

TIMING

The time frame for completing the LEP is to be 6 months following the date of the Gateway determination which was issued on 14 May 2021 (that is by 14 November 2021). Should Council resolve to do so, the Planning Proposal will be forwarded onto DPIE for finalisation following the Council meeting.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.
- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council. The assessment of the Planning Proposal is covered within existing budget allocations.

SOCIAL CONSIDERATIONS

The Planning Proposal is not anticipated to have any adverse social impacts, given the site is currently used in conjunction with the Avalon Beach Bowling Club and located adjacent to the Dunbar Park. After the consolidation of lots, the site now forms part of Dunbar Park and will continue to be used for recreational purposes.

ENVIRONMENTAL CONSIDERATIONS

Given the site has historically been developed and extensively used for recreational purposes, specifically a bowling green, it is anticipated that there will be no adverse environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

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

ITEM 12.4	RESPONSE TO NOTICE OF MOTION NO 35/2021 - DEVELOPMENT APPLICATION LODGED ON PRIVATE LAND AT 521 BARRENJOEY ROAD, BILGOLA
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2021/683247
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To respond to a resolution of Council at its meeting on 24 August 2021 to provide information on the zoning and ownership of land in the Bilgola Bends precinct.

REPORT

Following consideration of a Notice of Motion at its meeting on 24 August 2021 (Item 15.1) Council resolved to:

That Council:

- 1. Undertake a desk top assessment of zoning and ownership of all land in the Bilgola Bends precinct.*
- 2. Provide a report to Council within two months on the outcome of the assessment with a view to requesting that the State Government transfer suitable parcels into Council ownership*

The Notice of Motion sought Council's support to write to the Hon. Rob Stokes, Member for Pittwater and Minister for Planning and Public Spaces seeking Transport NSW (TfNSW) to transfer ownership of No's 513, 515 and 519 Barrenjoey Road, Bilgola to Northern Beaches Council to be added to public reserve. This was due to concerns about the sensitive environmental nature of these properties and following the recent submission of a development application at 521 Barrenjoey Road, Bilgola.

Figure 1 and 2 below shows the ownership of land on the Bilgola Bends by respective authorities and relevant current zoning under Pittwater LEP 2014.



Figure 1 – Aerial Photograph of land on the Bilgola Bends

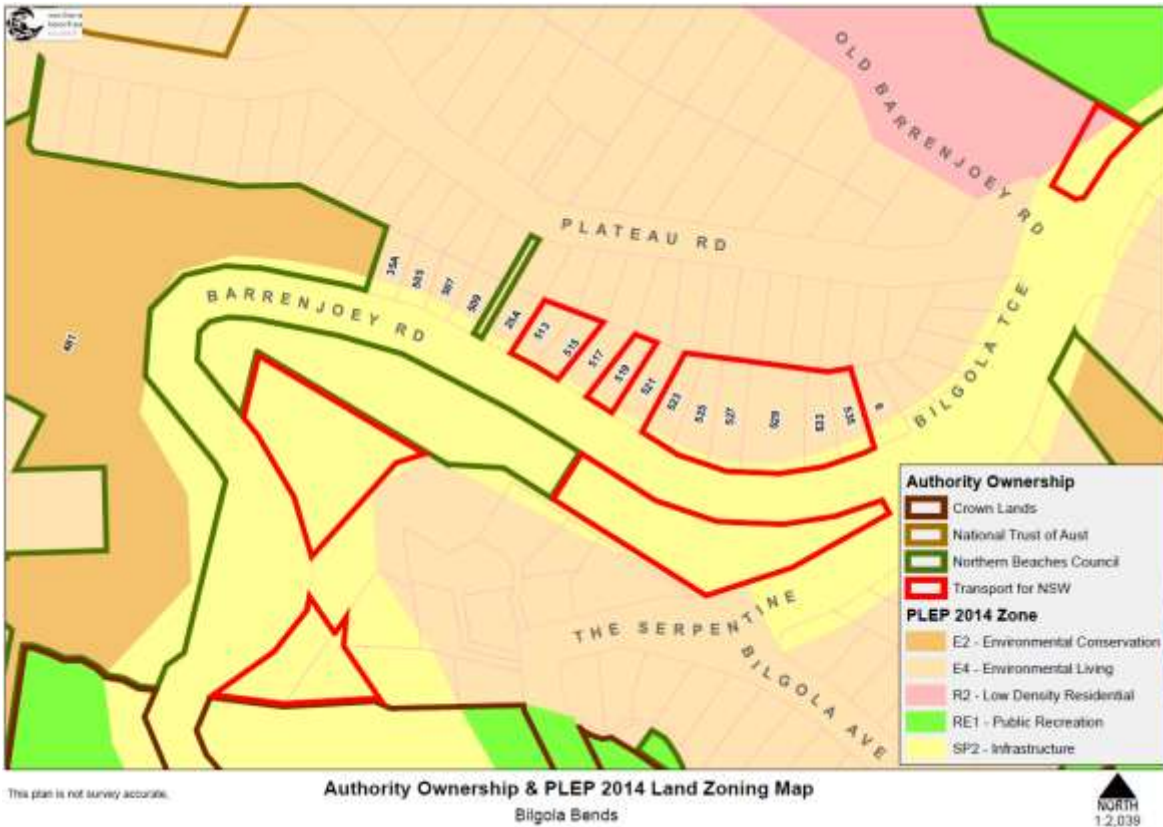


Figure 2 – Ownership and zoning of land at the Bilgola Bends

Zoning and ownership details of land in the Bilgola Bends precinct is provided in Table 1 below.

Property	Zoning	Ownership
481 – 501 Barrenjoey Road	E2 Environmental Conservation SP2 – Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Northern Beaches Council
35A Plateau Road Avalon Beach 2107	E4 – Environmental Living SP2 - Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Private Residential
33A Plateau Road Avalon Beach 2107	E4 – Environmental Living SP2 - Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Private Residential
507 Barrenjoey Road, Bilgola Beach 2107	E4 – Environmental Living SP2 - Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Private Residential
509 Barrenjoey Rd, Bilgola Beach 2107	E4 – Environmental Living SP2 - Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Private Residential
25B Plateau Road Avalon Beach 2107	E4 – Environmental Living SP2 - Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Northern Beaches Council
25A Plateau Road Avalon Beach 2107	E4 – Environmental Living SP2 - Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Private Residential
513 Barrenjoey Rd, Bilgola Beach 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
515 Barrenjoey Rd, Bilgola Beach 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
517 Barrenjoey Rd, Bilgola Beach 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Private Residential

519 Barrenjoey Rd, Bilgola 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
521 Barrenjoey Rd, Bilgola 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Private Residential
523 Barrenjoey Rd, Bilgola 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
525 Barrenjoey Rd, Bilgola 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
527 Barrenjoey Rd, Bilgola 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
529-531 Barrenjoey Rd, Bilgola 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
533 Barrenjoey Rd, Bilgola 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
535 Barrenjoey Rd, Bilgola 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Authority Owned Property - Transport for NSW
6 Bilgola Terrace Bilgola Beach 2107	E4 Environmental Living SP2 Infrastructure (southern portion of lot adjoining Barrenjoey Road)	Private Residential

Table 1 – Zoning & Ownership Details

In addition to the above, please see the relevant planning attributes of the land at 513, 515 and 519 Barrenjoey Rd, Bilgola in Table 2 below.

Attribute	Description
Minimum Lot Size	700m ²
Bushfire	Vegetation Category 2 and Vegetation Buffer
Geotechnical	Identified – Hazard H1
Land Reservation Acquisition	Not identified
Biodiversity	Identified
Littoral Rainforest	Identified

Table 2 - Planning Attributes of 513, 515, 519 Barrenjoey Road, Bilgola

These properties do not directly adjoin Attunga Reserve, Hewit Park and Hamilton Reserve which are further west of these sites. There are several residential properties between the TfNSW owned lots and those reserves so if the land was to be incorporated into a Reserve it would not be a contiguous reserve.

It is noted that ongoing management and maintenance for bushland management alone on sites like these is estimated to cost up to \$50K annually.

Figure 2 also shows that, in addition to the above lots, there is other land on the northern side of the Bilgola Bends that is owned by TfNSW, that being 523, 525, 527, 529-531, 533 and 535 Barrenjoey Rd. If Council want to request land be transferred to Council ownership, they could also include these additional properties.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.

FINANCIAL CONSIDERATIONS

Should land be transferred to Council, the ongoing management and maintenance of the land would result in a cost to Council estimated to be in excess of \$50,000 per annum.

ENVIRONMENTAL CONSIDERATIONS

The transfer of several properties to Council to be included as reserve, would ensure there was no further residential development on these lots and help retain the local character and improve environmental outcomes in the area.

SOCIAL CONSIDERATIONS

The transfer of several properties to Council as a reserve, has the potential to improve the visual amenity and secure the local character.

GOVERNANCE AND RISK CONSIDERATIONS

Should the land be transferred to Northern Beaches Council ownership, consideration would need to be given to ongoing land management costs.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

1. Council note the information contained in the report.
 2. Council write to the Hon. Rob Stokes, Minister for Planning and Public Spaces and Minister for Transport and Roads seeking Transport NSW agreement to transfer ownership of No's 513, 515 and 519 Barrenjoey Road, Bilgola to Northern Beaches Council to be added to public reserve.
 3. Updates be provided to Council on any response received from Transport for NSW or Minister for Planning and Public Spaces and Minister for Transport and Roads.
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ITEM 12.5	PLANNING PROPOSAL (PEX2021/0001) - 159-167 DARLEY STREET, MONA VALE
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING
TRIM FILE REF	2021/700303
ATTACHMENTS	1 ⇒ Planning Proposal (Included In Attachments Booklet) 2 ⇒ Northern Beaches Local Planning Panel Advice (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek endorsement from Council to reject the Planning Proposal (Attachment1) to rezone properties located at 159-167 Darley Street West, Mona Vale from R2 Low Density Residential to R3 Medium Density Residential and to amend clause 4.5A of Pittwater Local Environmental Plan 2014 (PLEP 2014) so that maximum dwelling density requirements do not apply to the site.

EXECUTIVE SUMMARY

A Planning Proposal (PEX 2021/0001) was lodged on 14 July 2021 by Intrec Management (the Proponent) seeking to rezone properties located at 159-167 Darley Street West, Mona Vale from R2 Low Density Residential under PLEP 2014 to R3 Medium Density Residential and amend Clause 4.5A (3) of PLEP 2014 to include reference to 159-167 Darley Street West, Mona Vale (thereby confirming that clause 4.5A does not apply to the subject site).

Council placed the Proponent's Planning Proposal on non-statutory public exhibition in accordance with the Northern Beaches Community Participation Plan from 9 August 2021 to 22 August 2021 (2 weeks).

72 public submissions were received in response to the public exhibition period. 66 submissions objected to the proposal. One submission generally supported the proposal, with a further submission being neutral and four submissions raising no objection to the rezoning but objecting to the proposed removal of the density restrictions.

Key issues raised in submissions include: lack of strategic merit, inconsistency with the character of the area, not in the interest of the local population, does not provide for any affordable rental housing and site- specific impacts such as increased traffic and parking impacts, and broader impacts on infrastructure and the environment.

The Northern Beaches Local Planning Panel considered the Planning Proposal on 6 October 2021 and indicated general agreement with Council's planning proposal report not to support the Planning Proposal and considered the application to be premature given the strategic planning initiatives being undertaken, in particular the Mona Vale Place Plan. The Panel recommended (Attachment 2):

- A. That Council not proceed with the Planning Proposal for 159-167 Darley Street Mona Vale, and not forward it to the NSW Department of Planning, Industry and Environment for a Gateway determination for the reasons set out in the assessment report.
- B. That the site be included in the Mona Vale Centre Investigation Area and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Mona Vale Centre Investigation Area investigations.

The Planning Proposal is considered to be inconsistent with the Greater Sydney Region Plan, North District Plan, Northern Beaches Local Strategic Planning Statement - Towards 2040,

Northern Beaches Local Housing Strategy, and has not demonstrated sufficient strategic merit or site-specific merit.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Reject the Planning Proposal for 159-167 Darley Street West, Mona Vale and not forward it to the NSW Department of Planning, Industry and Environment seeking a Gateway determination for the following reasons:
 - A. The Planning Proposal is inconsistent with the provisions of the North District Plan.
 - B. The Planning Proposal is inconsistent with the provisions of Council's Local Strategic Planning Statement - Towards 2040.
 - C. The Planning Proposal does not demonstrate strategic merit or site specific merit when assessed against the NSW Planning & Environment's: A guide to preparing planning proposals.
 - D. The Planning Proposal may establish an unwanted precedent.
 - E. The Planning Proposal does not provide affordable housing in keeping with the requirements of Council's Affordable Housing Policy.
 2. As part of the Mona Vale Place Planning Process, include 159-167 Darley Street West, Mona Vale for consideration within the Centre Investigation Area (as identified within the draft Local Housing Strategy) and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Place Planning process.
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REPORT

BACKGROUND

A Planning Proposal (PEX 2021/0001) for properties at 159-167 Darley Street West, Mona Vale was lodged on 14 July 2021 by Intrec Management (the Proponent).

The proposal is to:

- Rezone properties 159-167 Darley Street West, Mona Vale from R2 Low Density Residential under PLEP 2014 to R3 Medium Density Residential.
- Amend Clause 4.5A(3) of PLEP 2014 to include reference to 159-167 Darley Street West, Mona Vale (thereby confirming that clause 4.5A does not apply to the subject site).

A Concept Plan has been prepared for the site which shows an indicative scheme for 2 residential flat buildings containing 38 apartments and 3 townhouses being provided on the site.

It is noted that the Concept Plan carries no statutory weight, and should the Planning Proposal be approved, a development application would be required for any redevelopment of the site, which could be of a substantially different form and density to the submitted Concept Plan.

Three of the properties subject to the proposal are owned by Magnolia Views Property Pty Ltd, with the remaining two properties in separate private ownership.

Pre-lodgment meeting

A pre-lodgement meeting for the Planning Proposal was held on 9 September 2020, with the following comments provided to the Proponent.

Strategic & Place Planning

- Mona Vale is identified as a Strategic Centre within both the Greater Sydney Region Plan 2036 and the North District Plan. Council is undertaking technical studies to determine how to best achieve the housing and employment targets in the context of the Strategic Centre and the entire LGA.
- The North District Plan and Local Strategic Planning Statement do not specifically require the need for additional housing in the location of the subject site.
- Based on Council's preliminary research, the LGA's five-year housing target (2016-2021) under the North District Plan is 3,400 new dwellings and is likely to be met under existing planning controls without the need for unplanned uplift.
- Council's LSPS has actions for the Mona Vale strategic centre focused on place planning and revitalisation of the commercial centre as well as improvements to circulation and transportation both within the centre and in terms of access to other areas of the LGA.
- The LSPS also indicates that other studies will inform how Council is able to achieve housing, employment, and other infrastructure targets into the future.
- There is no clear link between the Northern Beaches LSPS and the provision of additional housing beyond the existing Mona Vale strategic centre. As noted above, recent research indicates that existing planning controls will be able to deliver short term targets with an emphasis on new dwellings being provided in already identified precincts such as Frenchs Forest.
- Any areas subject to uplift would be subject to the provision of affordable housing in accordance with Council's adopted Affordable Housing policy. In particular, the proposal

must provide for the delivery of the 10% rental housing target (all strategic plans and planning proposals for urban renewal or greenfield development).

- Discussion was had in relation to the possibility of introducing Additional Permitted Uses to the site to ensure that development occurs as intended by the objectives of the Planning Proposal. Council is unable to provide formal comment on the use of APUs for this site given that this matter does not form part of the pre-lodgement documents. Further discussion may be held separately for this matter.
- The proposal to remove clause 4.5A in relation to density controls for residential accommodation is not supported.
- Further, the proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other land across LGA with similar characteristics and attributes). Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same premises.

Stormwater, Floodplain Engineering

- The Proposal must show compliance with the Flood Prone Land (4.3) Direction of the Local Planning Directions under Section 9.1(2) of the Environmental Planning and Assessment Act 1979.
- The proposal would permit a significant increase in the development of floodprone land, the applicant must demonstrate that the cumulative impact of the development will not affect surrounding areas.
- The planning proposal has the potential to set a precedent for adjoining properties to upzone without the benefit of a wider housing review or the impacts to flood prone land to the northwest of the subject site.
- A comprehensive Flood Risk Assessment is required which includes:
 - 2D flood modelling of the existing flood regime for a range of design flood events up to and including the Probable Maximum Flood event
 - Flood modelling of the post construction scenario for the same design flood events up to and including the Probable Maximum Flood event
 - Afflux mapping to demonstrate the impact of the development on the flood regime, including the impact on flood depths and velocities
 - Consideration of the potential for blockage and how this will be mitigated
 - Determination of the required Flood Planning Level and resultant minimum floor level requirements for future development.
 - An assessment of the flood risk to life associated with the development including appropriate flood emergency response planning
 - Detail of any required civil works to mitigate flood risk
 - Commentary on the consistency of the proposal with Section 9.1 Direction 4.3 Flood Prone Land
 - Council is supportive of opportunities to minimise flood risk to private property and divert this flow to Darley Street if it does not impact the trafficability of the roadway in flood events.

- The Proposal would need to outline how any future Development Application on the site could comply with Council's Local Environmental Plan and Development Control Plan provisions for flood prone land.

Site Description

The subject site (see *Figure 1*) comprises five lots in total, legally described as Lot 1-5, DP 11108 with an approximate area of 6,120m². The site contains five single or two storey dwellings, and adjoins:

- A residential flat building to the East containing 11 units (155 Darley Street West),
- Darley Street West and Bayview Golf Course to the North,
- Detached dwellings and a residential flat building containing four units (10 Kunari Place) to the West; and
- A mix of one and two storey detached dwellings located in Park Street to the South.



Figure 1 : Aerial photo of site and adjoining properties



Figure 2 : 159 Darley Street West



Figure 3 : 161 Darley Street West



Figure 4 : 163 Darley Street West (double block)



Figure 5 : 167 Darley Street West

Site Ownership

Three of the lots subject to the proposal are owned by Magnolia Views Property Pty Ltd (161-163 Darley Street West), with the remaining two properties in separate private ownership (159 Darley Street West & 167 Darley Street West).

Proposed Amendments to PLEP 2014

The following amendments to PLEP 2014 are proposed:

- A. Rezone the site from R2 Low Density Residential to R3 Medium Density Residential

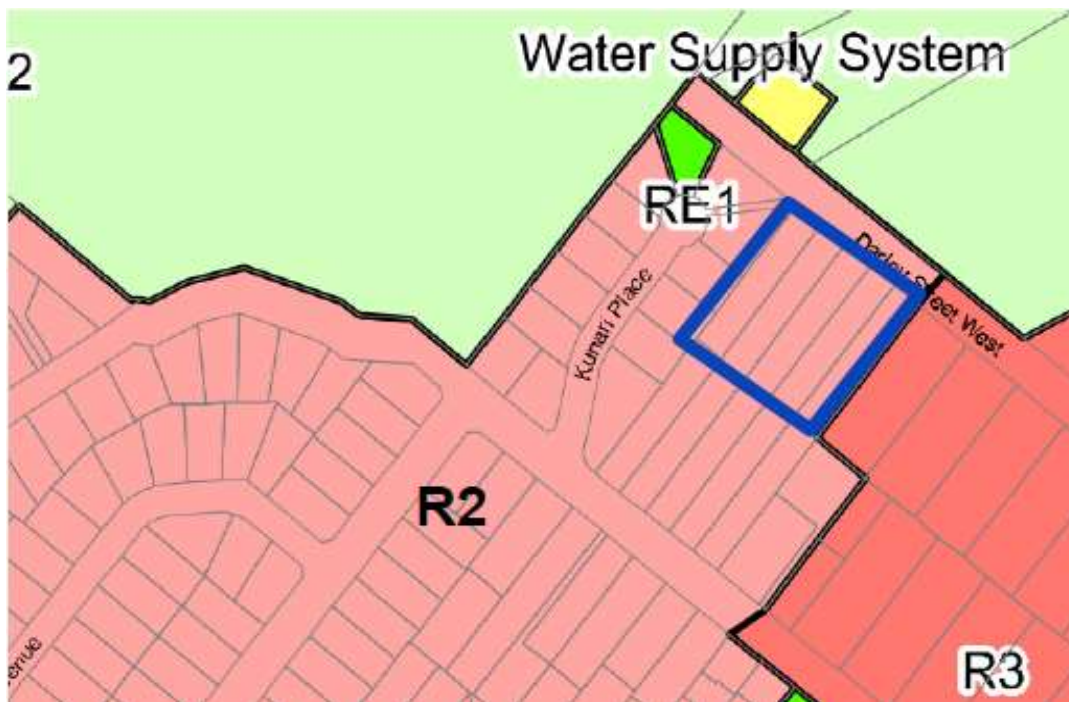


Figure 6 : Site - existing zoning



Figure 7 : Site - Proposed Zoning

- B. Amend Clause 4.5A(3) to include reference to 159-167 Darley Street West, Mona Vale (thereby confirming that clause 4.5A does not apply to the subject site):

Clause 4.5A Density controls for certain residential accommodation

- (1) *The objectives of this clause are as follows—*
- (a) *to achieve planned residential density in certain zones,*
 - (b) *to ensure building density is consistent with the desired character of the locality.*
- (2) *Development consent must not be granted to development for a purpose specified in Column 1 of the table to this clause on land in the zone shown opposite that development in Column 2 of that table unless the development complies with the density requirements specified in Column 3 of that table.*
- (3) *This clause does not apply to land in the Warriewood Valley Release Area and 159-167 Darley Street West, Mona Vale*

Assessment of Planning Proposal

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

Part 1 – Objectives or Intended Outcomes

The Planning Proposal seeks to amend Pittwater Local Environmental Plan 2014 to enable the site to be developed for medium density housing.

A Concept Plan has been prepared for the site to indicate up to 41 dwellings (three townhouse and 38 apartments) (See Figure 8).



Figure 8 : Concept Plan (BLDA=20 units ; BLDB = 18 units ; BLD B,C & D = 3 townhouses)

Part 2 – Explanation of Provisions

The site is currently zoned R2-low density residential under PLEP 2014, and the construction of multi-dwelling housing and residential flat buildings are not consistent with the objectives of this zone and are prohibited uses.

The proposal seeks to permit the development of multi-dwelling housing and residential flat buildings on the site by rezoning the site from R2 Low Density Residential to R3 Medium Density Residential. Both multi-dwelling housing and residential flat buildings are permissible with consent under the R3 Medium Density Zone within PLEP 2014.

Density controls also exist for the development of certain residential accommodation within the R3 zone under Clause 4.5 of PLEP 2014 that restrict the density of development to a maximum of one dwelling per 200 square metres of site area.

The proposal also seeks to amend Clause 4.5A(3) of PLEP 2014 to include reference to 159-167 Darley Street West, Mona Vale (thereby confirming that clause 4.5A does not apply to the subject site).

Specifically, the proposed outcome of the planning proposal will be achieved by:

- Amending PLEP 2014 Land Zoning Map Sheet 12 for 159-167 Darley Street West, Mona Vale

in accordance with Figure 7.

- Amending clause 4.5(3) of PLEP 2014 to include reference to 159-167 Darley Street West, Mona Vale and thereby confirming that clause 4.5A does not apply to the site.

A Concept Plan has been prepared for the site showing two apartment buildings comprising 38 apartments plus three townhouses, equating to 41 dwellings with a density of approximately one dwelling per 149 square metres.

However, it is noted that the Concept Plan carries no statutory weight and should the Planning Proposal be approved in its current form, a development application would be required for the site, which could be of a substantially different form and density to the submitted Concept Plan.

Part 3 – Justification

Section A – Need for the Planning Proposal

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

The Planning Proposal is not the result of any endorsed Local Strategic Planning Statement (LSPS), strategic study or report. Whilst Councils LSPS identifies an area of 1.5km around the Mona Vale centre to investigate medium density housing, a key principle is also to locate a greater diversity of housing and affordable housing options within reasonable walking distance (800m) of high-frequency public transport. The mechanism to further explore the location, demand and type of dwelling is Councils Local Housing Strategy (LHS) and preparation of the Mona Vale Place Plan.

Action 15.1 of the LSPS is for Council to prepare and implement a LHS. Council adopted the LHS on 27 April 2021. The endorsed LHS does not consider the site for medium density housing.

Action 27.1 of the LSPS is for Council to prepare a place plan for Mona Vale and develop LEP and DCP controls to respond to LEP studies and support the revitalisation of the centre. Council is about to commence the preparation of a place plan for Mona Vale.

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

The objective of the Planning Proposal is to provide additional medium density housing within the vicinity of the Mona Vale town centre via a spot rezoning. Spot rezonings are not the best means of achieving the intended outcomes of providing a mix and diversity of housing to meet the needs of the local community whilst considering the unique character and impacts on infrastructure to support any proposed growth.

The best and most orderly way to explore and outline Council's approach to managing the location, type, and amount of new housing to meet the needs of the Northern Beaches community to 2036 is through Councils LHS and Place Planning of the Mona Vale area.

Section B - Relationship to Strategic Planning Framework

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

a) Does the proposal have strategic merit?

Mona Vale is identified as a Strategic Centre within both the *Greater Sydney Region Plan 2036* and the *North District Plan*. In these documents, strategic centres are the focus of housing, employment, and transportation. As per the District Plan, Mona Vale strategic centre is a mixed-use area including retail, commercial, community, light industrial and residential uses.

In both the Regional and the District plans, the focus for this centre is in its commercial and retail function including a job target of between 700-1700 jobs by 2036. A 0–5-year housing target of 3,400 dwellings is also provided in the North District Plan, with each Council to also develop 6-10 housing targets through its LHS and demonstrate capacity for steady housing supply.

The Northern Beaches Council's LSPS (Towards 2040) was made by the Chief Executive Officer under delegated authority based on Council's resolution 25 February 2020 and a letter of support from the Greater Sydney Commission (GSC) for consistency with the Greater Sydney Region Plan and North District Plan. This new planning document sets out a 20-year vision for land use in the area.

Council's LSPS and LHS (adopted at the Council meeting of 27 April 2021) is the mechanism to provide a locally relevant response to the Greater Sydney Region Plan and District Plan housing targets. The LSPS identifies the need to prepare a LHS and a Place Plan for Mona Vale.

The LHS applies the principles of Towards 2040 and aims to build in long term capacity for growth around centres with good transport, whilst respecting each centre's scale and character and increasing housing diversity and affordability.

It considers trends in terms of population growth and change; household size and mix; issues such as affordability, sustainability and building resilience; and housing diversity, including housing types such as boarding houses, seniors housing and social and affordable housing.

The LHS identifies that we will need to accommodate around 12,000 new homes by 2036 to provide for population growth. Analysis shows we generally have the capacity under existing planning rules to provide for these new homes, without having to make major changes to our existing planning controls for most of the Council area. The shortfall between what is needed and what is possible (i.e., the gap that we must plan for to 2036) within current controls is 275 dwellings.

However, Council still needs to provide for a diversity of dwelling types to meet local needs and to enable Council to seek exemption from housing-related State Environment Planning Policies, which have in the past resulted in ad-hoc development with poor environmental planning outcomes.

The LHS outlines options to achieve this goal, including the identification of Centre Investigation Areas within an 800-metre radius of nominated centres, Mona Vale being one of them (the others being Brookvale, Dee Why, Manly Vale & Narrabeen). This work will be subject to separate precinct-based master-planning and community consultation. Council has State Government funding to begin the Mona Vale Place Plan (which will incorporate the investigation area), which will commence shortly and will consider the development potential of that area, including the appropriate level of new development that can be accommodated, and demands for local infrastructure.

The Proposal is both outside of the Mona Vale investigation area and is inconsistent with the intent of master-planning, which is to consider the area, reflecting upon the unique character of the area and potential infrastructure required to support any growth.

Further, Council's LHS identifies a significant undersupply of affordable housing on the Northern Beaches to support key and essential workers, and through Council's adopted Affordable Housing Policy aims for the provision of 10% affordable rental housing in areas subject to urban renewal (areas of zoning uplift). This is reinforced through Council's LSPS, which contains several principles and actions in relation to social and affordable housing, including seeking a minimum of 10 per cent affordable rental housing to be included in new planning proposals, consistent with Council's existing Affordable Housing Policy.

The Proposal does not provide for the provision of any affordable rental housing and is inconsistent with Council's affordable housing policy and LHS.

The North District Plan, LSPS and LHS do not specifically require the need for additional housing in the location of the subject site. Further the Proponent has not demonstrated why this planning proposal should be progressed ahead of the Mona Vale Place Plan and without the demonstrable strategic need for additional housing of this form in this location.

It is therefore considered that the Proposal does not have strategic merit.

Greater Sydney Region Plan – A Metropolis of Three Cities

The proposal's consistency with the relevant objectives of the *Greater Sydney Region Plan* is detailed within Table 1.

Relevant Planning Priorities	Consistency
<p>Housing the City Objective 10 – Greater housing supply</p>	<p>The proposal will support residential uses on the site; however, the objective is to support new housing in the right location and must be co-ordinated with local infrastructure.</p> <p>The site is not the right location for additional medium density housing such as residential flat buildings, which needs to be planned for with consideration of the broader character of the area and impacts on infrastructure to support any proposed growth.</p> <p>As identified above, Council's LHS identifies an area within 800 metres of the Mona Vale centre as an area for future investigation. This will be subject to separate precinct-based master-planning and community consultation work, to be done via the Mona Vale Place Plan. The site is not located within the 800-metre investigation area.</p> <p>Work on the Mona Vale Place Plan (which will incorporate the investigation area) will be starting soon and will take into consideration the area, including the appropriate level of new development that can be accommodated and impacts on local infrastructure.</p> <p>Any increase in density in the R3 zone under the LEP should also be considered holistically in the context of the proposed precinct-based review being undertaken by Council in the Mona Vale Centre Investigation Area.</p>
<p>Objective 11 – Housing is more diverse and affordable</p>	<p>The objective is to provide diverse housing choices, particularly in the form of additional affordable rental housing.</p> <p>Councils affordable housing policy requires areas of urban renewal (areas of zoning uplift) to provide 10% affordable rental housing.</p> <p>This is reinforced through Council's LSPS, which contains several principles and actions in relation to social and affordable housing, including seeking a minimum of 10 per cent affordable rental housing to be included in new planning proposals</p> <p>The Proposal does not include for the provision of any affordable rental housing (increasing the density to provide a</p>

	<p>variety of dwelling sizes does not increase the provision of affordable rental supply) and is inconsistent with Council's affordable housing policy, LSPS and Objective 11.</p>
<p>A well-connected city</p> <p>Objective 14 - Integrated land use and transport creates walkable and 30-minute cities</p>	<p>To achieve a 30-minute city the integration of land use and transport planning is required to create walkable cities.</p> <p>Council's adopted position within its LHS for exploring additional housing diversity within Mona Vale, is the identification of a Centre Investigation Area within an 800-metre radius of the Mona Vale B-line bus stop. This area has been identified as the most appropriate location within a walkable distance to services, jobs, and public transport.</p> <p>This work is to be a separate precinct-based place-planning process and will take into consideration the impacts on local infrastructure, including transport.</p> <p>The Planning Proposal to change the zoning and alter the density to significantly increase the number of dwellings on this site, which is located outside of the 800-metre investigation area, is inconsistent with Council's adopted Local Housing Strategy and considered inconsistent with Objective 14.</p>

Table 1 : Consistency with relevant priorities in the Greater Sydney Region Plan

North District Plan

The proposals consistency with the relevant objectives of the *North District Plan* is detailed within Table 2.

Relevant Planning Priorities	Consistency
<p>Housing the city</p> <p>Planning Priority N5 – Providing housing supply, choice, and affordability, with access to jobs, services, and public transport</p>	<p>The objective is to support new diverse housing (such as terrace and villa homes that provide increased housing options) in the right location and must be coordinated with local infrastructure.</p> <p>Priority N5 identifies that councils are in the best position to investigate and confirm which parts of their local government area are suited to additional medium density opportunities (particularly for infill development) through the preparation of local housing strategies.</p> <p>Priority N5 also sets five-year housing targets for the Northern Beaches area and stipulates that each council is to develop 6-10 housing targets through its LHS and demonstrate capacity for steady housing supply.</p> <p>As detailed above, Council's adopted LHS identifies that Council generally has capacity under existing planning rules to provide for these new homes. However, Council needs to provide for a diversity of dwelling types to meet demand, and to enable Council to seek exemption from housing-related State Environment Planning Policies,</p> <p>One of these options is the identification of an area within 800 metres of the Mona Vale centre as an area for</p>

	<p>investigation. This will be subject to separate precinct-based place-planning and community consultation work, to be done via the Mona Vale Place Plan.</p> <p>Work on the Mona Vale Place Plan (which will incorporate the investigation area) will be starting soon and will take into consideration the appropriate level of new development that can be accommodated and impacts on local infrastructure.</p> <p>Priority N5 also identifies the requirement for councils to prepare affordable Rental Housing Target Schemes following development of implementation arrangements.</p> <p>In addition to Council's LSPS & LHS a key element of Council's Affordable Housing Policy is the inclusion of the Northern Beaches LGA in State Environmental Planning Policy No.70 (SEPP70). SEPP 70 enables Councils to include affordable rental housing requirements in Local Environmental Plans (LEPs) in areas subject to zoning "uplift" through an affordable housing contribution scheme.</p> <p>Council has developed a draft affordable housing contribution scheme, which will allow the collection of developer contributions to provide affordable housing either as complete dwellings or as an equivalent monetary contribution. The scheme will initially apply to the Frenchs Forest Planned Precinct and a site subject to a rezoning proposal in Narrabeen. It will be extended to other land that is subject to increases in residential density in the future.</p> <p>The proposal does not provide for the provision of any affordable rental housing and is inconsistent with Councils affordable housing policy, LSPS and Priority N5</p>
<p>A well-connected city</p> <p>Planning Priority N12 – Delivering integrated land use and transport planning and a 30-minute city</p>	<p>To achieve a 30-minute city the integration of land use and transport planning is required to create walkable cities.</p> <p>Councils adopted position within its LHS for exploring additional housing diversity within Mona Vale, is the identification of a Centre Investigation Area within an 800-metre radius of the Mona Vale B-line bus stop. This area has been identified as the most appropriate location within a walkable distance to services, jobs, and public transport.</p> <p>This work is to be a separate precinct-based place-planning process and will take into consideration the impacts on local infrastructure, including transport.</p> <p>The Planning Proposal to change the zoning and alter the density to significantly increase the number of dwellings on the site, which is outside the 800-metre investigation area, is inconsistent with Council's adopted Local Housing Strategy and considered inconsistent with Planning Priority N12.</p>

<p>A resilient city</p> <p>Planning Priority N22 - Adapting to the impacts of urban and natural hazards and climate change</p>	<p>Effective planning can reduce exposure to natural and urban hazards, with growth and change to be considered at the local level, taking into consideration cumulative impacts.</p> <p>The site is identified as flood affected, with the Planning Proposal showing general compliance with planning on flood affected land. A full assessment however cannot be undertaken until a more detailed application is lodged.</p>
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Table 2 : Consistency with relevant priorities in the North District Plan

4. Does the proposal have site-specific merit, having regard to the following?

<p>The natural environment (including known significant environmental values, resources, or hazards).</p>	<p><u>Flooding</u> The subject site is affected by Low Risk and Medium Risk flood hazards in accordance with Council's Flood Hazard Map adopted in 2019. Council notes the Planning Proposal generally meets the flood controls in the LEP and DCP, however has not addressed the most recent Ministerial direction 4.3 (flood prone land - released on 14 July 2021). Council however considers it generally consistent with Direction 4.3, however a full assessment cannot be undertaken until a more detailed development application is lodged and would be subject to approval by the development engineers.</p> <p><u>Biodiversity</u> The Ecological Assessment has concluded that the subject site contains a total of 0.23 ha of native vegetation, of which, 0.13 ha is indicated to be impacted. It is recommended that any future development design maximises efforts to avoid/ minimises impacts to the biodiversity values of the site and locality, including Pittwater Spotted Gum Forest.</p> <p>From the information supplied it is hard to determine the number of native trees proposed for removal, and whether it would be compliant with the DCP controls in relation to removal of tree canopy. An Arboricultural Impact Assessment Report, prepared by a qualified AQF5 (or higher) arborist, must be submitted when works are proposed within 5.0m of a tree irrespective of property boundaries.</p>
<p>The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal.</p>	<p>The site is zoned R2 low density residential.</p> <p>Councils LHS identifies an area within 800 metres of the Mona Vale centre as an area for investigation for additional housing diversity and density.</p> <p>Whilst Council will be beginning work on the Mona Vale Place Plan soon (which will incorporate the investigation area), it will apply the LHS adopted Centre Renewal Framework for this work. This identifies the outer zone of the investigation area as an area suitable for housing that matches the character of existing detached housing, such as dual occupancy, terraces, semi-detached</p>

	<p>dwellings, or manor homes.</p> <p>The subject site is not within the identified centre investigation area, and the proposal is for a Concept Plan with two apartment buildings in addition to three town houses.</p> <p>The proposal is inconsistent with the likely future uses of land in the vicinity of the proposal.</p>
<p>The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.</p>	<p>Work on the Mona Vale Place Plan (which will incorporate the investigation area identified within the LHS) will be starting soon and will take into consideration the centre investigation area as identified within the LHS.</p> <p>Planning for infrastructure to support proposed growth will be a key element of this work, and will consider potential impacts on local infrastructure, including transport, traffic, environmental sustainability, and climate change. The need for new infrastructure will also be informed by other Council strategies, such as the social infrastructure study, open space and recreation strategy, and a land use and infrastructure implementation plan.</p>

Table 3 : Commentary on site specific merit

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

Councils LSPS contains four priorities related to housing as shown in *Table 4*.

Relevant Planning Priorities	Comment
<p><u>Open Space</u> Priority 6 - High quality open space for recreation</p>	<p>A key principle is to locate all new residential development within 400m of open space and all high-density areas within 200m of open space.</p> <p>The site is opposite the Bayview Golf Course, and within 200m of additional areas zoned RE1.</p>
<p><u>Housing</u> Priority 15 – Housing supply, choice, and affordability in the right locations</p>	<p>A key principle is to locate a greater diversity of housing and affordable housing options within reasonable walking distance (800m) of high-frequency public transport.</p> <p>A key action to deliver on the priority is to prepare and implement a local housing strategy.</p> <p>The Proposal is not within 800 metres of the B-line stop, or the area for investigation as identified within the LHS.</p>
<p>Priority 16 – Access to quality social housing and affordable housing</p>	<p>To ensure an available supply of affordable rental housing and provide for a minimum of 10% affordable rental housing for all planning proposals for upzoning.</p> <p>The Proposal does not provide for any affordable rental housing in accordance with this priority or Councils</p>

	affordable housing policy.
<p>Jobs and skills</p> <p>Priority 27 – Prepare a place plan for Mona Vale and develop LEP and DCP controls to respond to LEP studies and support the revitalisation of the centre.</p>	<p>Priority 27 of the document recognises Mona Vale as the contemporary, urban heart of the north. Actions for this strategic centre focus on place planning and revitalisation of the commercial centre as well as improvements to circulation and transportation both within the centre and in terms of access to other areas of the LGA.</p> <p>The LSPS indicates that other studies will inform how Council is able to achieve housing, employment, and other infrastructure targets into the future.</p> <p>There is no clear link between the Northern Beaches LSPS and the provision of additional housing beyond the existing Mona Vale strategic centre. As noted above, this will be investigated through work on the Mona Vale Place Plan (which will incorporate the investigation area identified within the LHS), which will be starting soon and will take into consideration the area.</p>

Table 4 : Consistency with Towards 2040

Further, the LSPS identifies an area of 1.5km around the Mona Vale centre to investigate medium density housing, which will be further explored through the preparation of a LHS, with the key principle being to locate a greater diversity of housing and affordable housing options within reasonable walking distance (800m) of high-frequency public transport.

Councils adopted LHS, applies the principles of Towards 2040 and aims to build in long term capacity for growth around centres with good transport, whilst respecting each centres scale and character and increasing housing diversity and affordability.

As detailed above, the LHS looks at the housing mix in the Northern Beaches today, and the kind of housing that will be needed in the future. It considers trends in terms of population growth and change; household size and mix; issues such as affordability, sustainability and building resilience; and housing diversity, including housing types such as boarding houses, seniors housing and social and affordable housing.

The adopted position for exploring additional housing diversity within Mona Vale, is the identification of a Centre Investigation Area within an 800-metre radius of the Mona Vale B-line bus stop. This work is to be a separate precinct-based place-planning process involving community consultation. Council has State Government funding to begin the Mona Vale Place Plan (which will incorporate the investigation area), which will be starting soon and will take into consideration the area, including the appropriate level of new development that can be accommodated, including the impacts on local infrastructure.

The Proposal is both outside of the Mona Vale investigation area and is inconsistent with the intent of master-planning, which is to consider the area, reflect on the unique character of the area and circumstances and impacts on infrastructure to support any proposed growth.

In consideration of the above, the documents submitted by the proponent have not demonstrated why this planning proposal should be progressed ahead of the completion of the Mona Vale Place Plan.

Further, the proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other land across LGA with similar characteristics and attributes). Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same premise.

It is therefore considered the Proposal does not have site specific or strategic merit.

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

SEPP 55 – Remediation of Land

The Proposal includes a Concept Plan for the potential development of two residential flat buildings containing 38 apartments and three townhouses. SEPP 55 would apply should a development application be submitted. Matters for consideration are included within Ministerial Direction 2.6 detailed within section 6.

SEPP 65 – Design Quality of Residential Apartment Development

The Proposal includes a Concept Plan for the potential development of two residential flat buildings containing 38 apartments and three townhouses.

It is noted that the Concept Plan carries no statutory weight, and should the Planning Proposal be approved in its current form, a development application would be required for the site, which could be of a substantially different form and density to the submitted Concept Plan.

SEPP 65 would apply should a development application be submitted.

SEPP 70 - Affordable Housing (Revised Schemes)

The Proposal does not provide any affordable rental housing.

SEPP 70 identifies the need for affordable housing across the whole of the State and enables councils to include affordable rental housing requirements in Local Environmental Plans in areas subject to zoning “uplift” through an affordable housing contribution scheme.

Council has developed an affordable housing contribution scheme, which allows the collection of developer contributions to provide affordable housing either as complete dwellings or as an equivalent monetary contribution, consistent with Council’s affordable housing policy for areas of urban renewal (areas of zoning uplift) to provide 10% affordable rental housing

The Scheme is to apply initially to the Frenchs Forest Planned Precinct and a site in Narrabeen, however, may be extended to other areas that are rezoned or are subject to increases in residential density in the future. Each area will be subject to separate feasibility analysis to determine the required contribution rate.

The proposal does not provide any affordable rental housing and is inconsistent with Council’s affordable housing policy and intention of SEPP 70 to enable the provision of additional affordable rental housing within the Northern Beaches LGA.

SEPP (Building Sustainability Index: BASIX) 2004

The Proposal includes a Concept Plan for the potential development of two residential flat buildings containing 38 apartments and three townhouses.

It is noted that the Concept Plan carries no statutory weight and should the Planning Proposal be approved in its current form, a development application would be required for the site, which could be of a substantially different form and density to the submitted Concept Plan.

SEPP BASIX would apply should a development application be submitted.

SEPPs	Applicable	Consistent
1	Development Standards	
19	Bushland in Urban Areas	No N/A
21	Caravan Parks	No N/A

33	Hazardous and Offensive Development	No	N/A
36	Manufactured Home Estates	No	N/A
44	Koala Habitat Protection	No	N/A
47	Moore Park Showground	No	N/A
50	Canal Estate Development	No	N/A
55	Remediation of Land	Yes	Would apply should a development application be submitted.
64	Advertising and Signage	No	N/A
65	Design Quality of Residential Apartment Development	Yes	Would apply should a development application be submitted.
70	Affordable Housing (Revised Schemes)	Yes	No – The proposal does not provide any affordable rental housing.
	(Aboriginal Land) 2019	No	N/A
	(Affordable Rental Housing) 2009	No	N/A
	(Building Sustainability Index: BASIX) 2004	Yes	Would apply should a development application be submitted.
	(Coastal Management) 2018	Yes	Would apply should a development application be submitted.
	(Concurrences) 2018	No	N/A
	(Education Establishments and Child Care Facilities) 2017	No	N/A
	(Exempt and Complying Development Codes) 2008	Yes	Would apply should the Planning Proposal be approved.
	(Gosford City Centre) 2018	No	N/A
	(Housing for Seniors or People with a Disability) 2004	No	N/A
	(Infrastructure) 2007	No	N/A
	(Kosciuszko National Park – Alpine Resorts) 2007	No	N/A
	(Kurnell Peninsula) 1989	No	N/A
	(Mining, Petroleum Production and Extractive Industries) 2007	No	N/A
	(Miscellaneous Consent Provisions) 2007	No	N/A
	(Penrith Lakes Scheme) 1989	No	N/A
	(Primary Production and Rural Development) 2019	No	N/A
	(State and Regional Development) 2011	No	N/A
	(State Significant Precincts) 2005	No	N/A
	(Sydney Drinking Water Catchment) 2011	No	N/A
	(Sydney Region Growth Centres) 2006	No	N/A
	(Three Ports) 2013	No	N/A
	(Urban Renewal) 2010	No	N/A
	(Vegetation in Non-Rural Areas) 2017	No	N/A
	(Western Sydney Employment Area) 2009	No	N/A
	(Western Sydney Parklands) 2009	No	N/A
Sydney Regional Environmental Plans (Deemed SEPPs):			
8	(Central Coast Plateau Areas)	No	N/A
9	Extractive Industry (No 2 -1995)	No	N/A
16	Walsh Bay	No	N/A
20	Hawkesbury – Nepean River (No 2 – 1997)	No	N/A

24	Homebush Bay Area	No	N/A
26	City West	No	N/A
30	St Marys	No	N/A
33	Cooks Cove	No	N/A
	(Sydney Harbour Catchment) 2005	No	N/A

Table 5 : Compliance with State Environmental Planning Policies (SEPPs)

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

Direction 2.6: Remediation of Contaminated Land

The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.

A Preliminary Site Investigation (PSI) and Preliminary Acid Sulfate Soil Assessment (PASSA) was undertaken and prepared by the proponent which identifies that the land is not located within an investigation area, activities listed in Table 1 of the draft Contaminated Land Planning Guidelines have not been known to have been carried out on the site; the site has been used and occupied by residential development for over 50 years and the land is suitable, or can be made suitable, for the proposed medium density use subject to the implementation of recommendations of the report at the Development Application Stage.

Direction 3.1: Residential Zones

The objectives of this direction are:

- a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
- b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- c) to minimise the impact of residential development on the environment and resource lands.

The proposed amendments are to provide for medium density development.

As outlined above, a Concept Plan has been prepared for the site which includes the potential construction of two residential flat buildings containing 38 apartments and three townhouses.

Council notes that the Concept Plan carries no statutory weight, and should the Planning Proposal be approved, a development application would be required for the site, which could be of a substantially different form and density to the submitted Concept Plan.

Councils adopted position within its LHS for exploring additional housing diversity within Mona Vale, is the identification of a Centre Investigation Area within an 800-metre radius of the Mona Vale B-line bus stop. This work is to be a separate precinct-based place-planning process involving community consultation. Council has State Government funding to begin the Mona Vale Place Plan (which will incorporate the investigation area), which will be starting soon and will take into consideration the area, including the appropriate level of new development that can be accommodated, including the impacts on local infrastructure.

The Proposal is both outside of the Mona Vale investigation area and inconsistent with the intent of master-planning, which is to consider the area, reflect on the unique character of the area and circumstances and impacts on infrastructure to support any proposed growth.

Any increase in density in the R3 zone under the LEP should also be considered holistically in the context of the proposed precinct-based review being undertaken by Council in the Mona Vale Centre Investigation Area.

Councils LHS is the most appropriate mechanism to broaden (where required) the choice of building types and locations available in the housing market in the Northern Beaches today, and the kind of housing that will be needed in the future.

The proposal is therefore considered to be inconsistent with the objectives of Direction 3.1.

Direction 3.4: Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) improving access to housing, jobs and services by walking, cycling and public transport, and
- b) increasing the choice of available transport and reducing dependence on cars, and
- c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- d) supporting the efficient and viable operation of public transport services, and
- e) providing for the efficient movement of freight.

Councils adopted position within its LHS for exploring additional housing diversity within Mona Vale, is the identification of a Centre Investigation Area within an 800-metre radius of the Mona Vale B-line bus stop. This area has been identified as the most appropriate location within a walkable distance to services, jobs, and public transport.

This work is to be a separate precinct-based master-planning process and will take into consideration the impacts on local infrastructure, including transport.

The Planning Proposal seeks to change the zoning and alter the density to significantly increase the number of dwellings on the site, is outside of the investigation area and is inconsistent with Councils adopted Local Housing Strategy and considered inconsistent with Direction 3.4.

Direction 4.3 Flood Prone Land

The Proposal must show compliance with the Flood Prone Land (4.3) Direction of the Local Planning Directions under Section 9.1(2) of the Environmental Planning and Assessment Act 1979.

Under this direction, the following applies:

A planning proposal must include provisions that give effect to and are consistent with:

- a) the NSW Flood Prone Land Policy,
- b) the principles of the Floodplain Development Manual 2005,
- c) the Considering flooding in land use planning guideline 2021, and
- d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.

Council notes the Planning Proposal has not addressed the most recent direction (released on 14 July 2021). Council however considers it generally consistent with Direction 4.3, however a full

assessment cannot be undertaken until a more detailed development application is lodged.

Direction 5.10 - Implementation of Regional Plans

The North District Plan does not specifically require the need for additional housing in the location of the subject site, with the mechanism to provide a locally relevant response to the District Plan housing being Councils LSPS and LHS/Mona Vale Place Plan.

The Proponent has not demonstrated why this planning proposal should be progressed ahead of the Mona Vale Place Plan and without the demonstrable strategic need for additional housing of this form in this location.

Further, the proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other land across LGA with similar characteristics and attributes). Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same premises.

It is therefore considered the Proposal is inconsistent with the Regional Plan.

Directions (as of July 2021)		Applicable	Consistency
1	Employment and Resources		
1.1	Business and Industrial Zones	No	N/A
1.2	Rural Zones	No	N/A
1.3	Mining, Petroleum Production and Extractive Industries	No	N/A
1.4	Oyster Aquaculture	No	N/A
1.5	Rural Lands	No	N/A
2	Environment and Heritage		
2.1	Environment Protection Zones	No	N/A
2.2	Coastal Management	No	N/A
2.3	Heritage Conservation	No	N/A
2.4	Recreation Vehicle Areas	No	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	No	N/A
2.6	Remediation of Contaminated Land	Yes	Would apply should a development application be submitted.
3	Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Yes	No
3.2	Caravan Parks and Manufactured Home Estates	No	N/A
3.3	Home Occupations	No	N/A
3.4	Integrating Land Use and Transport	Yes	No
3.5	Development Near Licensed Aerodromes	No	N/A
3.6	Shooting Ranges	No	N/A
3.7	Reduction in non-hosted short term rental accommodation period	No	N/A
4	Hazard and Risk		
4.1	Acid Sulfate Soils	Yes	Would apply should a development application be submitted.

4.2	Mine Subsidence and Unstable Land	No	N/A
4.3	Flood Prone Land	Yes	Would apply should a development application be submitted.
4.4	Planning for Bushfire Protection	No	N/A
5	Regional Planning		
5.2	Sydney Drinking Water Catchments	No	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
5.9	North West Rail Link Corridor Strategy	No	N/A
5.10	Implementation of Regional Plans	Yes	No
5.11	Development of Aboriginal Land Council land	No	N/A
6	Local Plan Making		
6.1	Approval and Referral Requirements	No	N/A
6.2	Reserving Land for Public Purposes	No	N/A
6.3	Site Specific Provisions	No	N/A
7	Metropolitan Planning		
7.2	Implementation of Greater Macarthur Land Release Investigation	No	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	No	N/A
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	No	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan	No	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	No	N/A

Table 6 : Compliance with Ministerial Directions

Section C – Environmental, social and economic impact

Q7. 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?

The Ecological Assessment has concluded that the subject site contains a total of 0.23 Ha of native vegetation, of which, 0.13 Ha is indicated to be impacted. It is recommended that any future development design maximises efforts to avoid/minimise impacts to the biodiversity values of the site and locality, including Pittwater Wagstaff Spotted Gum Forest. From the information supplied it is hard to determine the number of native trees proposed for removal, and whether it would be compliant with the DCP controls in relation to removal of tree canopy. An Arboricultural Impact Assessment Report, prepared by a qualified AQF5 (or higher) arborist, must be submitted when works are proposed within 5.0m of a tree irrespective of property boundaries.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The proposed amendments seek to increase the dwelling density of the site, with potential increased environmental considerations that will be required to be assessed should a development application be submitted.

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

A key principle of Council's local strategic planning statement is to locate a greater diversity of housing and affordable housing options within reasonable walking distance (800m) of high-frequency public transport, with a key action being to deliver on the priority is to prepare and implement a local housing strategy. Council's local housing strategy looks at the housing mix in the Northern Beaches today, and the kind of housing that will be needed in the future. It considers trends in terms of population growth and change; household size and mix; issues such as affordability, sustainability and building resilience; and housing diversity, including housing types such as boarding houses, seniors housing and social and affordable housing.

Council's LHS and its targets have been prepared based on projections and other information currently available by DPIE. The LHS notes that the DPIE population projections were released before the COVID-19 pandemic, and may need to be reviewed to reflect revised projections. The LHS further notes that "COVID-19 pandemic has had and will continue to have many impacts. Restrictions on travel and migration within Australia and internationally are likely to affect levels of population growth, particularly in the short term. Given the uncertainty, it is not possible to accurately predict the impact that COVID-19 associated restrictions will have on rates of population growth, demand for particular housing types, or the need for affordable housing. This reiterates the need for effective, flexible planning for the future of housing on the Northern Beaches and Sydney".

However, with regards to the impacts of COVID, it is noted that the population insight update provided by DPIE in December 2020 states that "ongoing border restrictions, the economic downturn and fewer births are likely to lead to both a lower rate of population growth and changing in living arrangements. These in turn will lead to less underlying demand for housing."

The proposed amendments are considered inconsistent with Council's strategic documents and do not provide for any affordable rental housing (increasing the density to provide a variety of dwelling sizes does not increase the provision of affordable rental supply).

Section D – State and Commonwealth interests**Q10. Is there adequate public infrastructure for the planning proposal?**

Removing the density provision for the site will result in a potential increase in dwellings and therefore additional site related impacts such as additional cars entering and exiting the site. Any increase in density in the R3 zone under the LEP should be considered holistically in the context of the proposed precinct-based review being undertaken by Council in the Mona Vale Centre Investigation Area and potential impacts on infrastructure.

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

N/A

CONSULTATION

Council placed the Proponent's Planning Proposal on a non-statutory public exhibition in accordance with the Northern Beaches Community Participation Plan from 9 August 2021 to 22 August 2021 (2 weeks). Notification included:

- Letters to landowners and occupiers within the vicinity of the subject site including:
 - 155 Darley Street West, Mona Vale
 - 12 Kunari Place, Mona Vale
 - 10 Kunari Place, Mona Vale
 - 8 Kunari Place, Mona Vale
 - 6 Kunari Place, Mona Vale
 - 4 Kunari Place, Mona Vale
 - 96 Park Street, Mona Vale
 - 94 Park Street, Mona Vale
 - 92 Park Street, Mona Vale
 - 90 Park Street, Mona Vale
 - 88 Park Street, Mona Vale
 - 86 Park Street, Mona Vale
 - 82 Park Street, Mona Vale
 - 82A Park Street, Mona Vale
 - Bayview Golf Club
- Electronic copies of the exhibition material on Council's yoursay page.

Emails to registered community members who have listed their interest on Council's Community Engagement Register were sent on 9 August 2021 (to 22,483 people) and 14 August 2021 (to 173,038 people).

Submissions

72 public submissions were received in response to the public exhibition period.

66 submissions objected to the proposal. One submission generally supported the proposal, with a further submission being neutral and four submissions raising no objection to the rezoning but objecting to the proposed removal of the density restrictions.

A summary of the objections to the proposal is provided below.

Strategic Merit

- Overpopulation of the Northern Beaches with no requirement for the unplanned uplift due to the North District Plan zero-five-year housing target likely to be met under existing planning controls.
- There is no strategic merit in rezoning the site to R3, with any rezoning to form part of the strategic planning process and not through a spot rezoning with land closer to the Mona Vale centre more appropriate for medium density housing.
- The proposal is inconsistent with the desired future character of the area.
- The proposal is not providing affordable housing, nor enabling the provision of smaller housing as claimed, but instead is a way for the developer to increase profits.
- The Proposal is not in the interest of the local population.

Other Issues

- The development of this density will result in increased traffic and parking impacts on Darley Street West which is a dead-end cul-de-sac and cannot sustain any more traffic, with increased safety issues at the lights at the Pittwater Road intersection.
- Overdevelopment of the site which is unsuitable for such a high density of development and should therefore remain low density.
- The development will depreciate the value of existing properties in the vicinity of the site.
- Inaccurate mapping within the Planning Proposal Report, with 102 Darley Street West (a private development) identified as part of Bayview Golf Club
- Existing sewage problems in the area, and the increase in density on the site will exacerbate issues.
- Additional demand for garbage collection and the increased noise that will be associated with this is unacceptable.
- Broader Impacts/strain on infrastructure and the environment, particularly flora and fauna, soil contamination and impacts on climate change.
- The proposal is within a flood prone area, with existing issues with the water table and underground parking and subterranean moisture.
- Overshadowing and impacts on privacy, particularly on adjoining neighbours.
- Will this property become predominately investors and therefore the potential to create an increase in airBnB style short term renters and significantly increase noise and other associated activities commonly found in this style of development.
- Issues raised by Council in the pre-lodgment meeting have not been satisfactorily addressed.
- Community consultation on the proposal is inadequate, and all of Darley Street West should have been notified.

Response

Strategic Merit

As detailed above, Council agrees that the Planning Proposal is inconsistent with Council's strategic direction and the planning proposal has not demonstrated why this planning proposal should be progressed ahead of the Mona Vale Place Plan and without the demonstrable strategic need for additional housing of this form in this location.

Further, the proposal does not adequately justify the rezoning of the subject property over and before other land adjoining the Mona Vale town centre zone R2 land (or other land across LGA with similar characteristics and attributes). Consideration of rezoning of the subject site has the risk of setting a precedent for adjoining landowners to consider rezoning under the same premises.

It is therefore considered the Proposal has no strategic merit.

Other Issues

Council notes many of the issues raised in submissions are matters for consideration should the Planning Proposal be approved, and a development application is lodged for the site.

In this respect a Concept Plan has been prepared for the site which includes the construction

of two residential flat buildings containing 38 apartments and three townhouses.

Council notes the Concept Plan is not an application for development, and as such a merit assessment of the Concept Plan has not been undertaken at this point, inclusive of all site related issues associated with building such a development.

It is noted however that removing the density provision for the site will also result in a potential increase in dwellings and therefore additional site related impacts such as additional cars entering and exiting the site. Any increase in density in the R3 zone under the LEP should also be considered holistically in the context of the proposed precinct-based review being undertaken by Council in the Mona Vale Centre Investigation Area.

Council does not support the Planning Proposal, and notes that the Concept Plan carries no statutory weight. However, should the Planning Proposal be approved, a development application would be required for the site, at which point the site-specific impacts would be subject to the development assessment process.

It is also noted however that should the Planning Proposal be approved; any development application could be of a substantially different form and density to the submitted Concept Plan.

With regards to community consultation, Council notified all the adjacent neighbours that would be directly impacted by the Planning Proposal. Electronic copies of the exhibition material were also published on Council's Yoursay page, with other community members who listed their interest on Council's Community Engagement Register also receiving an email about the Proposal.

Agency Referrals

The Planning Proposal was referred to Sydney Water for comment (due to the location of the Sydney Water site at 112 Darley Street West).

Sydney Water advise that potable water is available to the site via a 100mm CICL watermain (laid in 1949) on Darley Street West. Wastewater should also be available via a 150mm PVC wastewater main (laid in 1975) within the property boundary. Amplifications, adjustments, and/or minor extensions may be required.

Detailed requirements, including any potential extensions or amplifications, will be provided once the development is further referred to Sydney Water for a Section 73 application.

Internal Referrals

Referrals were sent to the following Northern Beaches Council business units requesting specialist feedback on the planning proposal:

- Transport
- Stormwater and Flooding
- Coast and Catchments
- Environment & Biodiversity
- Place and Economic Development
- Urban Design

Council notes the Concept Plan is not an application for development, and as such a detailed assessment of all issues associated with building such a development has not be undertaken at this point.

Council also notes that the Concept Plan carries no statutory weight, and should the Planning Proposal be approved, a development application would be required for the site, which could be substantially different to the submitted Concept Plan.

Transport

- Concerns raised on the impact on the adjoining intersection of Darley Road west and Pittwater Road.
- Secondary concerns relate to access to transport services from the proposed intensification of dwellings on the subject sites.
- The application includes a Traffic Impact Assessment report that addresses the usual issues of concern. Intersection capacity and safety will need to be considered in any future applications.
- Additional lane capacity at Darley Street West needs to be considered to address increased generation and demand attributed to any proposed development.
- Any future application for the development consent should consider compliance with AS2890, AS1742, and provide suitable connections from the development to Active Transport Network and public transport connections.
- No objection to the proposal is raised at this stage.

Flooding

- The planning proposal generally meets the flood controls in the LEP and DCP and Direction 4.3 of the Local Planning Directions. A full assessment, however, cannot be undertaken until the DA stage and would be subject to approval by the development engineers.
- The subject site is affected by Low Risk and Medium Risk flood hazards in accordance with Council's Flood Hazard Map adopted in 2019.
- An existing overland flowpath traverses through the subject properties and continues towards Kunari Place (number 6, 8 and 10). The proposed proposal involves diverting approximately 70% of the peak 1% AEP flows arriving from the south east through a new shared access driveway to Darley Street West.
- The diverted flows arrive at Darley Street West and subsequently discharge overland towards Mona Vale golf course. The additional flows within Darley Street West will generally achieve flood depths and velocities that maintain the current flood risk hazard (h1 – h2).
- The 1% AEP afflux mapping indicates an increase in depths by up to 40mm on Darley Street West and to the reserve to the north adjacent to the golf course where additional overland flows have been directed.
- The post development flood modelling results indicate a reduction of flood depths for the 1% AEP event and PMF for 6, 8 and 10 Kunari Place ranging from 0.05 to 0.15m.
- The proposed buildings (C, D and E) have ground floor levels set at 1% AEP plus 500mm freeboard (4.91m AHD) associated with the diverted flows.
- The ground floor levels of both building A and B are elevated above existing overland flow paths and not impacted by local flood depths.
- Flood waters up to the PMF would not enter the undercover parking area (under building B and the new townhouses) as it is set at the PMF level of 4.64m AHD.

- A detailed flood evacuation plan or shelter in place details would need to be provided at the DA stage.
- All buildings would be required to be designed and constructed as flood compatible buildings and have structural integrity up to the PMF.

Catchments and Water Management

- Not aware of any statutory considerations or actions regarding Water Management that that Council should be initiating with assessment of the proposal.
- The site is not in a riparian area or riparian buffer and no issues or concerns in relation to water management.
- Future developments on the site will be required to comply with chapter 4 of Council's Water Management for Development Policy, including demonstration that impervious areas are minimised and Water Sensitive Urban Design is incorporated in the landscaping and build design to meet the Policy's General Stormwater Quality Requirements (Table 4).
- This is achievable based on the provided concept plans.

Biodiversity

- A preliminary Ecological Assessment has been undertaken to support the proposal. Findings from the assessment identify that the subject site contains 0.19 ha of PCT 1214 Pittwater Spotted Gum Forest (PSGF), consistent with the Pittwater and Wagstaffe Spotted Gum Forest in the Sydney Basin Bioregion, listed as endangered under the Biodiversity Conservation Act 2016 (BC Act). The remainder of the subject site is comprised of Planted Native Vegetation (0.04 ha), exotic vegetation (0.22 ha) and existing developed land (0.17 ha).
- The Ecological Assessment has estimated that the proposal will require the removal of approximately 0.09 ha of PSGF, 0.04 ha of planted native vegetation and 0.15 ha of exotic vegetation. These areas have been calculated based on area of the development overlapping the vegetation mapping prepared by the Ecologist.
- The Ecological Assessment has concluded that as the subject site contains a total of 0.23 ha of native vegetation, of which, 0.13 ha is indicated to be impacted, the NSW Biodiversity Offset Scheme is unlikely to be triggered by this mechanism. A preliminary assessment of significance has also been conducted which indicated that a significant impact to threatened biodiversity is unlikely.
- Indirect and prescribed impacts are required to be considered in assessment of whether the proposal triggers the BOS in accordance with the Biodiversity Conservation Act 2016 and Biodiversity Conservation Regulation 2017, thus entry into the BOS and preparation of a Biodiversity Development Assessment Report (BDAR) cannot be ruled out at this stage.
- It is recommended that any future development design maximises efforts to avoid and minimises impacts to the biodiversity values of the site and locality, including Pittwater Wagstaff Spotted Gum Forest. As documented, further Biodiversity Assessment will be required as part of any development application to Council and should be based on final plans and incorporate the results of the Arboricultural Impact Assessment.
- The assessment should conduct site surveys with reference to relevant published flora and fauna survey guidelines. In addition, the Ecological Assessment must address the proposals compliance with the local planning controls Pittwater 21 DCP cl. B4.3 Flora and Fauna Habitat Enhancement Category 2 Land & cl. B4.22 Preservation of Trees and Bushland Vegetation.

- From the information supplied it is hard to determine the number of native trees that are proposed for removal, and whether it would be compliant with the DCP controls in relation to removal of tree canopy. An Arboricultural Impact Assessment Report, prepared by a qualified AQF5 (or higher) arborist, must be submitted when works are proposed within 5.0m of a tree irrespective of property boundaries. This may identify that further native vegetation requires removal due to location of tree, health of tree and/or application of relevant exemptions in accordance with the Pittwater 21 DCP.

Economic development & tourism

- The site is well removed from the industrial area and so there is not an economic development concern with the impact of the rezoning on the Mona Vale industrial uses at eastern end of Darley Street.
- The attached Economic Assessment sets out the case for increasing housing supply and diversity in Mona Vale area in general and identifies increasing demand for housing in the Northern Beaches arising from the trend for increased working from home.
- However, there may be an issue with proceeding with the rezoning ahead of detailed Place Planning process, led by the Strategic Place and Planning team.

Northern Beaches Local Planning Panel Advice

The Northern Beaches Local Planning Panel (the Panel) considered the Planning Proposal on 6 October 2021 and indicated general agreement with the planning proposal report, and considers the application is premature given the strategic planning initiatives being undertaken, namely the Mona Vale Place Plan. The Panel recommended:

- A. That Council not proceed with the Planning Proposal for 159-167 Darley Street Mona Vale, and not forward it to the NSW Department of Planning, Industry and Environment for a Gateway determination for the reasons set out in the assessment report.
- B. That the site be included in the Mona Vale Centre Investigation Area and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Mona Vale Centre Investigation Area investigations.

Comment: No objection is raised to considering the site in conjunction with work being undertaken on the Mona Vale Place Plan given the work already undertaken by the proponents and the proposed timing of the Place Plan. This is reflected in the report recommendation.

TIMING

Should Council not support the recommendation to reject the planning proposal, but rather proceed with the Planning Proposal, the anticipated timeframe for the completion of the Planning Proposal would be approximately 10-12 months from the date of Council's approval to proceed. Following the issue of a Gateway Determination, Council will be required to formally exhibit the Planning Proposal for 28 days.

The matter would then be reported back to Council for final consideration following exhibition.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.
- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

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

FINANCIAL CONSIDERATIONS

The assessment of the Planning Proposal is funded by the prescribed Planning Proposal fee as set out in Councils Fees and Charges 2021/22 and does not have an adverse impact on Council's budget.

SOCIAL CONSIDERATIONS

The proposed amendments are inconsistent with Council's strategic documents and do not provide for any affordable rental housing.

ENVIRONMENTAL CONSIDERATIONS

The proposed amendments seek to increase the dwelling density of the site, with potential increased environmental considerations that will be required to be assessed should a development application be submitted.

GOVERNANCE AND RISK CONSIDERATIONS

The relevant considerations for the Planning Proposal, as outlined within the Department of Planning, Infrastructure and Environment Planning Proposal guidelines, "Planning Proposal: A Guide to Preparing Proposals (2018)" have been met.

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	CONSIDERATION OF LICENCE REQUEST FOR COUNCIL COMMUNITY LAND LOT 2 DP 827733 (WITHIN REFUGE COVE RESERVE) AND ADJOINING 316 HUDSON PARADE, CLAREVILLE
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2021/306030
ATTACHMENTS	1 Location Map 2 Submissions

SUMMARY

PURPOSE

To consider an application for a 20 year licence from the owner of 316 Hudson Parade, Clareville for use of an area of adjoining Community Land (Lot 2 DP 827733) for the purpose of access stairs and part boatshed.

EXECUTIVE SUMMARY

The owner of 316 Hudson Parade, Clareville (the applicant) has applied to enter into a licence agreement with Council to use an area of Community Land within Refuge Cove Reserve which adjoins 316 Hudson Parade to facilitate the construction of a boatshed and associated access stairs on Lot 2 DP 827733 (Lot 2) and the ongoing use of these structures. The subject area is approximately 58 sqm.

Lot 2 was the subject of a lease between Pittwater Council and a previous owner which commenced on 4 March 1993 and terminated on 4 March 2013.

On 7 March 2016, Pittwater Council resolved to re-categorise Lot 2 from 'Natural Area' to 'General Community Use' and to grant the General Manager (now known as the CEO) delegation to negotiate the terms and conditions of a new lease. At that time, a timber boatshed existed partially on Lot 2 and partially on Crown Land adjoining Lot 2, being the Pittwater waterway.

On 14 September 2018 Council served a Stop Work Order following the complete demolition of the boatshed. The Stop Work Order was appealed to the Land and Environment Court (Proceedings No. 2018/00308701) by the applicant. The appeal was subsequently discontinued with Council's consent. A development application has subsequently been lodged for the boatshed works.

Public notice of the application for a licence was given for a period of 28 days in August and September 2020 in accordance with section 47 of the *Local Government Act 1993*. Council received a total of 46 submissions on the proposed licence during the notification period (30 in support and 16 against). The *Local Government Act 1993* provides that a council must not grant a licence in respect of community land for a period exceeding 5 years except with the Minister's consent, if a person makes a submission by way of objection to the proposal. Accordingly, should Council wish to grant the licence, Council will need to apply for the Minister's consent to do so.

This report recommends that Council authorise the grant of the licence subject to Minister's consent. The approval of a licence does not authorise specific works on the site and the current development application for proposed works will be assessed separately in accordance with the *Environmental Planning and Assessment Act 1979*. It is intended that the proposed licence would be subject to the grant of development consent.

The licence application was addressed in the business papers for the Ordinary meeting of Council held on 27 April 2021 at Item 13.5 - Consideration of Licence Request for Council Community Land Lot 2 DP 827733 (within Refuge Cove Reserve) and adjoining 316 Hudson Parade, Clareville. Following correspondence from the applicant, Council unanimously resolved at the meeting to defer the item. Since that time Council staff have further communicated with members of the community and the applicant regarding the matter. As a result, the report has been updated and the recommendation amended.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council note that it has considered all submissions in respect to the proposed licence referred to in Item 3 below (proposed licence).
 2. Council apply to the Minister for Local Government in accordance with section 47 of the *Local Government Act 1993* for consent to grant the proposed licence.
 3. Subject to the consent of the Minister for Local Government to the grant of the proposed licence and subject to the grant of development consent in respect of DA2020/1762, Council grant a new licence to the owner of 316 Hudson Parade Clareville for approximately 58 sqm of community land adjoining 316 Hudson Parade, Clareville described as Lot 2 DP 827733 for the purpose of boatshed and access structures for an amount in accordance with Council's adopted Fees and Charges and for a term of twenty (20) years.
 4. The proposed licence be subject to such other terms and conditions as the Chief Executive Officer considers appropriate.
 5. All costs associated with the granting of the proposed licence including but not limited to, Council's legal costs, document registration and GST, if applicable, be funded by the applicant.
 6. Council delegate authority to the Chief Executive Officer to do all things necessary and to execute all required documentation in order to give effect to the above.
-

REPORT

BACKGROUND

In 1993, a previous owner of 316 Hudson Parade, Clareville dedicated to Council foreshore land at Refuge Cove Reserve, now Lot 2. The transfer was conditional upon a lease being provided over the access way to the foreshore and the section of the original boatshed above the mean high water mark. A lease was subsequently granted by Pittwater Council to the owner in accordance with this condition.

The previous lease agreement expired on 4 March 2013. In 2015 the applicant, after purchasing the property at 316 Hudson Parade approached Pittwater Council seeking to renew the agreement for a further twenty (20) year term.

Pittwater Council at its meeting on 7 March 2016 resolved (the 2016 Resolution) as follows:

C10.1 316 Hudson Parade Clareville - Renewal of Expired Lease

- 1. That the report by the Independent Chairperson regarding the re-categorisation of Lot 2, DP827733 be noted.*
- 2. That the land, Lot 2, DP927733 in Refuge Cove be re-categorised from Natural Area to General Community Use.*
- 3. That the General Manager be delegated to negotiate the terms and conditions of a new lease based on the expired lease following the re-categorisation of the land.*

On 15 November 2016, a complying development certificate (CDC) was issued by an accredited certifier for development on foreshore land including Lot 2 described as "Repairs and restoration of existing structures". The CDC related to the boatshed that existed on Lot 2 and the adjoining Crown Land.

On 14 September 2018, Council served a Stop Work Order following the complete demolition of the existing boatshed. It was Council's view that this work was not carried out in accordance with the CDC, the CDC was not lawfully issued and the works were undertaken without owner's consent. The Stop Work Order was appealed to the Land and Environment Court (Proceedings No. 2018/00308701). The appeal was subsequently discontinued by the applicant with Council's consent. In connection with the discontinuance of the proceedings, the applicant agreed to surrender the CDC and Council agreed to act on any outstanding Council resolutions made on 7 March 2016 (specifically the 2016 Resolution).

Item 2 of the 2016 resolution relating to the re-categorisation of the land has been completed by Council.

This report is to address item 3 of the 2016 Resolution. To action this item of the resolution, Council staff have undertaken public notification of the proposed licence in accordance with section 47 of the *Local Government Act 1993* which concluded on 24 September 2020. A summary of submissions is noted in the table within this report. Copies of all submissions are in Attachment 2.

While the previous formal agreement for the subject land was a lease, following consultation with the applicant, the proposed form of agreement that was notified was a licence granting permission to use the land rather than provide exclusive use.

Concurrent to the licence application, Development Application (DA) DA2020/1762 for demolition works and the construction of a boatshed, ramp, slipway, jetty and steps which contemplates works over various parcels of land in the vicinity of 316 Hudson Parade, Clareville including Council land at Lot 2 was lodged with Council on 15 February 2021 and has not yet been determined. Owner's consent from Council as the land owner of Lot 2 has been given the applicant

to lodge the DA. The DA will be reported to the Northern Beaches Local Planning Panel for determination in due course.

The licence application was addressed in the business papers for the Ordinary meeting of Council held on 27 April 2021 at *Item 13.5 - Consideration of Licence Request for Council Community Land Lot 2 DP 827733 (within Refuge Cove Reserve) and adjoining 316 Hudson Parade, Clareville*. Following correspondence from the applicant, Council unanimously resolved at the meeting to defer the item. Since that time, Council staff have further communicated with members of the community and the applicant regarding the matter. As a result, the report has been updated and the recommendation amended.

CONSULTATION

Public notice of the application for a licence was given for a period of 28 days in accordance with section 47 of the *Local Government Act 1993*. The public notification included a notice on Council's website, notice letters to surrounding property owners and notice signs adjoining 316 Hudson Parade, Clareville.

The submission period specified in the public notice commenced on 27 August 2020 and concluded on 24 September 2020.

Council received a total of 46 submissions on the proposed licence during the notification period (30 in support and 16 against).

In accordance with section 47(5) of the *Local Government Act 1993*, if an objection to the proposal is received and Council proposes to grant a licence, Council is required to apply to the Minister for Local Government for consent to grant the licence. Alternatively, Council may choose to refuse the application and no application to the Minister would be required.

A summary of the submissions received is included in the below table within this report. Copies of all submissions are in Attachment 2.

The submissions by theme are summarised below along with staff responses.

Summary of submissions by theme	Submission Classification	Staff Response
1. Privatisation of public land	Objection	A licence over this land does not specifically exclude the public's access other than to any private structures on the land (where appropriate DA approval is granted).
2. Objection to re-categorisation land (as resolved by Pittwater Council in 2016)	Not related to licence specifically	The re-categorisation is not being considered by this licence notification process and has occurred as per the 2016 Resolution of Pittwater Council. A new resolution would be required to revert the categorisation of the land from General Community Use back to Natural Area.
3. Impact on native vegetation and environmental issues with structures (eg. rebuild of boatshed, retaining walls etc.)	Not related to licence specifically but to the structure that	The licence would only permit the occupation of the land. Any structure to be erected on the land would require the submission of a DA.

Summary of submissions by theme	Submission Classification	Staff Response
	would be subject to DA approval	Any DA over this area would be required to address impacts on aquatic ecology, coastal hazards and public access.
4. Impact to Foreshore Area <ul style="list-style-type: none"> Visual impact and amenity Setting a precedent for more structures around foreshore area 	Not related to licence specifically but to the structure that would be subject to DA approval	The licence is for a renewal of an existing 20 year licence not a licence for the use of the foreshore area for the first time. It is noted that the applicant considers that existing use rights apply.
5. Unresolved illegal works within adjoining reserve need to be resolved first	These works are being assessed separately to the licence	The works mentioned are being addressed by Council's Environmental Compliance Unit. The licence does not itself permit the works.
6. Existing area	Support	The licence area noted is proposed to be the same as the expired agreement.
7. No impact - access to foreshore will be maintained, does not block community access	Support	The licence itself does not change the access to the foreshore that is currently in place.
8. Fix the boatshed, will enhance foreshore	Support but not related to licence specifically but to the structure that would be subject to DA approval	The licence of itself would not permit the re-building of the boatshed. This development will be considered separately under a DA.

Having regard to all the circumstances including the submissions received in respect of the proposal it is recommended that Council authorise the proposed licence.

TIMING

The steps required to enter into licence over Lot 2 DP 827733 are expected to be completed within 6 months, subject to the grant of the relevant consents.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

The annual rental amount for the proposed licence area has been calculated in accordance with Council's adopted Fees and Charges for use of public land. The current annual rate per square metre (sqm) is \$96.00/sqm for use of public land. Based on the area of Lot 2 DP 827733 being 58

sqm, the proposed annual licence fee for 2021-2022 will be \$5,568.00 per annum (inclusive of GST).

SOCIAL CONSIDERATIONS

There will be minimal change for the community as the area has previously been the subject to a lease and will still allow public thoroughfare through Refuge Cove Reserve.

ENVIRONMENTAL CONSIDERATIONS

The proposed licence will have minimal environmental impact as no actual building works are proposed as part of this renewal. The proposed building works will be assessed separately under a DA in accordance with the *Environmental Planning and Assessment Act 1979*. The proposed licence would be subject to development consent being granted for any proposed new structures on the subject land.

GOVERNANCE AND RISK CONSIDERATIONS

The approval of a licence does not authorise specific works on the site and site works will still require separate approval via a DA process.

The proposed licence terms would provide that commencement of the licence is subject to development consent being granted for the proposed works/structures/use.



The reporting of the licence application to Council is consistent with the 2016 Resolution and the terms on which the legal proceedings brought against Council by the applicant in the Land and Environment Court (Proceedings No. 2018/00308701) were resolved. The proceedings were discontinued on the basis that, amongst other things, Council act on any outstanding Council resolutions made on 7 March 2016.

Notice of Proposed Licence over Community Land

Lot 2 DP 827733
316 Hudson Parade, Clareville



Legend

-  Proposed Licence Area Lot 2 DP 827733
-  Land Parcel Boundary



northern
beaches
council

0 1.75 3.5 7 Meters

Scale (A4) - 1:400
GDA94 MGA Zone 56

Date Printed: 7/08/2020
Produced By: Spatial Information



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Proposed licence over Council Community Land Lot 2 DP 827733 adjoining 316 Hudson Parade Clareville - Summary of Submissions	
Burdened Lot/Reserve	Lot 2 DP 827733
Benefitted Lot/Property	316 Hudson Parade, Clareville
Public notice from:	27 August 2020 to 24 September 2020
Submission	Objection/Support
I do not support the proposed licence of community land lot2 DP 827733. This is public land is should remain public land. Without the Manly Daily our community does not have easy access to Council proposals and DAs. These decisions need to be transparent. Our community needs to be given more information regarding proposed changes and developments.	Objection
I am supportive of this licence renewal. The access from 316 to the foreshore has no impact on access along the foreshore. It was there previously and is consistent with adjoining properties.	In Support
I am supportive of this proposal which allows access from the 316 Property. I see no reason this licence should not be renewed. Access along the shore line is maintained.	In Support
First of all, I am opposed to re-categorisation of this land from Natural Area to General Community Use because of the significance of this zone environmentally - to sea life and birds at a time when these are under increasing threat from climate change, sea level rise and loss of habitat. I have only just heard of this change this afternoon and do not believe that enough notice has been given to justify such a change. Furthermore, to grant a licence for use of this land to one person (or a family) does not qualify as "general community use" anyway. And to be making long term decisions (such as this one, which will be in place for 20 years) about council land at a time when the NBC Local Environment Plan is not finalised is inappropriate and unfair to the rest of the community. The council needs to investigate the local environmental impact of the proposed boat house and other use of the site over time (it is unclear from this proposal whether or not one is already there). That includes investigating the effect of climate change and sea level rise on the site and surrounding area. Having only just found out about this proposal today, I imagine that many in the community would not even be aware of it - let alone have had a chance to comment. Living close by the site I would also have liked to have looked at what is already there - but won't have a chance at such short notice. Finally, I believe the council should be making access to Pittwater's foreshores easier for all residents and visitors - rather than granting special privileges to any particular person or family. It is a public resource but many residents who have built boathouses (or simply have homes adjacent to the waterfront) have planted gardens, created landscaping or simply place obstacles in the way of the public, making it very difficult to walk around the waters' edge even at low tide in some places and impossible at high tide. Landscaping includes rock placement that amounts to seawalls in places - simply increasing erosion further along and making it impossible for the beach to replenish itself. Pittwater's foreshores should be open to all - and not just a privileged few.	Objection

<p>As a Northern Beaches resident I support this great Council Initiative, preserving Access to the Ionic Pittwater Boat sheds while creating more community access along the waterfront. Well done Northern Beaches Council.</p>	<p>In Support</p>
<p>Further encroachment on public land, further endangering public access to the foreshore. None of these licences should be renewed.</p>	<p>Objection</p>
<p>I certainly do not support "giving away" land to wealthy home owners who live along the foreshore of Pittwater. This land gives access to ALL, enabling people to take a stroll round the foreshore which is their right. Proposing a 20 year license is such a dangerous precedent as it will soon have all foreshore residents applying and then that land will disappear from public access for years. All waterfront land, no matter where, should remain public land at all times in order to give freedom of movement to people unable to afford ownership of high price land.</p>	<p>Objection</p>
<p>Public land is just that public. I do not support the privatisation of public land in any circumstances. These people already have access to the water as does everyone else in this instance.</p>	<p>Objection</p>
<p>I do not support the Proposed Licence of Council Community Land Lot 2 DP 827733 for 20 years. was only made aware of this proposal today, 24 September and am appalled by this proposal and alarmed that NBC is even considering it. The closure of the Manly Daily means that the community is not aware of contentious issues like this. The only notification seems to be buried in your Have Your Say section, of which many people are unaware. This could explain why you receive few submissions and presumably can operate claiming the support of community for proposals such as the granting of a 20 year lease. Public land is precious and increasingly disappearing into private ownership. Wealthy people are privileged to be able to afford homes above high watermark on the foreshore. This does not give them the right to also take over public land further restricting public access to the foreshore. Over years, people have built boatsheds below the high water mark but they are on public land and so everyone including the boat shed owner can access the land. I do not support the Proposed Licence of Council Community Land Lot 2 DP 827733 for 20 years and expect the NBC to reject this application as that is best for the public interest..</p>	<p>Objection</p>
<p>The stairway will effectively form a barrier, stopping the public from moving through the public's land. As a matter of principle, no agreement should be entered into that restricts the public from effectively using its land. This proposed Licence of Council Community Land Lot 2 DP 827733 for 20 years should not be approved.</p>	<p>Objection</p>

<p>We object to this proposed licence of community land. We feel it is wrong to take public or Crown land for private benefit or profit & this is happening too often in the NB Council area of late.</p> <p>This land zoning should never have been changed from Natural Area to Community Use, but as that poor decision has already been made, there should be no further incursion or development of that site's bushland, which would happen if this site is licensed to the owner of 316 Hudson Pde. The owner of 316 Hudson has already completely stripped out almost all native undergrowth species from this public land and also from the public foreshore bushland next door at 314 Hudson and has replanted both properties with introduced weed species, agapanthus and agave. One of the purposes of this public bushland is to act as a wildlife corridor, which is not possible now that the bush has been stripped. The site needs to be remediated to its former native bush state and the unapproved works on the public land & foreshore, removed. These include wooden terraces and concrete.</p> <p>There is already other significant unapproved works on the foreshore area of this site. It is ridiculous to then reward the resident by letting him licence public land for further benefit. This would set a dangerous precedent for more private takeover of public land along, what should be, pristine public foreshore and bushland.</p> <p>This proposal should be rejected & the Council practise of selling off, leasing or licensing public land needs to stop. Our community land, Crown land, bushland & foreshore needs to be protected from further development. This requires NBC to step up and provide proper stewardship. This is not happening since the amalgamation of Pittwater Council with Warringah & Manly.</p>	<p>Objection</p>
<p>Please find attached my submission objecting to the proposed 20 year licencel was only made aware of this proposal today, 23 September and am appalled by this proposal and alarmed that NBC is even considering it. The closure of the Manly Daily means that the community is not aware of contentious issues like this. The only notification seems to be buried in your Have Your Say section, of which many people are unaware. This explains why you receive few submissions and presumably can operate claiming the support of community for proposals such as the granting of a 20 year lease. Public land is precious and increasingly disappearing into private ownership. Wealthy people are privileged to be able to afford homes above high watermark on the foreshore. This does not give them the right to also take over public land further restricting public access to the foreshore. NBC must stand firm and protect public land and native vegetation. Locals already have the perception that the end of Pittwater Council has meant the loss of a watchdog to protect our natural environment and vegetation. People seem to feel free to cut down trees and take over public land with the tacit approval of NBC. Over years, people have built boatsheds below the high water mark but they are on public land and so everyone including the boat shed owner can access the land. The public land in front of the owner's properties has been virtually stripped of all native vegetation and planted with agapanthus and agaves, also creating the illusion of private property. This owner seems to be trying to also privatise the land between his property and boat shed. This is unacceptable and an alarming precedent which surely all the adjoining properties will then attempt. You must not give away public foreshore land and that is what a 20 year lease will do.</p>	<p>Objection</p>

<p>NBC recently congratulated itself on a successful amalgamation and supposedly happy ratepayers. This is not the case if a Dee Why-centric council approves yet more privatisation of public waterfront land. This is what those of us opposed to the amalgamation feared; namely that amenity of beautiful Pittwater was not as important as income from licencing land. NBC should protect the rights of all and not just pander to the excesses of privileged individuals. I do not support the Proposed Licence of Council Community Land Lot 2 DP 827733 for 20 years and neither should NBC.</p>	
<p>No Comment Made</p>	<p>In Support</p>
<p>I have no objection to this provided I can still walk along the foreshore.</p>	<p>In Support</p>
<p>Yes I support the requested land lease as the land in question is not actually accessible by the community due to the slope this the lease has no impact on the community who can still access the foreshore</p>	<p>In Support</p>
<p>Granting this licence sets a precedent which must not happen. This is public land and must remain public, for all the public. The foreshore is not owned by the owner of the property. That structure on the rock shelf should not have been approved and this licence must not be approved to facilitate use of that structure. The licence is not in the public interest, only of the owner of the property upslope.</p>	<p>Objection</p>
<p>The proposed access and boat shed have no impact on the public access to the public beach and I therefore support the proposed license.</p>	<p>In Support</p>
<p>I support the licence as this area is not impacted by the general public, it only leads to private land, not public. The general public can still walk along the foreshore</p>	<p>In Support</p>
<p>No Comment Made</p>	<p>In Support</p>
<p>The proposal is for a Licence across public land but does not obstruct nor exclude the public from that land, including over the land to be licensed. It re-establishes a licence that should have been renewed by Council years ago but due to Council putting in place an incorrect Plan of Management for the area could not be undertaken until the errors Council had made were corrected. It has taken Council far too long to address its earlier errors and those objecting do not seem to have the historical facts, however the situation is a matter I am personally well aware of.</p>	<p>In Support</p>
<p>yes I support the requested lease as the land is question is not actually accessible by the community due to the slope, therefore the lease has no impact to the community who will still be able to access the waterline to walk along the foreshore.</p>	<p>In Support</p>
<p>I am supportive of the application and the renewal of the boat shed.</p>	<p>In Support</p>
<p>It is a lovely focal point on the foreshore and I look forward to the renewal of the boatshed.</p>	<p>In Support</p>

I am supportive and look forward to renewal of the boatshed as it is a great feature on the foreshore.	In Support
No Comment Made	In Support
I am supportive provided we can still walk along the shore line.	In Support
We are supportive of the reconstruction of the existing boatshed and look forward to the visual upgrade to the shoreline. it is disappointing that the wayward opinions of others have impacted the progress of this development of which will only have a positive impact on the community.	In Support
I support this application, it has been dragging on too long. Cannot believe that it has not been approved already.	In Support
We are supportive and look forward to the continued renewal of the boatshed and its use.	In Support
Looks great! Please approve	In Support
I am looking forward to this boat shed being completed.	In Support
We are very supportive of this submission, It will only enhance the foreshore	In Support
Very supportive, such an eyesight atm.	In Support
It would be lovely to see the boat shed built and easier access to walk along the foreshore	In Support
I am supportive of the proposed licence of Council Community Land Lot 2 DP 827733	In Support
The land has virtually no value as community use due to accessibility issues as it is a steep slope, therefore granting the lease has virtually no impact on the community as they will still be able to walk along the accessible parts of the shoreline.	In Support
I am supportive of this and look forward to the renewal of the boatshed	In Support
No Comment made	In Support
Why is it a 20 year license why not a three year lease? If the land is now general community use -are others allowed access to those stairs? Who will maintain those stairs for general community use? Who owns that boatshed -is that a general lease/license as well? Who is maintaining the boatshed- is it general use? What protection is there for that fragile habitat around those stairs ? Does this set a standard for others to use up fragile wetlands ? What environmental standards /protocols are in place to protect this area? Is this a national parks and wildlife issue rather than a Northern Beaches Council issue	Objection
This is public land and should not be used by individuals to the exclusion of the community. What's the point of local government if it does not protect the whole local community.	Objection

<p>NEVER IN FAVOUR OF GRANTING USE OF PUBLIC/COMMUNITY LAND TO A PRIVATE CONCERN. IT'S A COMPLETELY UNNECESSARY AND ARROGANT SENSE OF ENTITLEMENT BY LAND OWNERS.</p>	<p>Objection</p>
<p>Can't see a problem IF it doesn't block any legal community use - such as an obstacle to walkers. Maybe that information could be provided in situation like this as it would be helpful to know that in weighing up. . Thank you.</p>	<p>In Support</p>
<p>No Comment Made</p>	<p>In Support</p>
<p>There is an illegal development that has to be rectified first in my opinion.</p>	<p>Objection</p>
<p>Illegal development is occurring here and it's still unresolved. This matter should surely be dealt with first under the circumstances. Also Mr Walls should remove the concrete wall and restore the beach so the community can use it as before as a pretty sandy beach. It's a currently a mess. Disgraceful!</p>	<p>Objection</p>
<p>We write in response to the application at 316 Hudson Road, Clareville for a license over a public reserve on the foreshore of Pittwater.</p> <p>We oppose the granting of exclusive use through this interconnected corridor of land approximately 25.0m in width. It is vital that this public asset is restored from its present state of abuse and neglect.</p> <p>This application has been identified as critically important for its potential to set a precedent for the continued degradation of the Pittwater Foreshore, particularly where public lands are specifically set aside to protect scenic and environmental qualities of Pittwater.</p> <p>The suggestion of a lease will further erode public confidence that NBC is serious about protecting public lands from private encroachment. This application should be rejected and the lands be returned, restored and supported, to once again, contribute to the environmental and scenic qualities of Pittwater.</p> <p>This parcel of public land consists of 2 hectares (800 Lin m) of interconnected lands and functions to provide a number of very important functions including;</p> <ul style="list-style-type: none"> ● Visual Buffer 'Green band' to soften built form from public waterway, Bayview, Scotland Island and Kuringgai National Park ● Contributing to the Scenic qualities and amenities of South Beach & natural qualities of the public foreshore ● Supporting the ecological community, intertidal habitat as an interconnected ecology including important seagrass. <p>The subject piece of land, while supporting very large native canopy trees including <i>Corymbia maculata</i>, has been heavily modified through elevated walkways, earthmoving and terrace walling; degradation of native topsoil and cleared of its native understory vegetation. In its current form as exotic species exclusively, it presents and functions as a sterile environment contributing very little as it was intended. Current understory planting consists of monoculture plantings, predominantly <i>Agapanthus</i> sp. <i>Agave</i> sp. and <i>Dypsis</i> sp. (Golden Cane Palm), totally inappropriate for this important strip of land.</p> <p>We also note that adjoining this application (parcel of land) an abandoned construction site for what appears to be a marina & jetty construction site, wholly contained within the public tidal zone. This blight on the public foreshore should be sympathetically restored to its natural state as a matter of urgency. In its current form, not only is it a blight but is a serious concern for children safety,</p>	<p>Objection</p>

<p>with the potential for entrapment & drowning since it is completely open to the public. The NBC strategic documents repeatedly advocate for the protection of our natural assets... refer attached document (appendix #1. NBC Towards 2040). The first 6 priorities directly relate to this application including priority 1 - Health & Valued costs and waterways. Further attention is drawn to the Pittwater Local Environmental Plan 2014. Current version for 17 April 2020 to date (accessed 23 September 2020 at 14:24) 7.8 Limited development on foreshore area. (1) The objectives of this clause are as follows— (a) to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area, In summary we do not support the reinstatement of this lease /license over public land. As a community; custodians of the land responsible for the next generation, we can no longer operate on a 'business as usual' approach to planning, we need to take responsibility in the fight against Climate Change and the drastic reduction in Biodiversity. Recent severe weather events and sea level rise should be at the forefront of every planning decision such as this. Attachments: Appendix # 1: NBC Towards 2040, p12. Planning Priorities. Appendix # 2: Pittwater LEP, Maps (graphic representation of connected public land) Appendix # 3: NSW Environment & Climate Change. Environmentally Friendly Seawalls Appendix # 4: Site Specific Photographic Evidence as of 22/09/2020.</p>	
<p>Over the year's residents have seen landscaping and building on the foreshore of Pittwater increasing with the building of bigger and bigger boatsheds and inhabitants utilising reserve land as part of their property with no approval. I understand that this is actually a request to re lease the land that has already has previously leased to this owner. To the community these are not transparent transactions but more importantly these decisions in the past seem to have been made with no strategy in place and the decisions haphazard and certainly with suffering from a lack of guidelines around them in terms of planting and landscaping. CABPRA has long taken the position that it's time for a development of a coherent strategy. This strategy should consider points that particularly look at setting boundaries for planting and landscaping and the accessibility of the land to the public. There are many more points that need to be covered. For obvious reasons already stated and when considering the high-handed nature of the owner who already has done many breaches and until a firm strategy is in place, we urge the Council to deny this License.</p>	<p>Objection</p>

ITEM 13.2	PUBLIC EXHIBITION OF PROPOSAL TO NAME TWO CURRENTLY UNNAMED LANEWAYS IN AVALON AND SEAFORTH
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE
TRIM FILE REF	2021/364264
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To seek approval to name two unnamed public roads in Seaforth and Avalon to improve wayfinding.

EXECUTIVE SUMMARY

Council has sought and received road names from the Aboriginal Heritage Office (AHO) in the local aboriginal language for the purpose of naming roads in the Northern Beaches LGA. Two laneways, one in Seaforth and one in Avalon, are currently unnamed and it is proposed these be named following the guidelines of the Geographical Names Board of NSW and Council's Policy for the Naming of our Reserves, Facilities and Roads.

- The proposed name for the Seaforth laneway from Kempbridge Ave (adj. No.2) to End, is *Dyarrhi Lane*, meaning 'Short' Lane, and;
- The proposed name for the Avalon laneway from Bellevue Ave (adj. No.47) to End, is *Murradjulbi Lane*, meaning 'Singing Bushlark' Lane.

Council has submitted these names to the Geographical Names Board of NSW for pre-approval which has been granted and it is now proposed to advertise and give notice of intention to name these roads in accordance with Section 162 of the *Roads Act 1993* and Section 7 of the *Roads Regulation 2018*.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council supports the proposed naming of the unnamed lanes as Dyarrhi Lane, Seaforth and Murradjulbi Lane, Avalon.
 2. Council publishes a notice of the proposed names on YourSay.
 3. The results of the proposal be reported back to Council.
-

REPORT

BACKGROUND

When naming/renaming a street, Council is required to follow the guidelines of the Geographical Names Board (GNB) of NSW Property Addressing Policies, Guidelines and Standards and Council's Policy for the Naming of our Reserves, Facilities and Roads.

The GNB of NSW has developed standards for Property Addressing to ensure consistent and unambiguous addressing and is the authority to approve street naming proposals. These addressing standards are important for both the government and the community to accurately identify property and for the delivery of services, such as, postal, deliveries, emergency services, utilities and government agencies, as these services rely on property addressing data held by NSW Land Registry Services.

These standards inform Council proposals for names, with the GNB of NSW being the final authority for approval.

The GNB of NSW Property Addressing Policies, Guidelines and Standards state that where there are less than five (5) residential properties on a road there is no requirement for that road to be named. As such throughout the LGA there are numerous unnamed roads. These roads are generally left unnamed until such point as there becomes a reason to name them – generally either through a new use or through a request from a resident. Both of the proposed roads have zero (0) residential or business addresses.

The primary use of the proposed *Dyarrhi Lane*, Seaforth is access to the private car park of 538-540 Sydney Road. The strata managers of this building requested the road be named so businesses can provide parking instructions with greater clarity to clients and visitors.

The proposed *Murradjulbi Lane*, Avalon provides access to the driveway of the residential property 47 Bellevue Avenue, Avalon; access to Chakana Day Spa at the rear of 45A Avalon Parade; and is used by businesses from 47-55 Avalon Parade as a loading zone. A resident requested the road be named after suffering minor property damage in a car accident and seeking clarity regarding her exact location at the time.

Whilst the laneways are used to access various business premises for deliveries, the lack of street names hinders wayfinding. It is unlikely that businesses are able to refer to the unnamed laneways as a business address, or publish it on business correspondence such as letterheads, however there are a small number of instances referencing Rear Lane of Bellevue Avenue or rear lane off Kempbridge Avenue.

Chakana Day Spa in Avalon refers to their access on their website as "*Access via Rear Lane of Bellevue Avenue, 45a Avalon Parade*".

There are no residential property addresses impacted by these renaming proposals.

It is expected that naming these un-named laneways will improve wayfinding. Council will notify all property and business owners adjoining the laneways to seek feedback on the proposals and report back to Council on completion of the notification period.

STREET NAMING PROPOSALS

The current preference is for Aboriginal names from the local indigenous area, As such, Council contacted the Aboriginal Heritage Office (AHO) (www.aboriginalheritage.org) who provided a proposed list of names. Council has obtained pre-approval from the GNB for the proposed names.

The GNB guidelines suggest that Aboriginal names and/or names of early settlers, war servicemen and women, and other persons who have contributed to the heritage of an area, local history themes, flora, fauna, ships etc. are suitable road names.

Of these acceptable names it is proposed the short, non-residential laneway in Seaforth is given the name *Dyarrhi Lane*, with dyarrhi being the local aboriginal word for 'short'.

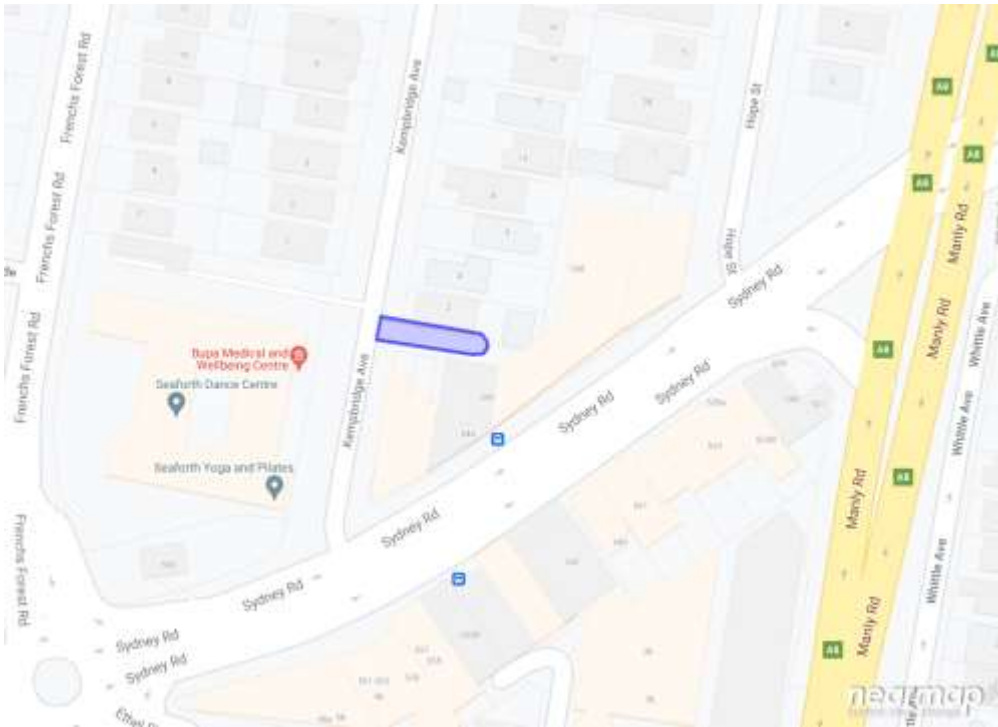


Image of the proposed Dyarrhi Lane, Seaforth

It is proposed the non-residential laneway in Avalon be given the name *Murradjulbi Lane*, with murradjulbi being the local aboriginal word for 'singing bush lark'.

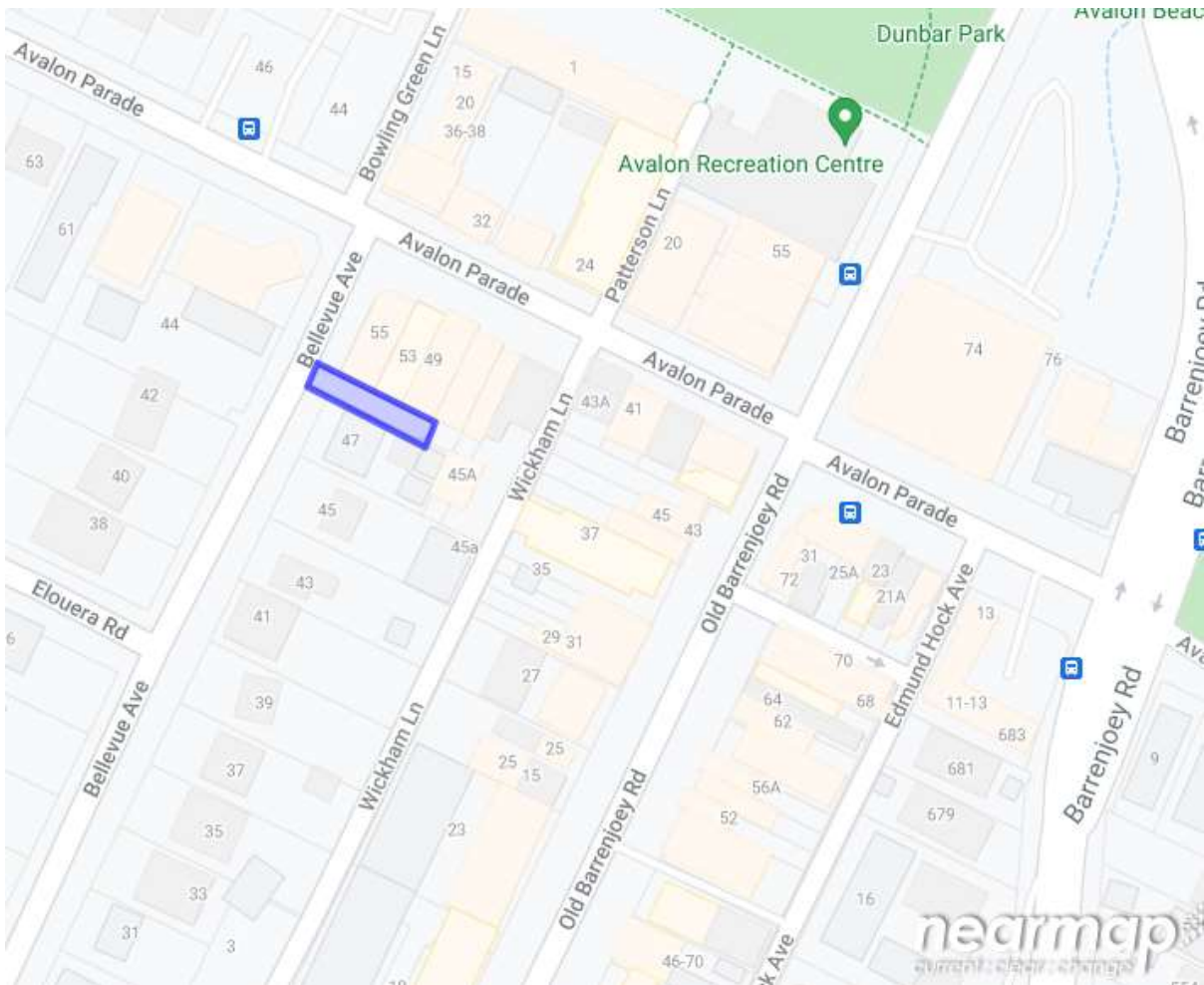


Image of the proposed Murradjulbi Lane, Avalon

CONSULTATION

It is proposed to advertise and seek submissions regarding Council's intention to name the following roads:

- a. Seaforth laneway from Kempbridge Ave (adj. No.2) to End, named as *Dyarrhi Lane*.
- b. Avalon laneway from Bellevue Ave (adj. No.47) to End, named as *Murradjulbi Lane*.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Transport and Infrastructure - Goal 17: Our community can safely and efficiently travel within and beyond Northern Beaches.

FINANCIAL CONSIDERATIONS

The recommendations of this report pose no financial impact on Council. Administration of the renaming process and installation of signposting the street names can be accommodated within existing operational budgets.

SOCIAL CONSIDERATIONS

The names proposed are consistent with the GNB guidelines for the use of indigenous names. There will be no impact on existing properties needing to amend property addressing.

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

Council is required to follow the guidelines of the Geographical Names Board (GNB) of NSW Property Addressing Policies, Guidelines and Standards and Council's Policy for the Naming of our Reserves, Facilities and Roads. The proposed road names are fully compliant.

ITEM 13.3	PUBLIC EXHIBITION OF AMENDMENTS TO FEES AND CHARGES 2021/22 PARKS & RECREATION - WHARF USAGE AND WATERCRAFT STORAGE
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2021/600426
ATTACHMENTS	1 ↓Carols Wharf, Scotland Island Tie Up Moorings 2 ↓Bells Wharf, Scotland Island Tie Up Moorings

SUMMARY

PURPOSE

To seek Council approval for new Fees and Charges related to Parks & Recreation - Wharf usage and watercraft storage fees for 2021/ 2022.

EXECUTIVE SUMMARY

Council currently manages four locations where residents can tie-up dinghies on a wharf and there are a series of fees applied for the use to store a private vessel on a public wharf. The fees and management processes aim to keep these areas tidy, safe and accessible.

Once the current upgrades to Bells and Carols wharves, Scotland Island are completed Council will also be managing the tie-up moorings at these two locations. There will be an extra 32 tie-ups at each wharf, bringing the total tie-ups at Bells Wharf to 40 and 74 at Carols Wharf.

There are 28 tie-up moorings at Carols Wharf and four tie-up moorings at Bells Wharf that are impacted by the low tide. There will be times each month where the watercraft vessel will have little or no water underneath the vessel.

It is proposed to exhibit two new fees, which can be applied to these 'shallow water' tie-up moorings, at a 50% reduction from those that are not inconvenienced by the low tide.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council place the two new draft Fees and Charges 2021/2022 for Parks & Recreation - Wharf usage and watercraft storage fees on public exhibition for a minimum of 28 days.
 2. The outcomes of the public exhibition be reported to Council.
-

REPORT

BACKGROUND

Council manages watercraft storage facilities across the Local Government Area. There is currently over 1200 dinghy and kayak storage racks at multiple locations and there are four locations where vessels can tie-up to wharves.

Fees are applied to the hire of these locations, which provides some compensation towards the cost of maintaining and managing these facilities. The provision of dedicated facilities to store/moor watercraft assists in the ability to keep public open space free of clutter and accessible for its intended use.

Council currently manages four wharves with over 350 tie-up moorings, these include Cargo Wharf, Scotland Island, Careel Bay, Mackerel Beach and Commuter Wharf, Church Point. An annual permit sticker, for the period 1 March until the end of February the following year, is supplied for each vessel.

Council is currently upgrading the wharves at both Bells and Carols, Scotland Island. This project will provide an additional 32 new tie-up moorings at each wharf. Once completed there will be 40 tie-ups at Bells Wharf and 74 at Carols Wharf. Council will be managing these facilities through the annual permit system.

In response to feedback provided by the community during the public exhibition of the 2021/ 2022 fees and charges and discussions with the Scotland Island Residents Association (SIRA), further analysis was undertaken regarding the accessibility of some of the existing tie-ups moorings at the two wharves in periods of low tides.

As indicated in attachment 1 and 2, there are a 28 tie-ups at Carols and four at Bells Wharf that are impacted by low tides, and there will be times each month where the watercraft vessel will have little or no water underneath the vessel. This means that access to these vessels is affected and considerable effort is required to move them into the water.

Given the impact of the tides on these specific moorings, the current fees are not considered equitable. At this stage, the annual permit for a 'shallow tie-up' (tidal affected) location is the same fee as those moored at the new pontoon which are sitting level with the water.

The current adopted fees for the use of any tie-up location on a Council managed wharf are:

1. Wharf boat tie-up facilities - full year - annual permit March to February per year - \$266.00
2. Wharf boat tie-up facilities - half year - permit valid from September per half year - \$133.00
3. Wharf boat tie-up facilities - 2nd permit for Scotland Island and Western Foreshores residents (must have a Church Pont Commuter Wharf permit to be eligible for this fee) - annual permit March to February per year - \$100.00 (there is no reduction for periods less than 12 months).

Given the daily impact on the 28 tie-up locations at Carols Wharf and the four locations at Bells Wharf the following two new fees are proposed for these 32 moorings only.

1. Wharf boat tie-up facilities – identified shallow sites Bells and Carols Wharves only - full year - annual permit March to February per year - \$133.00
2. Wharf boat tie-up facilities – identified shallow sites Bells and Carols Wharves only - half year - permit valid from September per half year - \$66.50

The fee of \$100 per year for a second permit for Scotland Island and Western Foreshores once residents have a mainland permit has not been amended and will remain \$100 per year for all tie-up moorings.

It is anticipated the upgrades to Bells and Carols Wharves will be completed in March 2022

CONSULTATION

Council has liaised with Scotland Island Residents Association (SIRA) on the proposed fees and charges.

On approval, the proposal to introduce additional fees will be placed on public exhibition for 28 days. Council proposes to collect feedback through the Your Say Northern Beaches webpage.

A temporary sign will be placed at relevant locations regarding the proposal.

TIMING

The results of the Your Say will be presented to Council following the review of the community feedback.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

There will not be any negative impacts on the forecast revenue arising from the proposed amendments.

SOCIAL CONSIDERATIONS

The proposed fee reduction acknowledges that there is two levels of dinghy moorings available at both Carols and Bells wharf. Staff have worked closely with the executive of SIRA to address the concerns of the residents.

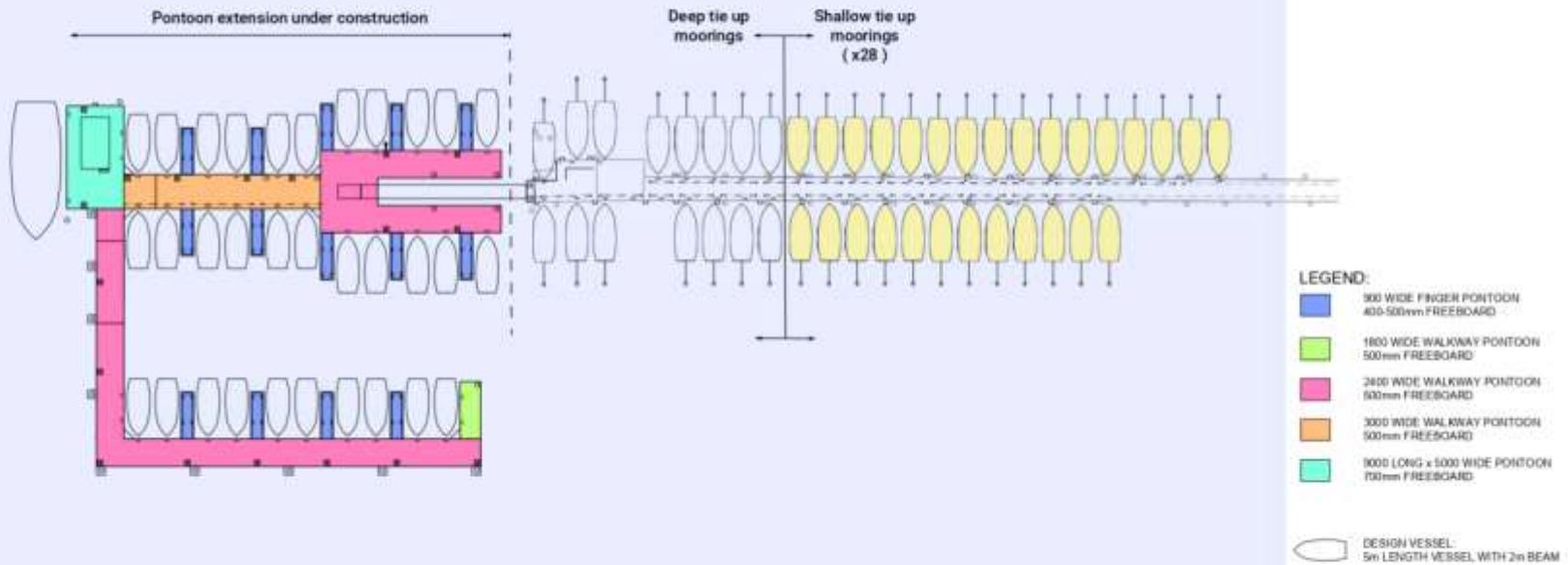
ENVIRONMENTAL CONSIDERATIONS

There are no identified environmental risks.

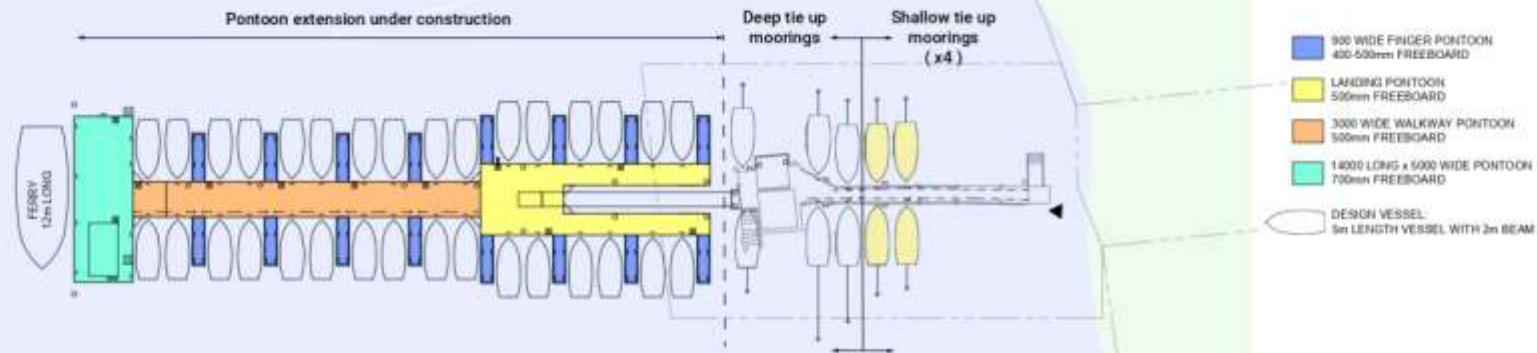
GOVERNANCE AND RISK CONSIDERATIONS

In accordance with the *Local Government Act 1993*, any new Fees and Charges are required to be exhibited for a minimum of 28 days.

Carols Wharf, Scotland Island tie up moorings



Bells Wharf, Scotland Island tie up moorings



ITEM 13.4	PUBLIC EXHIBITION OF LYNNE CZINNER PARK CONCEPT DESIGN AND DRAFT PLAN OF MANAGEMENT
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2021/612325
ATTACHMENTS	1 ⇒Draft Lynne Czinner Park Plan of Management - Sept 21 (Included In Attachments Booklet) 2 ⇒Draft Landscape Concept Plan Lynne Czinner Park (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval to:

1. Publicly exhibit the draft concept plan and Plan of Management for Lynne Czinner Park (Lots 1 DP 1251955, 2 DP 1251955, 3 DP 1251955, 13 DP 1092788, 8 DP 1092802, 102 DP 1191152) in accordance with clause 40A of the *Local Government Act 1993* (Local Government Act) for a period of 42 days.
2. Hold an independent public hearing to categorise the land as per the categorisation map contained in the draft Plan of Management found at Attachment 1.

EXECUTIVE SUMMARY

Council has been progressively acquiring and embellishing open space and riparian corridors in the Warriewood Valley for over 20 years, this network is one of the success stories of the Warriewood Valley land release. Council recently acquired Lots 1 DP 1251955, 2 DP 1251955, 3 DP 1251955, 13 DP 1092788, 8 DP 1092802, off Fern Creek Road, Warriewood pursuant to a Voluntary Planning Agreement with a neighbouring developer.

Together with Lot 102 DP 1191152, Callistemon Way ('Rocket Ship Playground') they form Lynne Czinner Park, named in honour of the late former Mayor of Pittwater Council and a strong environmental advocate.

To undertake the embellishments of the newly acquired lots, Council is required by the Local Government Act to adopt a Plan of Management and to categorise the land in accordance with the Local Government Act. The draft Plan of Management can be found at Attachment 1 and draft concept plan for the embellishment can be found at Attachment 2. The concept plan has been developed in consultation with the Warriewood Valley Residents Association, including the late Lynne Czinner, and the purpose is to provide a large open space that can be enjoyed by the families of Warriewood. Key features include:

- Picnic areas with BBQ facilities, shade, and water bottle filling stations.
- Circular path for learning to bike ride, running and walking.
- Bridge connection across Fern Creek to 'Rocket Ship' playground and shared path network.
- Asphalt pump track catering to beginner to advanced bike riders.
- Endemic tree planting and landscaping.

The proposed works are budgeted with the proposed funding source the Warriewood Valley Development Contributions Plan. The embellishment works are scheduled to commence in mid-2022, pending adoption of the Plan of Management in early 2022.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Place the draft concept plan and draft Plan of Management for Lynne Czinner Park on exhibition for 42 days.
 2. Hold an independent public hearing on the proposed categorisation as park, natural area (watercourse) and natural area (bushland), as shown in the land categorisation map in the draft Plan of Management (Attachment 1), of Lot 1 DP 1251955, Lot 2 DP 1251955, Lot 3 DP 1251955, Lot 13 DP 1092788, Lot 8 DP 1092802 and Lot 102 DP 1191152 in accordance with clause 40A of the *Local Government Act 1993*.
 3. Report the outcomes back to Council for determination.
-

REPORT

BACKGROUND

Council has been progressively acquiring and embellishing open space and riparian corridors in the Warriewood Valley for over 20 years. This network is one of the success stories of the Warriewood Valley land release. Council recently acquired Lots 1 DP 1251955, 2 DP 1251955, 3 DP 1251955, 13 DP 1092788, 8 DP 1092802, off Fern Creek Rd, Warriewood pursuant to a Voluntary Planning Agreement with a neighbouring developer.

In 2013, Frasers Property Limited (Frasers) as the owner of adjoining land parcels 11, 12 and 13 Fern Creek Road presented a land swap proposal to Council to facilitate the achievement of the preferred open space layout on the south side of Fern Creek and provide for the development of the owner's landholdings.

A period of consultation followed with adjoining landowners and the Warriewood Valley Residents Association. From this consultation, the Council agreed to a park layout on 18 May 2015, being Council Concept – Sector 8 and 9 Open Space Masterplan and authorised the General Manager to commence negotiations with Frasers. This was formalised via a Memorandum of Understanding (MOU) and Deed of Agreement that was executed following the Council decision on 19 March 2016. The Deed of Agreement represents the final agreed position between the two parties and has attached the agreed land swap plan.

This involved 19,000m² of land which was in private ownership, with 11,500m² of land of land owned by Council. This was carried out to form a contiguous parcel of open space with land to the north of Fern creek, known as the Rocket Ship Park.

The Deed, signed by the parties on 29 March 2016, contains details of the provision of infrastructure such as extension to Fern Creek Road, a new east-west road, stormwater infrastructure and undergrounding the high voltage power lines.

At its ordinary meeting of 28 May 2019 Council resolved to enter into a Planning Agreement based on the Deed of Agreement to facilitate the land swap. In late August 2019, Northern Beaches Council and the proponent signed the Planning Agreement.

Together with Lot 102 DP 1191152, Callistemon Way ('Rocket Ship Playground') they form Lynne Czinner Park, named in honour of the late former Mayor of Pittwater Council and a strong environmental advocate.

To undertake the embellishments of the newly acquired lots, Council is required by the Local Government Act to adopt a Plan of Management and to categorise the land in accordance with the Local Government Act. The draft Plan of Management can be found at Attachment 1 and draft concept plan for the proposed embellishments can be found at Attachment 2.

Besides the significant amount of recreational open space, the site is also bisected by Fern Creek by a riparian zone and buffer area. For these reasons there are three land categories proposed park, natural area (watercourse) and natural area (bushland). The core objectives for such categorisations are:

Category	Core Objectives as defined by Local Government Act
Park	<ul style="list-style-type: none"> a) to encourage, promote and facilitate recreational, cultural, social, and educational pastimes and activities, and b) to provide for passive recreational activities or pastimes and for the casual playing of games, and

Category	Core Objectives as defined by Local Government Act
	<p>c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.</p>
Natural Area	<p>a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and</p> <p>b) to maintain the land, or that feature or habitat, in its natural state and setting, and</p> <p>c) to provide for the restoration and regeneration of the land, and</p> <p>d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and</p> <p>d) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994.</p>
Watercourse	<p>a) to manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and</p> <p>b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and</p> <p>c) to restore degraded watercourses, and</p> <p>d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.</p>
Bushland	<p>(a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and</p> <p>(b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and</p> <p>(c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and</p> <p>(d) to restore degraded bushland, and</p> <p>(e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and</p>

Category	Core Objectives as defined by Local Government Act
	(f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and (g) to protect bushland as a natural stabiliser of the soil surface.

The following image represents the proposed categorization:



The concept plan has been developed in consultation with the Warriewood Valley Residents Association, including the late Lynne Czinner, and the purpose is to provide a large open space that can be enjoyed by the families of Warriewood. Key features include:

- Picnic areas with BBQ facilities, shade, and water bottle filling stations
- Circular path for learn to ride, running and walking
- Bridge connection across Fern Creek to 'Rocket Ship' playground and shared path network
- Asphalt pump track catering to beginner to advanced riders
- Endemic tree planting and landscaping
- 90 degree angled four-hour time limited car parking on Dove Lane.

CONSULTATION

The concept plan has been developed in consultation with the Warriewood Residents Association and also based on the many requests for facilities raised with Council by residents of the area. An asphalt pump track has been included based on feedback from the community requiring this type of facility. The high number of unauthorised trails that have been constructed in remnant urban bushland and parks in the area and the lack of equivalent facilities elsewhere in the suburb highlights the need for this type of recreational facility.

Consultation on the draft Plan of Management and concept plan will be undertaken for 42 days commencing in October and concluding before the end of 2021. Residents and stakeholders will be alerted to the opportunity to provide a submission including through the following:

- Letters to surrounding residents
- Signs on site and at 'Rocket Ship' playground and the local IGA supermarket
- Distribution through Council's community engagement register and social media platforms

Subject to public health orders, it is planned to hold a number of community information sessions during the public exhibition period. Council is also required to hold an independently chaired public hearing on the proposed land categorisation.

TIMING

If Council approves the public exhibition of the attached documents, public exhibition will be undertaken between October and the end of the year. It is anticipated that the results of the public exhibition period will be reported back to Council in February 2022. If adopted at that meeting, the detailed design and environmental assessment stage will be undertaken before issuing a tender for construction. Works would commence in mid-2022.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting, and recreational opportunities.
- Protection of the Environment - Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.

- Transport and Infrastructure - Goal 16: Our integrated transport networks meet the needs of our community.

FINANCIAL CONSIDERATIONS

Council has approved an allocation of \$1,161,992 in the 2021/2022 budget which includes the Voluntary Planning Agreement valued at \$1,068,660, and a further \$1.6 million will be drawn down from the Warriewood Valley Development Contributions Plan in 2022/2023, as adopted in 2018, to complete the upgrade of Lynne Czinner Park

SOCIAL CONSIDERATIONS

The importance of open space and natural areas integrated into our urban areas is vital for social, environmental, mental, and physical health. The success of the Warriewood Valley land release area is in large part due to the integrated way creek lines are used to facilitate the active transport network and connect large open space, both natural and recreational. The proposed embellishments at Lynne Czinner Park and the bridge across Fern Creek are crucial to providing a connected focal point for the Warriewood community to come together against the backdrop of the beautiful Ingleside escarpment.

ENVIRONMENTAL CONSIDERATIONS

Lynne Czinner Park is bisected by Fern Creek. The waterway has been categorised as watercourse and surrounding riparian zone and buffer as natural area per the Local Government Act to ensure that they are protected. The concept plan also proposes the installation of water sensitive urban design measures to ensure that run off from hard surfaces in particular the 90-degree parking bays is filtered before entering the creek. All pedestrian lighting will use LED globes and non-structural concrete will be made with 60% cement substitutes to reduce its carbon footprint significantly. A detailed environmental assessment will be undertaken in accordance with the *Environmental Planning and Assessment Act 1979* prior to any on ground works commencing.

GOVERNANCE AND RISK CONSIDERATIONS

The Plan of Management has been drafted to comply with the Local Government Act and Regulations and community engagement will be undertaken in compliance with Council's adopted Community Engagement Framework.

Council has received an application from the owner of the adjacent development to deliver the park and bridge as material public benefit in lieu of paying some of their Development Contributions. This process will be managed through Council's Voluntary Planning Agreement process and is not a consideration for the development and deliberation of the Plan of Management or concept plan.

ITEM 13.5	OUTCOME OF THE PUBLIC NOTICE FOR THE PROPOSED 20 YEAR LEASE TO MONA VALE GOLF COURSE
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2021/673918
ATTACHMENTS	1 ⇒Mona Vale Golf Course Lease Plan (Included In Attachments Booklet) 2 ⇒Approval in Principle to Proceed with Lease Agreement over Crown Reserve (Included In Attachments Booklet) 3 ⇒Community Engagement Report - Mona Vale Golf Course Lease (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council approval, in accordance with sections 47 of the *Local Government Act 1993* (LGA), to apply to the Minister for Local Government for consent to grant a twenty (20) year lease renewal to Mona Vale Golf Club Limited (Mona Vale Golf Club) at Golf Ave, Mona Vale (Crown and Community Land).

EXECUTIVE SUMMARY

Mona Vale Golf Club is seeking put in place a lease for the 18 hole Mona Vale Golf Course with Council for a 20 year term.

Council is the land owner of Lots 2 and 4 in DP251053 as well as the Crown Land Manager of Beeby Park Reserve (R45244), being described as Lot 2 DP1275526, on which the 18 hole golf course operates.

Council has publicly notified the 20 year lease in accordance with section 47 of the LGA from Friday 17 September to Thursday 14 October 2021, which resulted in a total of 285 submissions. The vast majority of submissions were positive with only 12 not in support.

This report details the submissions for Council's consideration and recommends that Council applies for the Minister's consent to enter into a 20 year lease with Mona Vale Golf Club for Mona Vale Golf Course. The Local Government Act provides that a council must not grant a lease in respect of community land for a period exceeding 5 years except with the Minister's consent, if a person makes a submission by way of objection to the proposal. Accordingly, should Council wish to grant the lease, Council will need to apply for the Minister's consent to do so.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council note that it has considered all submissions in respect to the proposed lease referred to in item 3 below (lease).
 2. Council apply to the Minister for Local Government in accordance with sections 47 of the *Local Government Act 1993* for consent to grant the lease.
 3. Subject to the consent of the Minister for Local Government, Council grant a lease to Mona Vale Golf Club Limited ACN 000 024 224 (Club) for Mona Vale Golf Course being Lots 2 and 4 DP251053 and Lot 2 DP1275526 for a term of up to 20 years.
 4. That the terms of the lease be negotiated and finalised with the Club.
 5. The lease be provided to the Minister for Planning and Public Spaces for execution.
 6. Council delegate authority to the Chief Executive Officer to do all things necessary including execution of the lease in order to give effect to the above.
-

REPORT

BACKGROUND

Mona Vale Golf Club has been a long term tenant of Council over three lots of Council owned or controlled land which form part of the Mona Vale Golf Course at Golf Ave, Mona Vale. (Refer to Attachment 1).

The existing lease expired on 30 October 2020 and has been on an ongoing monthly tenancy, Council and the Club have negotiated terms for a lease for a 20 year term subject to the requirements of the *Local Government Act 1993* (LGA) and the *Crown Lands Management Act 2016* (the CLM Act) and *Crown Land Management Regulation 2018* (the CLM Regulation). Given the course covers two lots of Council owned community land and 1 large lot of Council managed Crown land both statutes must be complied with in considering a new lease agreement.

To consider granting the lease renewal under section 47 of the LGA, as expressly authorised in the 1996 Mona Vale Golf Course Plan of Management, the lease proposal was publicly notified for a period of 28 days. The public notification included a notice on Council’s website, letters to surrounding property owners and residents, and a sign at Mona Vale Golf Course inviting public submissions. The submission period commenced on 17 September 2021 and concluded on 14 October 2021.

In order to meet Council’s requirements under the CLM Act and the CLM Regulation Council has been in communication with Crown Lands and has received in principle approval from the Minister’s delegate to grant the proposed licence under clause 70(2)(d)(i) of the CLM Regulation. (Refer to Attachment 2). The lease cannot be formalised until such time as the Minister for Planning and Public Spaces is provided with a copy of the lease executed by both parties to be formally executed by the Minister. This may be carried out following the public exhibition and resolution of Council, the approval of the Minister for Local Government and the execution of the lease by the Council and the Mona Vale Golf Club, as contemplated in this report.

There were 285 submissions received through the notification period. The vast majority were positive with only 12 not in support. A full account of the submissions received is included in the Community Engagement Report found in Attachment 3 of this report.

The submissions by theme are summarised below along with staff responses.

Summary of submissions by theme	Submission	Council Response
Public space being used by a small minority of the community. Public space should be accessible by all.	Objection	<p>Mona Vale Golf Course is a public golf course and is operated by Mona Vale Golf Club who is a not-for-profit organisation.</p> <p>The public are welcome to play golf at the course through either casual play or membership options.</p> <p>Specific individual community responses have been provided to our Parks department with relation to requests for additional open recreation space around Mona Vale. These submissions will be considered as part of our forthcoming Open Space and Recreation Strategy project and Mona Vale Place Plan.</p>

<p>Prefer land used for more sports fields with specific reference to Hockey and fields that support Olympic sports</p>	<p>Objection</p>	<p>Council is committed to finding a suitable location for new hockey fields. Our commitment is outlined in Council's Sportsgrounds Strategy 2017, which confirms a need for better hockey facilities on the Northern Beaches particularly synthetic hockey fields. Several locations for new hockey fields have been investigated, however, none have been deemed suitable as yet. Any viable opportunities that arise Council will investigate including on school land.</p> <p>To meet the increasing local demand for sports fields Council is prioritising these strategic actions from the Sportsgrounds Strategy 2017.</p> <ol style="list-style-type: none"> 1) Partner with schools for joint use of their fields when schools aren't using them i.e. <ul style="list-style-type: none"> • Council has entered into an MoU with School Infrastructure NSW to explore partnerships for community access to school fields. • Negotiations are well underway about community access to fields at several schools including at Freshwater. 2) Improve capacity and resilience of existing fields to enable more use more often e.g. <ul style="list-style-type: none"> • Field 7 at North Narrabeen Reserve is being considered for an upgrade to a sports field, which will provide more hours for sports training and competition. • St Matthews Farm sportsground was reconfigured to create one new senior field. • 8 new cricket nets were installed at Nolan Reserve so cricket training can be played in these nets rather than on a field. Freeing up the adjoining fields for training. <p>There are multiple sportsfields, tennis courts, bowling greens and a skate park in Kitchener Park, Mona Vale that is adjacent to the site.</p>
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Lease term of 20 years is too long	Objection	Given the significant ongoing capital contribution that is required to maintain a golf course a 20 year term is quite standard for golf course leases.
Demand of affordable housing for homeless	Comments	The land is zoned RE1 Public Recreation, housing is not a permitted use. Council has an affordable housing policy and are working on planning and policy changes to improve the availability of affordable housing on the Northern Beaches.
Positive use of asset and space	Support	Council officers acknowledge these comments.
Pleasing visual amenity, site is well maintained	Support	Council officers acknowledge these comments.
Important green corridor/open space	Support	Council officers acknowledge these comments.
Health and wellbeing	Support	Council officers acknowledge these comments.
Refuge in pandemic with ongoing high participation rates	Support	Council officers acknowledge these comments.

It should be noted that the Club holds a separate lease granted by the Department of Industry - Crown Lands over Lot 249 DP752046 and Lot 323 DP824000 for the clubhouse, pro-shop and car parking area.

Further, NSW Health Department has granted a lease to the Club to occupy part of Lot 1 DP439092 where a portion of the 13th hole is situated.

TIMING

The proposed lease commencement was 1 July 2021 but will be adjusted subject to Ministerial approval. The existing lease is on holdover until such time the long-term lease is determined.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Vibrant Local Community - Goal 15: Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.
- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.
- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

FINANCIAL CONSIDERATIONS

Rental fee is determined by independent market valuation and is subject to yearly CPI reviews and a 10 year market rent review. Maintenance and capital works within the lease area are the responsibility of the lessee including all operational expenditure required to run the golf course to a high standard.

The 20 year term ensures the Mona Vale Golf Club have a sufficient term to warrant ongoing significant capital investment into the site.

SOCIAL CONSIDERATIONS

There has been a significant increase in the number of community members taking up golf during the COVID-19 period. Courses such as Mona Vale have proved to be a beneficial outdoor recreation facility for the community with the course operating at essentially full capacity for the past year.

ENVIRONMENTAL CONSIDERATIONS

This lease requires Mona Vale Golf Club to comply with relevant environment laws, and to engage a bushland regeneration consultant approved by Council to prepare a Bushland Management Plan for proper maintenance of vegetation and the control of weeds. There is not expected to be any significant change to the way in which Mona Vale Golf Club operates.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed lease is in accordance with relevant legislative requirements.

This matter will need to be considered both by the Minister for Local Government under section 47 of the LGA and also by the Minister for Planning and Public Spaces under clause 70(2)(d)(i) of the CLM Regulation to permit a long term lease.

ITEM 13.6	OUTCOMES OF THE PUBLIC EXHIBITION OF THE DRAFT IVANHOE PARK MASTERPLAN AND PLAN OF MANAGEMENT
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2021/696013
ATTACHMENTS	1 ⇒ Community Engagement Report - Stage 2 - Ivanhoe Park Masterplan and PoM (Included In Attachments Booklet) 2 ⇒ Ivanhoe Park Plan of Management - Draft (Included In Attachments Booklet) 3 ⇒ Ivanhoe Park Landscape Masterplan - Draft (Included In Attachments Booklet) 4 ⇒ Conservation Management Plan - Draft (Included In Attachments Booklet)

SUMMARY

PURPOSE

To seek Council's adoption of the Ivanhoe Park Landscape Masterplan and Plan of Management.

EXECUTIVE SUMMARY

Council resolved on the 25 May 2021 to:

That:

- 1. Council notify the Minister of Planning, Industry and Environment – Crown Lands (Minister) that Council has prepared a draft Plan of Management over Crown Land, being Ivanhoe Park, Manly (Park) and seek permission to put it on public exhibition.*
- 2. Council seek permission from the Minister to alter the categorisation of the land on which the scout hall is located to General Community Use.*
- 3. Subject to receipt of the Minister's written consent to publicly exhibit the draft Plan of Management and inclusion of any provisions required by the Minister in the draft Plan of Management, Council give public notice of the draft Plan of Management by placing it on public exhibition for a period of 42 days with the draft Plan of Management (Lot 7379 DP 1164856 and Lot 2502 DP1143032), Conservation Management Plan and Landscape Masterplan for Ivanhoe Park, Manly, and hold a public hearing on the proposed re-categorisation of scout hall land as General Community Use.*
- 4. A report be provided to Council on the outcomes of the public exhibition of the draft Plan of Management and associated documents and the public hearing.*

Council received permission from the Department of Planning, Industry and Environment (DPIE) to publicly exhibit the Plan of Management, with no amendments, in July 2021. The Department also advised of recent changes to the *Crown Land Management Act* which meant public hearings are no longer required for Plans of Management on Crown Land unless there was a change of use. As no change of use of Ivanhoe Park has been proposed, a public hearing was not necessary.

The Landscape Masterplan was publicly exhibited between 6 August and 19 September 2021. The public exhibition was advertised through Council's Your Say platform, social media platforms, community engagement register, electronic newsletter, signs on site and through attendance at various community group meetings.

During the engagement period a total of 139 responses were received with 82% support. The main theme of those who disagreed with the Landscape Masterplan and Plan of Management (attachment 2) was opposition to the proposed new grandstand and the misconception that Council would pay for this building in its entirety. Council has made it clear to all stakeholders that it will not be possible for Council to fund the grandstand and that its development will rely upon funding from State and Federal Governments.

No objections were received in relation to the proposed recategorisation of the land within the dripline of the Scout Hall.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note that it has considered submissions received in relation to the public exhibition of the Ivanhoe Park Plan of Management.
 2. Adopt the Plan of Management (Lot 7379 DP 1164856 and Lot 2502 DP1143032) and Landscape Masterplan for Ivanhoe Park, Manly.
 3. Recategorise the land within the dripline of the Scout Hall as General Community Use.
 4. Submit the Conservation Management Plan to the Heritage Council of NSW for approval.
-

REPORT

BACKGROUND

In times before European arrival, the site's unique natural land formation of sandstone escarpment, valley and watercourses flowing into the low-lying wetland areas of Manly, would have provided an abundance of natural resources for Aboriginal people.

In latter times, the Park was initially called Manly Park. Manly was developed from the 1850s as a seaside resort and 'watering hole'. At its centre was Ivanhoe Park, one of the few planned colonial eras 'pleasure grounds' surviving in NSW. Since its establishment in the 1860s, Ivanhoe Park has been an important destination for pleasure and healthy recreation for the vast numbers of visitors to Manly. The 'village green' oval and pavilion became the centre of sporting and community functions and events, not just for Manly residents but for the region and NSW. It was held in private ownership and used for recreation and events by the public who generally paid for the privilege. During these years, it contained a large pavilion that was used for dances and events, and a hotel – the Ivanhoe Park Hotel (not to be confused with the current Ivanhoe Hotel at the Corso).

The land was purchased by Manly Council in 1883 and then sold to the State Government who handed control over to the Council in 1887. During the 1880s and 1890s, the Manly Wildflower Shows were held at the pavilion which was demolished in 1893.

Part of the park was separated off in 1910 and the trees cleared to accommodate a crossing loop for the Spit to Manly tram route. The tramway was completed in 1911 and the first tram travelled along Sydney Road via a horseshoe curve between Crescent and George Streets, skirting the western and northern boundaries of Ivanhoe Park before reaching level terrain in Raglan Street.

The last trams ran in 1939 and the tracks were taken up, but a portion of the tramway loop is still visible. Council is using these tracks for inspiration for the design of this the first stage of works to implement the Botanic Gardens Landscape Masterplan adopted in 2017.

A public meeting was called in 1951 to discuss a memorial for the fallen soldiers of World War II, and a second meeting resulted in the construction of a memorial garden, which was named War Memorial Park.

In 1962, the Council approved a £50,000 redevelopment at the oval, including a new Girl Guides and kindergarten building in Ivanhoe Park. The Scout Hall was constructed in 1973.

Manly Oval has been the historic home for the Manly Cricket Club and Manly Rugby Club since the 1890s with many of the features of the original ground and early developments remaining. The current grandstand was constructed in 2001.

The reserve at the western end of the park was renamed Ivanhoe Park Botanic Garden in 2006, after being approved by the Geographical Names Board.

Ivanhoe Park Botanic Gardens and the tram loop are heritage listed in the Manly LEP 2014, Schedule 5 Environmental Heritage Items Part 1 - Heritage. Significance: Local. Item Numbers:

- 1162 - Ivanhoe Park (bounded by Sydney Road, Belgrave Street and Raglan Street)
- 1161 - The Ivanhoe Loop (former train track route).

After a number of years of interest and involvement in preserving the Park, the Save Manly Oval Alliance nominated the park for State Heritage listing with Council's support and was officially acknowledged and listed on the 23 August 2019.

Following Council's Notice of Motion to produce a Landscape Masterplan, Plan of Management and Heritage Conservation Plan, the technical name being Conservation Management Plan (attachment 4), Council engaged specialised consultants to prepare each document.

Council has also formed a Design Reference Group which comprises representatives from:

- Friends of Ivanhoe Park
- Manly Cricket Club
- Manly Rugby Union Club
- Save Manly Oval Alliance
- Greater Manly Community Forum
- Manly-Fairlight Scouts
- Manly Tennis Club
- Mounties – operator of Manly Bowling Club

In addition, Council advertised for three unaligned members of the community, including one under 25, to represent the wider community's view. A vision for the project has been developed by the design working group:

Ivanhoe Park will be a welcoming gateway and destination for community enjoyment celebrating heritage, environment, sport and recreation.

Well maintained place of sanctuary, reflection, and learning.

After two workshops with the Design Reference Group, site visits of all facilities and extended research, a Landscape Masterplan has been developed that meets the vision of the project. The Landscape Masterplan respects the history and heritage value of the Park by mostly proposing simple upgrades and minor changes to facilitate greater access and reflects the unique landscape character of the site. The one significant proposal is the proposed new grandstand which would provide equitable access, fit for purpose change rooms, storage, amenities and security and has also been designed to blend in with the Park rather than being the dominant feature of the park. This is achieved through a cohesive materials palette applied to the entire Park to help connect the upper gardens area and the lower active recreation precinct.

Key features of the Landscape Masterplan include:

- new grandstand with clubhouse, food and beverage facilities, public toilets, seating equivalent to existing grandstand, improved unisex change rooms, storage and indoor cricket nets/training facility
- improving the Belgrave Street frontage
- improved Park entries, upgrade of park identification signage
- repurposing the redundant lunch room as a bin store and amenities
- improved access from Sydney Road to the Botanic Gardens. This will also resolve the licensing issue Manly Rugby have on game days where passers-by need to be escorted through Manly Oval for liquor licensing reasons
- improvements to fencing and border planting
- scout hall improvements to improve exterior aesthetics which will integrate the building with landscape
- opportunities to provide connections from the Park into Manly Bowling Club, possible access to kiosk/café facilities for park users and catering for park event

- continuation of the spirit of the 2017 Ivanhoe Botanic Gardens Landscape Masterplan
- a new central lawn area with grass terraces and a single accessible public toilet.

The Plan of Management will act as an enabling document for the Landscape Masterplan, authorising the proposed works. The DPIE have informed Council that the Plan of Management is not to include the Manly Bowling Club or Manly Tennis Club areas in its scope. These clubs have leases directly with DPIE.

As the area to which the draft Plan of Management relates is Crown land, Council is required under the *Crown Land Management Act 2016 (NSW)* and the *Local Government Act 1993 (NSW)* to give notice of the draft Plan of Management to the Minister of Planning, Industry and Environment (Minister) and include any provisions the Minister requires in the final document. The Department provided Council with consent on behalf of the Minister in July 2021 and requested no further amendments.

The Conservation Management Plan:

- sets out the heritage context for the site
- provides an in-depth rationale behind the heritage value of certain items
- provides conservation policies that will assist in preserving the heritage of the park
- sets a planning framework for any future development that may take place within the Park.

In accordance with the *Crown Land Management Act 2016* Native Title Manager Advice is required to ensure the Plan of Management (PoM) complies with the *Native Title Act 1993 (Cwth)* (NT Act). The advice contained within the PoM confirms that it complies with the NT Act and that it has been prepared to ensure any impacts on Native Title will be appropriately addressed under the future act provisions.

The new Landscape Masterplan supercedes the 2016 Landscape Masterplan for the Ivanhoe Park Regional Botanic Gardens. The management of the vegetation within the Regional Botanic Garden will be driven by the vegetation management plan which is an action in the Landscape Masterplan.

CONSULTATION

The Landscape Masterplan was publicly exhibited between 6 August and 19 September 2021. The public exhibition was advertised through Council's Your Say platform, social media platforms, community engagement register, electronic newsletter, signs on site and through attendance at various community group meetings. Council also conducted a community information session on 2 September 2021 which 21 people attended.

During the engagement period a total of 3,874 visits were made to the Your Say Northern Beaches website to view the draft documents. 139 responses were received with 82% support. A summary of the main themes captured during the public exhibition period can be found below and a more detailed report can be found within the Community Engagement Report Stage 2, attachment 1.

Table 1: Concerns and suggestions - landscape masterplan attachment 3.

Theme	What we heard	Council's response
Support for the Landscape Masterplan and Plan of Management	Support for the draft Plan of Management and Landscape Masterplan	Noted

Theme	What we heard	Council's response
Heritage /landscape character	<p>Attach the Park's State Heritage Listing plaque to Merrett gate park entry, and ensure it acknowledges the community contribution led by SMOA.</p>	<p>Council agrees. It is proposed that the wording of the plaque should read:</p> <p>"This plaque commemorates the listing of Ivanhoe Park, including Manly Oval, on the NSW State Heritage Register on 19 August 2019 following years of work by the Save Manly Oval Alliance, on behalf of the Manly community. This area is of significant cultural and environmental heritage, which will now be protected forevermore."</p>
	<p>Further embed referencing of the park's Heritage significance in the documents to raise public awareness of these values. Provide opportunities throughout the park to learn more about its heritage.</p>	<p>The Plan of Management has been updated to reinforce the heritage status of the Park.</p>
	<p>The proposed paths will carve up passive open space and are not in keeping with the landscape character of the park.</p>	<p>The additional path responds to the community's desire for better accessibility and will provide equitable access throughout the Park.</p>
	<p>The proposed amphitheatre will be a hard-paved area and not in keeping with the landscape character.</p>	<p>The proposed amphitheatre will be constructed of grass terraces retained by sandstone retaining walls and will be sympathetic to the landscape character of the Park. It will replace the childcare centre and provide additional usable open space.</p>
Accessibility	<p>We need to make sure that there are accessible path connections throughout the park and to all park facilities.</p> <p>Paths are too steep between the upper old tramway route and down to</p>	<p>The Landscape Masterplan outlines additional features that will make the Park more accessible including a path to the top of the park that will be a much gentler gradient.</p>

Theme	What we heard	Council's response
	<p>the Central Lawn Area and this limits accessibility.</p> <p>Maintain accessible car spaces adjacent to memorial gate entry to the gardens.</p> <p>Incorporate accessible amenities in design of grandstand and pavilion.</p>	<p>They will be maintained</p> <p>Accessible toilets are included in proposed grandstand upgrade</p>
Connectivity	<p>The visual and physical connection of the park to Manly Town Centre and nearby open spaces, such as Gilbert Park, are not properly addressed in the landscape masterplan.</p> <p>Include bike parking in the carpark to encourage active travel to the site.</p>	<p>Council is taking a coordinated approach to the Manly Place Plan and the need to connect the town centre to Ivanhoe Park has been identified as a priority.</p> <p>Bike parking will be included through the detailed design process.</p>
Vegetation management /Environment	<p>While improved lighting for safety in the Park is necessary, care must also be taken to ensure this is appropriately directed to minimize impacts on wildlife using the area.</p> <p>Thinning out the canopy or removing too much vegetation will impact the 'secret garden' feel of the park,</p> <p>Ensure the sensory gardens are accessible and include native plants.</p>	<p>The proposed vegetation management aim is to reinforce the Park's status as a regional botanical garden by minimising monocultures and introducing the endemic and Victorian plantings recommended in the Conservation Management Plan.</p> <p>Replacement plantings will be selected to improve safety.</p> <p>Sensory gardens will be accessible and include native plants.</p>
Community use	<p>Concern that the proposed amphitheatre will be a formal space that brings in unwanted crowds to the garden area and discourages informal community use. Open space amphitheatre needs to have a feeling of connection to country and be used for meetings of Elders and community.</p> <p>Continue to provide access to the oval for informal sport and recreation, even after formal sport clubs restart</p>	<p>The Amphitheatre is responding to community desire for additional open space, the Amphitheatre itself will be constructed of grass terraces retained by sandstone.</p> <p>When not in use by formal sport or being maintained the Oval is always available to the public. Council will make available on</p>

Theme	What we heard	Council's response
	using the field once restrictions are lifted.	our website the times when training is scheduled.
	Promote awareness of Ivanhoe Park and its various offerings. This includes a schedule of when community members can use the oval.	Council will promote the Park.
	Allow community members' access to the club/meetings rooms and sports facilities within the pavilion.	Council's policy is to make its facilities as multiuse as possible. Brookvale Oval's club rooms are a good example of how Council has achieved this.
Play	The new playground should be designed in keeping with the natural environment, with nature-play and sensory elements.	The playground will be designed to be sympathetic to the landscape.
	Provide diverse opportunities to engage children of all ages.	Agreed
	Incorporate elements of discovery and exploration throughout the park to provide different play and educational experiences to children of all ages, outside of the playground.	The Plan of Management identifies the need to engage people of all ages in the heritage, natural and cultural, of the park.
	Provide a more challenging 'adventure' play area near the scout hall, with a climbing wall, ropes and logs. For older children, consider a bike track, basketball facility, skate facility, rope swings, a flying fox.	An adventure style park and/or the suggested facilities are not consistent with the State Heritage Listing.
Safety & Security	Incorporate CCTV in the park to provide better security.	The advice from NSW Police is that CCTV does not deter crime in situations like Ivanhoe Park. Council is proposing to improve safety through selected removal of some vegetation and the installation of lighting along the main path.
	The park entry at Park Avenue needs an upgrade to improve visibility and pedestrian safety.	The draft Landscape Masterplan proposes to make the Park Avenue entry safer.

Theme	What we heard	Council's response
	<p>Consider a gate at the Sydney Road entry to ensure kids and dogs do not run out on the road.</p>	<p>A new gate in this location is not supported by the Conservation Management Plan.</p>
	<p>Provide a formal safe crossing in front of the St Andrews Church and improved entry stair access to the car park.</p>	<p>The Traffic Networks Team is constantly monitoring pedestrian and vehicle safety in Manly and will implement road safety measures as required.</p>
<p>Dogs</p>	<p>Continue allowing people to walk their dog in the park.</p> <p>Consider more off-leash dog areas within the park.</p> <p>Consider a gate at the Sydney Road entry to ensure dogs in the nearby off-leash area do not run on the road.</p> <p>Make Ivanhoe Park a dog free park to avoid safety issues such as a dog jumping on an elderly person and causing a fall.</p>	<p>No changes are proposed to the current management of dogs at Ivanhoe Park.</p> <p>A new gate in this location is not supported by the Conservation Management Plan.</p> <p>Will be considered as part of the Dog Management Policy review.</p>
<p>Public Amenities & Waste</p>	<p>We need to provide waste facilities throughout the park, without impacting the visual amenity.</p>	<p>Bins will be placed at appropriate locations throughout the Park as the Landscape Masterplan is implemented.</p>
	<p>The proposed accessible toilets are too far away from the Central Lawn Area.</p>	<p>An accessible public toilet will be included in the Central Lawn Area.</p>
<p>Other</p>	<p>Concern that the BBQ facilities in the Central Lawn Area will attract anti-social behaviour, impact negatively on flora and fauna and cause maintenance issues.</p>	<p>The BBQ facilities will be removed from the Landscape Masterplan.</p>
	<p>Move the picket fence on the eastern boundary out so they are in front of the new high net posts, recently installed by the Council to deal with</p>	<p>Moving the white picket fence will make Manly Oval too small for first class cricket games such as Women's Big Bash League to</p>

Theme	What we heard	Council's response
	cricket balls landing on the tennis courts.	be played and is therefore not supported.
	Banners currently attached to the fencing are ugly and unsightly.	The banners provide important advertising opportunities for sporting groups and Council will work with them to limit their proliferation.
	Other sporting groups should be allowed to use the sporting facilities. For example, Manly Oval should be used for rugby union.	Any sporting group can use Manly Oval but need to apply for a booking or allocation and their application will be assessed on a case by case basis.
	There should be facilities for pickleball.	Unfortunately, hard courts are not compatible with the Conservation Management Plan.

Table 2: Concerns and suggestions - grandstand and pavilion

Theme	What we heard	Council's response
Support for the proposed grandstand	Support for the proposed grandstand	Noted
Accessibility	Provide an adult sized change bench and hoist system in the main accessible amenities within the grandstand building.	An adult sized change bench will be included in detailed design of the grandstand.
Over-development /heritage	The existing building appears to be in reasonable condition, and we do not need a new building.	The current building does not meet the needs of the existing users and does not comply with modern standards for accessibility, food preparation areas or grandstand safety.
	Can we just improve the existing building rather than build a new structure?	The cost to retrofit the existing building to meet these needs, if that were even possible, would likely be the same cost as constructing a new building and would likely take a longer period to construct.

Theme	What we heard	Council's response
	<p>Minimise the visual impact of the proposed grandstand/pavilion structures to ensure it does not impact the landscape character.</p>	<p>The design of the building has been deliberate to move the bulk of the building from the middle of the park to the edge of the park to improve visual access to the Park.</p>
	<p>Incorporate more greenery to soften the amount of concrete.</p>	<p>Green roofs and terraces are proposed to soften the building and sandstone facing is proposed for some walls to minimise the visual impact.</p>
	<p>The design is overdeveloped and not in keeping with the heritage style of the park.</p>	<p>The advice from Council's heritage consultants is that mimicking a heritage style in the new building is not good practice. The design should contrast and be sympathetic to the natural landscape character of the park rather than be a feature in itself.</p>
	<p>The proposed grandstand and pavilion structure appear excessive in scale.</p>	<p>The proposed grandstand is approximately the same exposed bulk as the existing building but the redesign makes much more effective use of space by shifting the bulk of the structure to the road edge and opening up the visual connection to the Botanic Gardens.</p>
<p>Cost</p>	<p>The upgrade is too expensive and not worth it. The money is best spent elsewhere.</p> <p>Sporting groups should fund this upgrade, not the rate payers.</p>	<p>To upgrade the grandstand Council will rely on State and Federal Governments grants to fund its construction.</p> <p>There is no expectation that sporting groups fund the works.</p>
<p>Functionality</p>	<p>There is not sufficient parking if the new facilities attract more people.</p>	<p>It is not anticipated that the new design will attract more people rather that it provides first class facilities for those who currently use. The current structure is inadequate for current users.</p>

Theme	What we heard	Council's response
	The grandstand is too open to the elements and will not provide enough shade or rain protection.	The reorientation of the Clubrooms and their placement at the top of the grandstand has been done in part to provide a buffer against the prevailing southerly in winter.
	The upper-level seating in the grandstand will not have a clear sight of the oval.	The line of sight from the upper level has been designed to provide optimal viewing.
	Ensure the scoreboard is visible and legible.	The scoreboard will be visible and legible from the grandstand.
	The roof design is not in keeping with the rest of the grandstand excellent design and is not functional.	The roof design will be reviewed during the next stage of design development.
Sport guidelines	The design of the indoor cricket facilities needs to comply with Cricket Australia's Community Cricket Facility Guidelines.	Council will ensure the guidelines will be used to inform the detailed design.
	Ventilation of the cricket nets and change rooms needs to be environmentally sustainable.	Ventilation and lighting of the cricket nets will be addressed in detailed design.
Other issues /suggestions	The new grandstand should bare the Tony Miller name.	The grandstand has already been named after Tony Miller. Council is currently restoring the bust and plaque to reinstall.

TIMING

Council will submit the Conservation Management Plan for approval to the NSW Heritage Council in November 2021.

Council will continue to meet with the Design Reference Group to prioritise works and seek feedback on detailed designs. It is expected that the Landscape Masterplan will take five to six years to implement in stages, notwithstanding the Grandstand which can only proceed with funding from the Federal or State Government.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 7: Our urban planning reflects the unique character of our villages and natural environment and is responsive to the evolving needs of our community.

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Environment Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles.

FINANCIAL CONSIDERATIONS

Council currently has programmed the renewal of existing assets at Ivanhoe Park through its Reserves Renewal Program. It is expected that on average \$300,000 per annum will be spent on renewing park assets over a period of five to six years to implement the Landscape Masterplan. Council also has allocated another \$291,000 in the 2021-2022 to implement priority actions from the Landscape Masterplan through the Ivanhoe Park Landscape Masterplan Implementation project.

The major cost item is the proposed grandstand, the cost estimate for which is \$14-\$18 million. Council will not be able to fund this project and its future development relies upon support from Federal and/or State Governments.

SOCIAL CONSIDERATIONS

The draft Landscape Masterplan and Plan of Management, when implemented, will transform Ivanhoe Park into a safer, accessible, and more enjoyable park that will become a hub for the community, whether through active recreation on the Oval, enjoying the respite offered by the Gardens or celebrating through events held on the Oval. Encouraging greater use will provide social, physical and cultural benefits in the community.

ENVIRONMENTAL CONSIDERATIONS

The purpose of the Landscape Masterplan is to protect and enhance the State Heritage listed landscape character of the Park and reinforce the native and Victorian plantings found in the Botanic Garden. This will improve the natural environment through increasing canopy, helping to reduce urban heat island effect and providing much needed green space in the otherwise highly urbanised Central Business District of Manly.

GOVERNANCE AND RISK CONSIDERATIONS

The external Design Reference Group is managed through a Code of Conduct which all members have read and signed.

The draft Landscape Masterplan proposes a new grandstand. This development, should funding become available, will be subject to a Development Application which will be externally assessed by an external planner before being determined by the Sydney North Planning Panel.

The proposed lighting and demolition of the child care centre through the park will also be subject to a development application. The other proposed works, which are to be endorsed through the Conservation Management Plan, are for the most part minor works and are exempt under the *Environmental Planning and Assessment Act 1979 (NSW)*.

ITEM 13.7	OUTCOMES OF PUBLIC EXHIBITION OF GENERIC PARKS PLAN OF MANAGEMENT (WARRINGAH) AND PUBLIC EXHIBITION OF DRAFT WYATT BIKE PARK PLAN OF MANAGEMENT
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2021/612554
ATTACHMENTS	1 ⇒Community Engagement Report - Proposed Amendment Generic Parks PoM - Former Warringah (Included In Attachments Booklet) 2 ⇒Draft - Wyatt Avenue Bike Park Plan of Management PoM (Included In Attachments Booklet) 3 ⇒Public Hearing Final Report (Included In Attachments Booklet) 4 ⇒Recommended Generic Park Plan of Management (Former Warringah) Changes (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report to Council on the outcomes of the public exhibition of the draft amendment to the Generic Parks Plan of Management (Warringah) and public hearing on the proposed categorisation of land.

To recommend that Lot 2 DP536909, being 180 Forestway, Belrose be included in the Generic Parks Plan of Management (former Warringah).

To recommend that Council approve:

- the public exhibition of a site-specific Plan of Management for Wyatt Bike Park in respect of Lot 102 DP1244381 and Lot 2620 DP752038, known as 4 – 6 Wyatt Avenue, Belrose;
- holding a public hearing in respect of the proposed categorisation of this land as Park; and
- report the outcome of the public exhibition and public hearing to Council.

EXECUTIVE SUMMARY

Council resolved in December 2020 to:

That:

1. *Council place on public exhibition for a period of 56 days a proposed amendment to the Generic Parks Plan of Management – former Warringah to incorporate Lot 2 DP536909, Lot 102 DP1244381 and Lot 2620 DP752038, known as 4 – 6 Wyatt Avenue, Belrose.*
2. *Council hold a public hearing in respect of the proposed amendment to the Generic Parks Plan of Management – former Warringah.*
3. *The outcomes of the public exhibition of the proposed amendments to the Generic Parks Plan of Management to incorporate Lot 2 DP536909, Lot 102 DP1244381 and Lot 2620 DP752038, known as 4 – 6 Wyatt Avenue, Belrose, be reported to Council.*

The outcome of the public hearing indicated that there was support for the categorisation of the 3 lots as Park, but Council received feedback that due to the specialised nature of the proposed bike park on Lots 102 DP 1244381 and 2620 DP 752038, that an area- specific Plan of Management is required would be preferable. Council received 25 submissions, with 90% in favour of the proposal. Of those who did not support the proposal, the main reason expressed for not supporting the proposed amendment to the Generic Parks Plan of Management – former Warringah was opposition to the proposed future use of Lots 102 DP 1244381 and 2620 DP 752038 as a junior bike park. There were no specific objections to the categorisation of Lot 102 DP1244381 and Lot 2620 DP752038 as Park, however there was one objection to the categorisation of Lot 2 DP536909 as Park. Notwithstanding this objection, Council has decided to proceed with the categorisation of Lot 2 DP536909 because the Park category provides the most flexibility for the future use of this land by ensuring that it is maintained as public land and managed to provide suitable recreational experience as required by the community in the future.

It is recommended that Council publicly exhibit a site specific draft Wyatt Bike Park Plan of Management in relation to Lots 102 DP 1244381 and 2620 DP 752038, being 4-6 Wyatt Avenue Belrose. It is also recommended that Council adopt the draft Generic Parks Plan of Management (Warringah) in respect of Lot 2 DP 536909.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council note that it has considered the submissions received in relation to the public exhibition of the Generic Parks Plan of Management (Warringah).
2. Council note that it has considered the report on the public hearing into the proposed categorisation of Lot 2 DP 536909, Lot 102 DP 1244381 and Lot 2620 DP 752038 as park for the purpose of section 36 of the *Local Government Act 1993*.
3. Council amend the draft Generic Parks Plan of Management (Warringah), by removing Lot 102 DP 1244381 and Lot 2620 DP 752038.
4. Council note its opinion that the amendments to the draft Generic Parks Plan of Management (Warringah) referred to at 3 above are not substantial.
5. Council adopt the Generic Parks Plan of Management (Warringah) in respect of Lot 2 DP 536909, known as 180 Forestway, Belrose and categorise it as Park in accordance with Attachment 4.
6. Council give public notice of the adoption of the Generic Parks Plan of Management (Warringah) and the terms of the amended Generic Parks Plan of Management (Warringah) as soon as practicable.
7. Lot 2 DP 536909 be categorised as Park because the Park category provides the most flexibility for the future use of this land by ensuring it is maintained as public land and managed to provide suitable recreational experience as required by the community in the future.
8. Council publicly exhibit the draft Wyatt Bike Park Plan of Management in relation to Lots 102 DP 1244381 and 2620 DP 752038, being 4-6 Wyatt Avenue Belrose, for 42 days.
9. Council hold a public hearing in respect of the proposed categorisation of Lots 102 DP 1244381 and 2620 DP 752038 as Park in the draft Wyatt Bike Park Plan of Management.
10. The outcomes of the public exhibition of the draft Wyatt Bike Park Plan of Management and the public hearing be reported to Council.

REPORT

BACKGROUND

The NSW Government sold Lots 102 DP 1244381 and 2620 DP 752038, 4-6 Wyatt Avenue, Belrose (the **Site**) and Lot 2 DP 536909, known as 180 Forestway, Belrose to Council in March 2019 on the condition that Council classifies the land as community land and develops a public recreation facility.

To help facilitate the construction of this recreational facility, Council resolved to place on public exhibition amendments to the Generic Parks Plan of Management and categorise Lot 2 DP 536909, Lot 102 DP1244381, and Lot 2620 DP752038 as Park as defined by clause 36 of the *Local Government Act 1993 (NSW) (Act)*.

The draft Generic Parks Plan of Management (Warringah) proposed on Lots 102 DP 1244381 and 2620 DP 752038 a junior bike park to complement the Bare Creek Bike Park nearby by providing an entry level track for young people and also due to it being complementary to the natural environment. The proposal will not involve the removal of any endemic trees and will provide a welcomed recreational facility for the local children. In relation to Lot 2 DP 536909, the draft Generic Parks Plan of Management (Warringah) allows for this to be developed into a number of different types of park and does not prohibit it being restored to bushland if that is considered the best future use of this land by Council.

In accordance with section 36G of Act, the core objectives for the management of community land as a Park are:

- a) to encourage, promote and facilitate recreational, cultural, social, and educational pastimes and activities; and
- b) to provide for passive recreational activities or pastimes and for the casual playing of games; and
- c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

While there was general support for the proposal to categorise the land as Park, Council, received some feedback from the community that due to the specialised nature of the proposed bike park an site-specific Plan of Management would be more appropriate. The site-specific Plan of Management addresses issues such as:

- Ongoing management of exotic vegetation and the regeneration of the Duffys' Forest plant community.
- Ongoing protection and management of remnant Duffy's Forest in the north west corner of the site;
- Vehicular access.
- Permissible bookings and management of use of the site.
- Permitting the development of the junior bike skills track and associated infrastructure.

There was an objection to the categorisation of Lot 2 DP 536909, 180 Forestway, Belrose as being Park on the basis it should be Natural Area (Bushland) instead. While there are no current plans for this parcel of land the category Park provides more flexibility for the future use of this space and does not prohibit the revegetation of this land in the future if that is what Council considers to be its best use.

It is not proposed to re-exhibit the amended draft Generic Parks Plan of Management (Warringah) because the removal of Lot 102 DP1244381 and Lot 2620 DP752038 from the draft plan of management is not considered to be a substantial amendment to the draft Generic Parks Plan of Management (Warringah) for the purposes of section 40(2)(b) of the *Local Government Act 1993 (NSW)*, particularly given that Council is proposing to publicly exhibit the draft Wyatt Avenue Bike

Park Plan of Management in relation to those 2 lots. However, in accordance with section 40(2A) of the *Local Government Act 1993* Council will give public notice of the amended Generic Parks Plan of Management (Warringah) as soon as practicable after the adoption of the Generic Parks Plan of Management (Warringah), if approved by Council.

CONSULTATION

Council publicly exhibited the draft amendment to the Generic Parks Plan of Management (Warringah) to include Lot 2 DP 536909, Lot 102 DP1244381, and Lot 2620 DP752038 between 22 January 2021 and 21 March 2021. In total 25 submissions were received by Council on the proposal with 75% supporting the proposal, 15% supporting it with changes, 5% neutral and 5% opposed.

A summary of the main themes of the comments and Council's responses are below:

Theme	Response
Support for the proposal	Noted.
The junior bike park proposed for the site requires a site-specific plan of management	Agreed. A draft site-specific plan of management is attached to this report for approval to go out on public exhibition.
Supports the proposal as long as there is no impact on environment	The proposed bike park will not impact on the endemic vegetation. The Draft Wyatt Ave Bike Park Plan of Management contains specific actions to improve the natural environment through the removal of exotic species and replacing them with plant species that are endemic to the Duffys Forest plant community.
Concern that the bike tracks will be extended into the neighbouring bio-banking site	The draft Wyatt Ave Bike Park Plan of Management identifies the need for a fence to be constructed which will enclose the site to restrict entry into neighbouring properties including the school and the bio-banking site.
Concern that the Bike Park will create traffic and parking issues	The scale of the bike park is relatively small and is aimed at an entry level. It is unlikely to attract people from outside the immediate area and people wanting an intermediate or advanced experience will visit Bare Creek Bike Park which is in close proximity.
A passive park will be more appropriate	The bike park has been designed to be an intergenerational site with seating areas in amongst the restored vegetation provided for carers while children ride the track. During school hours it is not anticipated there will be much use of the site, making it ideal for passive use.
180 Forestway should be categorised as Natural Area (Bushland)	While there are no current plans for this parcel of land the category Park provides more flexibility for the future use of this space and does not prohibit the revegetation of this land

Theme	Response
	in the future if that is what Council considers to be its best use.

An independent Public Hearing was held on 18 February 2021 in relation to the proposed categorisation of the 3 lots as Park. A summary of the main themes raised and responses are below:

Theme	Response
Is there any information about General Community Use or other categories? Why choose Park?	Council considers Park to be the most appropriate categorisation of the area. It allows Council to reinforce the native vegetation while also providing the ability to use the land for passive recreation. Council has proposed a beginner's bike park for Lot 2620 and Lot 102 to complement the nearby Bare Creek Bike Park. This also allows Council to design around the established trees on site and incorporate the planting of endemic plant species. It will also provide a peaceful recreation area, particularly during school days.
John Colet School would have loved the school's original proposal to Jonathan O'Dea to still be considered, but they understand the logic of choosing the Park category.	Council has experienced the creation of a number bike jumps in our local parks over the past 18 months and the establishment of a purpose-built junior bike park would provide a quality recreation facility for the children of the local area. The original proposal of hardcourts is not supported.
What are the plans for fencing of the junior bike park on the road boundary and from the Roads and Maritime Services' (RMS) biobank land? The fence between the school and the Council lot is lower than the fence around the rest of the perimeter. The fence on the border of the school and the Council lot should be the same height. The school is concerned about security. The school doesn't want to encourage anyone to jump over the lower fence.	Council intends to erect a fence to a height that will discourage access to the school.
Council takes bookings for Wyatt Reserve across the road. Could the school make bookings to exclusively use the bike park, such as for bike lessons? Will bookings be shared equitably?	Bookings are always a good idea, but the junior bike park can be used informally. It is unlikely Council will book out the junior bike park for events or on weekends. It will be available for schools to book during the week.
What are Council's plans for the land on the corner of Wyatt Avenue and Forest Way?	Council has no immediate plans for the open space on the corner of Wyatt Avenue and Forest Way, however the Park categorisation

Theme	Response
	provides more flexibility for the use of this open space into the future.
Could the school rent the corner block for signage space in the meantime?	Private advertising signage is not permitted on community land but is permitted on operational land. Council would need to reclassify the land to facilitate this request.
It would be wonderful to have the corner block looking more beautiful.	Staff will address the weed issues.
Concern that there has been no community consultation about handing over the land from the State to Council, other uses for the bike park land (Lot 102 DP1244381 and Lot 2620 DP752038), and now the use of the land for a bike park is a fait accompli.	The future use of the site as a bike park has been previously tested through community engagement and the majority of the 175 submissions received supported this use.

TIMING

Subject to Council approval, the draft Wyatt Avenue Bike Park Plan of Management in relation to Lot 102 DP1244381 and Lot 2620 DP752038, being 4-6 Wyatt Avenue Belrose will be publicly exhibited in November 2021 for a period of 42 days.

A public hearing will be held in relation to the proposed categorisation of Lot 102 DP1244381 and Lot 2620 DP752038, being 4-6 Wyatt Avenue Belrose, as Park.

The outcomes of the public exhibition and the public hearing will be reported to the February 2022 Council Meeting.

In relation to Lot 2 DP 536909, subject to Council approval, Council would give public notice of the adoption of the Generic Parks Plan of Management (Warringah) and the terms of the amended Generic Parks Plan of Management (Warringah) as soon as practicable.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting, and recreational opportunities.
- Protection of the Environment - Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.

FINANCIAL CONSIDERATIONS

\$121,337 has been provided in the 2021-22 approved budget under the Wyatt Ave Recreation Park project.

SOCIAL CONSIDERATIONS

The categorisation of the land as a Park will allow for the land to be used for the purpose of public recreation, which will have a positive impact on the community through providing additional recreational opportunities.

ENVIRONMENTAL CONSIDERATIONS

A draft Review of Environmental Factors (**REF**) has been prepared by Ecological Pty Ltd for the proposed Bike Park on 4-6 Wyatt Ave, Belrose. The REF has concluded that the proposed bike park will not have a detrimental impact on the environment. The site is currently overgrown with exotic plant species and the proposed draft Wyatt Avenue Plan of Management contains actions to remove these and revegetate with endemic species. The draft Wyatt Avenue Plan of Management also proposes actions to protect the small pocket of remnant Duffy's Forest in the north west corner of the site.

GOVERNANCE AND RISK CONSIDERATIONS

The public exhibition of the draft Plan of Management will be undertaken in accordance with Council's community engagement framework and requirements of the Local Government Act and regulations.

The construction of a bike park on 4-6 Wyatt Avenue Belrose may be undertaken by Council in accordance with clause 65 of State Environmental Planning Policy (Infrastructure), in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979*.

ITEM 13.8	RESPONSE TO NOTICE OF MOTION NO 29/2021 - REVIEW OF CURL CURL BEACH RESERVE MASTERPLAN
REPORTING MANAGER	EXECUTIVE MANAGER PARKS AND RECREATION
TRIM FILE REF	2021/720556
ATTACHMENTS	1 ⇒ Environmental Review - Part 5 Assessment - Amendment to Curl Curl Beach Landscape Masterplan (Included In Attachments Booklet) 2 ⇒ Map of Proposed Extent of Dog Off-Leash Area at Flora and Ritchie Roberts Reserve, Curl Curl (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report the outcomes of consultation with key stakeholders and environmental assessment regarding the southern extent of the dog off-leash area at Flora and Ritchie Roberts Reserve, as per the Curl Curl Beach Landscape Masterplan (2014), and to recommend endorsement to amend the boundary of the dog off-leash area.

EXECUTIVE SUMMARY

At the 27 July 2021 Council meeting, in relation to item 15.1 Notice of Motion No 29/2021 - Review of Curl Curl Beach Reserve Masterplan, Council resolved

That:

- 1. Council conduct consultation with key stakeholders in relation to the off-leash area, in the Curl Curl area.*
- 2. Council review how the suggestions from this consultation would impact on the existing Curl Curl Beach Reserve Masterplan, approved by Warringah Council on 26 August 2014.*
- 3. Staff bring a further report to Council regarding what further action may be required if Council wished to modify the Masterplan in light of the consultation feedback received.*

In response to the above resolution Council staff met with key stakeholders and discussed the southern extent of the dog off-leash area in the vicinity of the mid Curl Curl Beach car park. Stakeholders consulted include community members who addressed the 27 July 2021 Council meeting, North and South Curl Curl Surf Life Saving Club representatives, Curl Curl Lagoon Friends and Northern Beaches Council Lifeguards.

According to the Curl Curl Beach Landscape Masterplan (2014) the southern extent of the dog off-leash area behind the dunes ends just south of Adina Road, Curl Curl. Some community representatives requested that the boundary be moved further south approximately 110 meters to be in line with the southern end of the mid Curl Curl Beach car park.

The majority of stakeholders either supported or had no objection to the dog off-leash area extending approximately 110 metres south to align with the end of the mid Curl Curl car park, with dogs to be on-leash south of the southern end of the mid Curl Curl Beach car park including the picnic area. One community member requested that the boundary of the dog off-leash area be moved further north to allow more recreation space for other park users without potential interactions with off-leash dogs.

Based on the feedback received and the environmental assessment undertaken, it has been considered that the dog off-leash area may be extended as proposed and that it would have minimal impact on other users. An environmental assessment under Part 5 of the *Environmental Planning and Assessment Act 1979* (see Attachment 1) was conducted and indicates that the overall impact on the environment is not likely to significantly affect the environment and that an environmental impact statement or species impact statement is not required. It is therefore recommended that the Curl Curl Beach Landscape Masterplan be amended to extend the dog off-leash area approximately 110 metres to align with the southern extent of the car park and the area be declared an off-leash area. Fencing will be improved in the vicinity to deter off-leash dogs from entering the dune area. Attachment 2 indicates the current and proposed southern extent of the dog off-leash area.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Subject to the matters in 1 – 6, Council endorse an amendment to the southern extent of the dog off-leash area at Flora and Ritchie Roberts Reserve at Curl Curl Beach to align with the southern end of the mid Curl Curl Beach car park, thereby extending the approved dog off-leash area by approximately 110 metres, as set out in Attachment 2 of the report for this item (Extended Off-Leash Area).
 2. In relation to the requirements of Part 5 of the *Environmental Planning and Assessment Act 1979*, Council:
 - A. Note and adopt the environmental assessment at Attachment 1 of the report for this item in relation to the Extended Off-Leash Area, as set out in, and incorporating the mitigation measures and conditions in, Attachments 1 and 2 including:
 - i. the relocation of signage to enable dogs to be permitted off-leash as far south as the end of the mid Curl Curl Beach car park; and
 - ii. fencing in the vicinity of the area to deter dogs from entering the dunes.
 - B. Note that it has taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the Extended Off-Leash Area Activity.
 - C. Determine that the Extended Off-Leash Area Activity is not likely to significantly affect the environment and that an environmental impact statement or species impact statement is not required.
 3. Council by order declare pursuant to section 13(6) of the *Companion Animals Act 1998* that the Extended Off-Leash Area, being a public place, is an off-leash dog area.
 4. Council implement the mitigation measures and conditions forming part of the Extended Off-Leash Area Activity.
 5. Council adopt the proposed amendment to the Curl Curl Beach Landscape Masterplan as set out in Attachment 2 to the report for this item.
 6. Council authorise the Chief Executive Officer to do all things necessary to give effect to this resolution including the erection and removal of signage and fencing.
-

REPORT

BACKGROUND

According to the Curl Curl Beach Landscape Masterplan (2014) the southern extent of the dog off-leash area behind the dunes ends just south of Adina Road, Curl Curl. Some community representatives requested that the boundary be moved further south approximately 110 meters to be in line with the end of the mid Curl Curl Beach car park.

At the 27 July 2021 Council meeting, in relation to item 15.1 Notice of Motion No 29/2021 - Review of Curl Curl Beach Reserve Masterplan, Council resolved

That:

- 1. Council conduct consultation with key stakeholders in relation to the off-leash area, in the Curl Curl area.*
- 2. Council review how the suggestions from this consultation would impact on the existing Curl Curl Beach Reserve Masterplan, approved by Warringah Council on 26 August 2014.*
- 3. Staff bring a further report to Council regarding what further action may be required if Council wished to modify the Masterplan in light of the consultation feedback received.*

In response to the above resolution Council staff held meetings with key stakeholders including community members who addressed the 27 July 2021 Council meeting, North and South Curl Curl Surf Life Saving Club representatives, Curl Curl Lagoon Friends and Northern Beaches Council Lifeguards. The outcomes of this consultation is outlined later in this report.

Planning framework

The subject area falls under the Coastal Lands Generic Plan of Management 2002 (PoM). The PoM contains high level masterplans and concept plans, with implementation and detailed designs to be undertaken through ongoing community consultation. The proposal is not inconsistent with the PoM.

The more detailed Curl Curl Beach Landscape Masterplan was adopted in August 2014 and involved substantial community engagement on proposed improvements. Alterations to the dog off-leash area were considered at this time including the need for dogs to be on-leash in the picnic area south of the mid Curl Curl Beach car park.

It is proposed to amend the 2014 Landscape Masterplan to reflect the suggested changes.

CONSULTATION

Meetings were held with key stakeholders between August to October 2021. Stakeholders included community members who addressed the 27 July 2021 Council meeting, North and South Curl Curl Surf Life Saving Club representatives, Curl Curl Lagoon Friends and Northern Beaches Council Lifeguards.

The majority of key stakeholders, including Curl Curl Lagoon Friends and South Curl Curl Surf Life Saving Club, were either supportive or did not object to the dog off-leash area being extended approximately 110 metres to be in line with the southern end of the mid Curl Curl Beach car park. One community member suggested that the extent of the off-leash area be moved further north to allow more space for other recreational uses without potential interactions with off-leash dogs.

Up until recently the signage on site indicated that the dog off-leash area already extended to the southern end of the mid Curl Curl Beach car park and had been used in this way without major incident or significant complaint. Furthermore the majority of key stakeholders considered the proposed change to be minor and in line with how the area was already being used - given the above and that the key stakeholders represent the local community - broader consultation is not considered necessary. All stakeholders agreed that dogs should be on-leash in the picnic area south of the mid Curl Curl Beach car park.

Internal consultation was held with Council's Coast and Catchments and Bushland and Biodiversity teams. It was recommended that fencing be improved to deter off-leash dogs from entering the dune area.

Overall there were no significant objections to the dog off-leash area being extended approximately 110 metres to the south in line with the end of the mid Curl Curl Beach car park. There is ample space for people to enjoy the foreshore area in both the dog off-leash and on-leash areas even if the off-leash area were to be extended, and the Curl Curl Beach Landscape Masterplan amended to extend the dog off-leash area, as shown in the map of proposed extension at Attachment 2.

TIMING

If adopted by Council, the Curl Curl Beach Landscape Masterplan will be amended, the fencing improved and the appropriate regulatory signs be moved and/or installed within fourteen days.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

Funding to support the installation of signage and improve the fencing is covered by the existing 2021/22 Parks and Recreation operational budget.

SOCIAL CONSIDERATIONS

Council recognises the importance of community members to be able to spend quality time with their dogs outdoors. The 29 dog off-leash areas across the Northern Beaches, including Flora and Ritchie Roberts Reserve in Curl Curl, provide important opportunities for outdoor enjoyment. Council will continue to work with the community to improve these spaces.

ENVIRONMENTAL CONSIDERATIONS

The proposed extension of the dog off-leash area has been assessed and it is considered that it will not have a detrimental impact on the environment. An environmental assessment under Part 5 of the *Environmental Planning and Assessment Act 1979* was conducted and demonstrates that it is not likely to have a significant impact on the environment and that an environmental impact statement or species impact statement is not required (see Attachment 1). The extension is wholly within parkland and is not within the vegetated, beach or dune areas. Improved fencing will be installed to deter off-leash dogs from entering the dune area.

Improving environmental outcomes in the area are also considerations in the Curl Curl Beach Landscape Masterplan and the Coastal Lands Generic Plan of Management 2002. Environmental improvements such as revegetation and vegetation management will continue to be implemented in line with Council priorities and resourcing.

GOVERNANCE AND RISK CONSIDERATIONS

If adopted, the Curl Curl Beach Landscape Masterplan will be amended to extend the southern extent of the dog off-leash area approximately 110 metres south to be in alignment with the end of the mid Curl Curl Beach car park.

14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

ITEM 14.1	ANNUAL REPORT 2020/21
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2021/646462
ATTACHMENTS	1 ⇒ Annual Report 2020/21 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To present the 2020/21 Annual Report.

REPORT

The Annual Report 2020/21 details Council's achievements towards the objectives and performance targets contained in the Operational Plan 2020/21. The document also includes Council's statutory returns that provide legislative information under the Local Government Act 1993 and other acts and regulations. The Annual Financial Statements form an attachment to the Annual Report.

The Annual Report 2020/21 documents a challenging year that tested our community's resilience and enabled us all to demonstrate adaptability.

We spent \$73.9m on capital works this year with highlights including solar panel installation on Andrew Boy Charlton Aquatic Centre in Manly, completion of the Frenchs Forest Showground refurbishment, upgrades to the historic Currawong Cottages, stormwater projects to reduce flooding and pollution in our catchments, completion of the Avalon Beach hard courts, as well as playground upgrades at Dunbar Park in Avalon and Collaroy Plateau Park.

Operational project highlights in the annual report include Local Emergency Management Plan, Bush Fire Prone Land Map, Public Space Vision and Design Guidelines, Children's Services Strategy, Community Centres Strategy and Rates Harmonisation. The annual report also includes an outline of our achievements in the first year of implementing the Towards 2040 Local Strategic Planning Statement and the fourth year of the Disability Inclusion Action Plan.

The report lists the more than 50 industry awards and commendations we received for initiatives in the fields of environmental leadership, early childhood education, customer service, youth services, local government management, urban planning, civil engineering, and training.

The leadership of the Mayor and Councillors is also recognised in the report.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

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

ENVIRONMENTAL CONSIDERATIONS

The recommendation of this report poses no environmental impacts.

SOCIAL CONSIDERATIONS

The recommendation of this report poses no social impacts.

GOVERNANCE AND RISK CONSIDERATIONS

The Annual Report records Council's achievements against objectives and performance targets set out in the Operational Plan 2020/21, as well as Council's financial position. It has been prepared in accordance with the *Local Government Act 1993* (the Act) and the Local Government (General) Regulations 2021, Circular No 21-16 of June 2021 and other relevant legislation and guidelines.

The Annual Financial Statements and Audit Reports for the year ended 30 June 2021 also form part of the Annual Report. The Financial Statements has been separately reported to Council.

An End of Term Report on the Council's achievements in implementing the Community Strategic Plan over the previous four years is being prepared for the final meeting of Council on 23 November, in accordance with s428(2) of the Act and the Division of Local Government's *Integrated Planning and Reporting Manual, March 2013*. The End of Term Report will also be appended to the Annual Report.

The Annual Report must be submitted to the Minister for Local Government by 30 November 2021.

RECOMMENDATION OF DIRECTOR WORKFORCE AND TECHNOLOGY

That:

1. Council note the Annual Report 2020/21.
 2. A copy of the Annual Report 2020/21 be posted on Council's website and provided to the Minister for Local Government.
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15.0 NOTICES OF MOTION

ITEM 15.1	NOTICE OF MOTION NO 40/2021 - WALKING TRAIL FOR WAKEHURST PARKWAY
TRIM FILE REF	2021/687583
ATTACHMENTS	NIL

Submitted by: Councillor Stuart Sprott

(Deferred from the 28 September 2021 meeting)

MOTION

That:

1. Staff review walking and cycling trails between Frenchs Forest and Narrabeen Lagoon to determine whether connections could be created between the new proposed town centre at Frenchs Forest and the very popular Narrabeen Lagoon trail.
2. A report be brought back to Council within six months on the above review including potential links with any Wakehurst Parkway flood mitigation works.

BACKGROUND FROM COUNCILLOR STUART SPROTT

We have a very exciting and amazing opportunity to build a new town centre from scratch and the important infrastructure to go with it.

With a projected increase in population proposed for Frenchs Forest through various stages of somewhere between 3 to 10 thousand, having a walking/cycling connection to the beach would only make sense. It would take hundreds of cars off the roads and free up hundreds of parking spots at the beach helping to create the green star style of living we are hoping to achieve. With the new invention of electric bikes and having a picturesque healthy bush trail to be able to access the beach I feel this trail will be well utilised by all.

With the addition of aboriginal art and storytelling this could be a real connection back to the land and the traditional owners of the area, trails that they would have used over thousands of years. Already having the trail around Narrabeen Lagoon approximately one third of the trail is already done and additional sections of track connecting the beach to the bush would make for a world class walking trail.

Council has been offered significant funding for flood mitigation research and potential works and if these works did proceed in the future, there is the potential to dovetail part of the trail program into it. The environmental and sociological benefits of this style of trail would be a huge benefit to the people of the Northern Beaches and I ask we all support this motion and the investigations into this trail.

ITEM 15.2	NOTICE OF MOTION NO 41/2021 - TRANSPORT NEW SOUTH WALES ROAD MAINTENANCE CONTRACT
TRIM FILE REF	2021/687590
ATTACHMENTS	NIL

Submitted by: Councillor Alex McTaggart

(Deferred from the 28 September 2021 meeting)

MOTION

That Council write to Transport for NSW:

1. Advising the concern of residents about the general state of disrepair on parts of Barrenjoey and Pittwater roads.
 2. Requesting a copy of the delineation of responsibilities between Council, Transport for NSW and the maintenance contractor.
 3. Requesting a copy of the Transport for NSW service contract for maintenance of roads in the Northern Beaches Local Government Area with the new contractor.
 4. Requesting a copy of the hand over condition audit for Transport for NSW for roads in the Local Government Area July 2021.
-

BACKGROUND FROM COUNCILLOR ALEX MCTAGGART

I have been contacted by members of the community, walkers, cyclists and people who take an interest in public infrastructure regarding the general level of maintenance on our two main roads.

The maintenance of Pittwater road Manly to Mona Vale and Barrenjoey road Mona Vale to Palm Beach is the responsibility of Transport for NSW formally Road Maritime Services.

Transport for NSW contracts out the maintenance work and a new contractor was appointed on 1 July 2021.

The previous contractor Downer left parts of Pittwater road Dee Why and Barrenjoey Road Palm Beach and Bilgola Bends in a poor state. The new contractor is Connect Sydney.

It is now September and no work appears to have taken place and at the same time Connect Sydney has assured a Palm Beach resident that works have been undertaken.

I also was given an undertaking that prior to hand over to the new contractor a condition audit of the main roads would be completed.

This contract is public money to deliver a service to Northern Beaches residents , the standard of work and timing of work over which we have little control.

In asking for a copy of the hand over audit and the service contract [less commercial in confidence residents will be able to understand what service level they are entitled to.

Residents will also know where the contractors responsibility ends and where council takes over.

Rather than residents write to council and council contact the contractor to provide a maintenance service let's give the details to the residents and let them deal directly with the service provider.

ITEM 15.3	NOTICE OF MOTION NO 42/2021 - CHURCH POINT PARKING DEMAND MANAGEMENT STRATEGY
TRIM FILE REF	2021/687594
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

(Deferred from the 28 September 2021 meeting)

MOTION

That:

1. A report be brought to Council outlining the cost and the process for a review of the Church Point Parking Demand Management Strategy to determine what the available parking resources are in the overall precinct (including from BYRA to Holmeport Marina), noting the seasonal demand.
 2. The Review is to include at least the following matters:
 - A. Parking Occupancy.
 - B. Parking Turnover.
 - C. Demographic of the users of the parking.
 - D. Time restrictions and whether the restrictions meet the needs of all the communities that use this parking.
-

ITEM 15.4

**NOTICE OF MOTION NO 43/2021 - INCREASE AND UPDATE
OF THE SKATE PARK AT AQUATIC RESERVE**

TRIM FILE REF **2021/701609**

ATTACHMENTS **NIL**

Submitted by: Councillor Stuart Sprott

MOTION

That Council staff prepare a report to increase and update the skate park at aquatic reserve.

BACKGROUND FROM COUNCILLOR STUART SPROTT

With the new Frenchs Forest Town Centre being planned, and skate boarding now an Olympic sport we need to build infrastructure that will allow our youth to be outside enjoying a COVID safe environment.

ITEM 15.5	NOTICE OF MOTION NO 44/2021 - TOY LIBRARY
TRIM FILE REF	2021/701610
ATTACHMENTS	NIL

Submitted by: Councillor Natalie Warren

MOTION

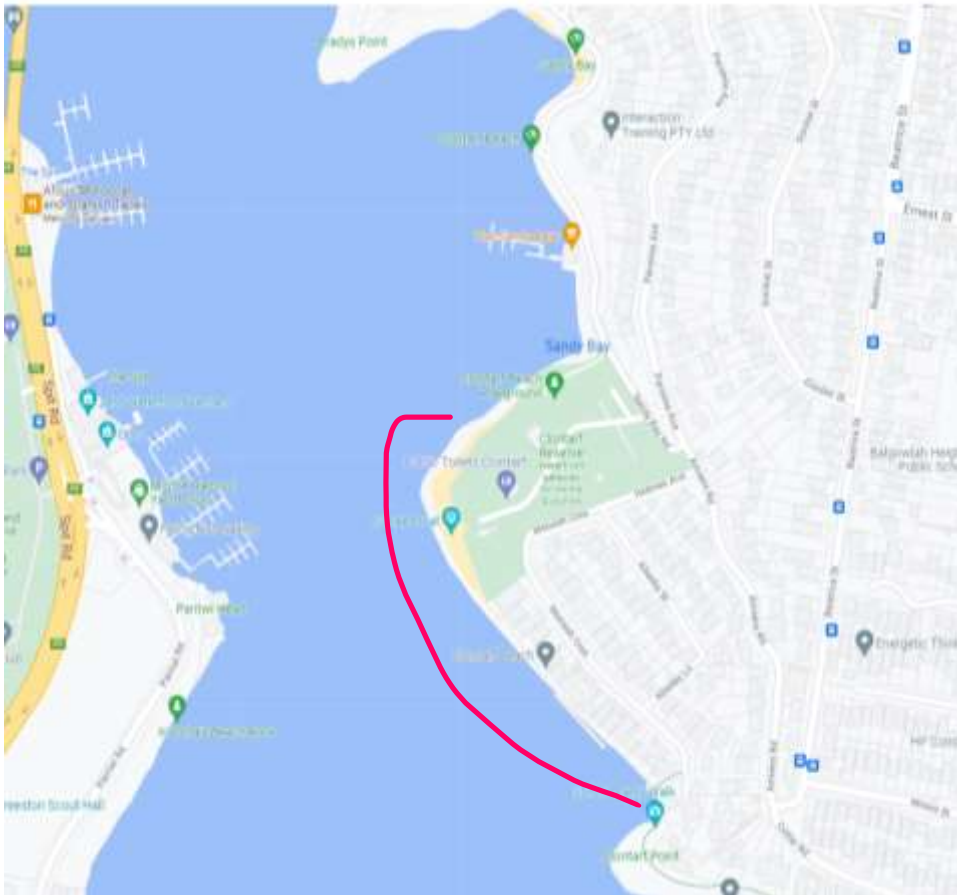
That Council:

1. Request staff to bring a report back to Council within 4 months detailing how a new Council run toy library could be set up over the 2022-23 financial year, including potential locations, and operating and funding options.
2. Conduct community engagement on the toy library concept within the same time.

BACKGROUND FROM COUNCILLOR NATALIE WARREN

The objectives of a toy library are to increase sustainability and to be a community based service that would potentially foster greater social cohesion. There are so many cheap plastic toys marketed to children that break or they get bored of within five minutes, and so if we can reduce this by operating a borrowing facility instead then it means less waste, less dumped plastic, lower emissions plus greater variety of stimulating toys for children.

There are toy libraries operating in many LGAs and a few different operating models. This motion calls for a report to discuss the options for a Council run Northern Beaches toy library, including how and where to do this. Community engagement is also key.



16.0 QUESTIONS WITH NOTICE

ITEM 16.1	QUESTION WITH NOTICE NO 32/2021 - NORTHERN BEACHES 2021 NEW YEAR EVE FIRE WORKS
TRIM FILE REF	2021/725420
ATTACHMENTS	NIL

Submitted by: Councillor David Walton

QUESTION

The *Local Government Act 1993* requires Councillors to amongst other things:

- be an active and contributing member of the governing body;
 - make considered and well informed decisions as a member of the governing body;
 - represent the collective interests of residents, ratepayers and the local community; and
 - facilitate communication between the local community and the governing body.
1. Why were the majority of Councillor not consulted regarding a decision for the Northern Beaches Council to conduct the 2021 NYE fireworks across the Northern Beaches in relation to risks, costs and the views of the community during this pandemic?
 2. Is it acceptable that the majority of the Councillors read about this important decision during this pandemic in the media?

RESPONSE

1. Councillors were briefed on the current situation for FY22 Events on Tuesday 14 September. This included alternate options, similar to 2020, should Council's standard events not be able to proceed under NSW Health Orders.
2. A memo was sent to Councillors on Friday 15 October, prior to the media release on NYE events going out.

17.0 RESPONSES TO QUESTIONS WITH NOTICE

ITEM 17.1	RESPONSE TO QUESTION WITH NOTICE NO 31/2021 - FIRE TRAILS ALLEGEDLY NOT MAINTAINED IN INGLESIDE
TRIM FILE REF	2021/658820
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. Is Council responsible for maintaining the fire trails in Ingleside?
2. If so, how regularly does Council undertake risk assessments of the fire trails in Ingleside and on what date was the last inspection?
3. I refer to the below photos, can Council please undertake maintenance work on these trails or liaise with the responsible Authority to do so, to prevent fire in summer?



Picture 1. Crown Land section (Not Council Land)



Picture 2. Laurel Fire Trail – Part Council /Part Crown Land

RESPONSE

1. Is Council responsible for maintaining the fire trails in Ingleside?

The majority of the fire trails in and around Ingleside are maintained and managed by National Parks with some smaller sections maintained by Council and Crown Lands.

Council is only responsible for maintaining two sections of the fire trail network in the suburb of Ingleside. These include:

- Laurel Fire Trail - approximately 330 metres of the Laurel Fire Trail between Laurel Road East and Mona Vale Road, Ingleside.
- Gilwinga Walters South Fire Trail – approximately 210 metres of the Gilwinga Walters South Fire Trail from Walter Road, Ingleside south, towards the telecommunications tower.

Both of these fire trails are listed as 'Tactical Category 1' in the draft Northern Beaches Bush Fire Management Committee's Fire Access and Fire Trail (FAFT) Plan, and are unlikely to be of strategic significance in a bush fire event.

Council is not responsible for the maintenance or upkeep of any other fire trails identified in the FAFT in the suburb of Ingleside, including sections of the above trails that are not on Council land.

2. If so, how regularly does Council undertake risk assessments of the fire trails in Ingleside and on what date was the last inspection?

Council proactively inspects its fire trail network annually prior to the commencement of the Bush Fire Danger Period to ensure that it is accessible in the event of a bush fire. Council also inspects the network as required throughout the year.

Council land on the Laurel Fire Trail was last inspected on 25 August 2021 and it was identified that vegetation and surface maintenance works were required along portions of the trail.

The Gilwinga Walters South Fire Trail was last inspected on 22 September 2021 and no works are required on Council-owned land (sealed section). The Crown Land section, shown in Picture 1, has been referred on to the Crown and Rural Fire Service (RFS) for reassessment as a fire trail.

3. I refer to the below photos, can Council please undertake maintenance work on these trails or liaise with the responsible Authority to do so, to prevent fire in summer?

In relation to the first photo, Council understands that this area is a section of the Gilwinga Walters South Fire Trail off Council land. Council has inspected the section of the trail for which it is responsible and noted no maintenance works were required. Council has consequently forwarded concerns raised to the attention of Crown Land NSW and the NSW Rural Fire Service to action accordingly.

In relation to the second photo, Council has already begun planning for maintenance/upgrade works along the Laurel Fire Trail and intends to project manage these works for the entire trail in the coming weeks. Council is currently following up consent with Crown Land NSW, environmental approval and a quote from a suitably qualified contractor. Council intends to undertake the required maintenance works with grant funding support from the NSW Rural Fire Service. Council has also referred concerns raised to both Crown Land NSW and the NSW Rural Fire Service.

The NSW Rural Fire Service, as per the requirements of the *Rural Fires Act 1997*, are responsible for determining complaints about fire trails. The NSW Rural Fire Service have acknowledged Council's planned maintenance works for the Laurel Fire Trail.

18.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

1. In accordance with the requirements of section 10A of the Local Government Act 1993 as addressed below, Council resolve to close the meeting to the public to consider and discuss:
 - A. Item 18.1 Major Event on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report provides advice concerning commercial partnership. On balance the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - B. Item 18.2 Exemption from Tendering for Leadership Training on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning the procurement of services for a Leadership Development Program. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would release commercial in confidence information.
 - C. Item 18.3 RFT 2021/105 - Coast Walk Public Art - McKillop Park, Freshwater on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - D. Item 18.4 RFT 2021/081 - Stormwater Works Panel on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - E. Item 18.5 RFT 2021/064 - Catering Services Panel (Addendum) on the basis that it involves the receipt and discussion of commercial information of a confidential nature

that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- F. Item 18.6 RFT 2021/160 - Provision of Swimming Squad Coaching Services at the Warringah Aquatic Centre on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

2. The resolutions made by the Council in Closed Session be made public after the conclusion of the Closed Session and such resolutions be recorded in the Minutes of the Council Meeting.

19.0 REPORT OF RESOLUTIONS PASSED IN CLOSED SESSION

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



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