

AGENDA

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

Tuesday 26 April 2022

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 April 2022
at the Civic Centre, Dee Why
Commencing at 6:00pm**

| | | |
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1.0 ACKNOWLEDGEMENT OF COUNTRY

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

2.0 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND REMOTE ATTENDANCE

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.

In accordance with Council resolution 286/21 requests by councillors to attend meetings remotely via audio-visual link will be considered by Council.

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 22 MARCH 2022

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held 22 March 2022, 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 6/2022 - RECOGNITION OF NARRABEEN CHILDREN'S CENTRE |
| TRIM FILE REF | 2022/206910 |
| ATTACHMENTS | NIL |

BACKGROUND

Narrabeen Children's Centre has won an Environmental Program Excellence Award at the 2021 Australian Childcare Alliance NSW - Excellence in Early Childhood Awards last month.

These annual awards celebrate the best of the best in NSW's early childhood education sector. Our educators and staff at the Narrabeen Children's Centre share a collective passion for environmental awareness, sustainability and custodianship and came together as a team to win the award.

Back in February 2020, the centre revised its service philosophy to really capture the essence of what the staff believed in, as educators and as a team. They were also guided by many principles and practices of the Early Years Learning Framework, the Northern Beaches Children's Services Reconciliation Action Plan, Indigenous concepts of custodianship and from research and current trends and practices.

Their success not only reflects this transformation but celebrates a team of professionals who continually create settings where the children experience enjoyable and respectful relationships with people and the environment. I understand that each educator took on a leadership role that aligned with their personal strengths and abilities including an educator, who is also a visual artist, being responsible for the lead on our environmental art installations. Another team member, who is an experienced gardener and composter, provided tips for their garden. Apparently the children love growing vegetables and herbs and these are used to prepare the children's meals.

The kitchen's food waste is then sent to a local community member, who feeds it to her chickens and worms. This initiative alone saves 35kg of waste from being placed in the bin. I'm sure you will all agree it is great to hear that our children's services are doing their part to be more sustainable and environmentally friendly.

As elected representatives, we understand the high importance to ensure we deliver high quality services to our community. This recognition is a reminder of how fortunate we are to have dedicated and committed staff who are continuously looking to improve the sustainability of the future.

MOTION

That Council acknowledge and thanks the efforts of the staff at the Narrabeen Children's Centre with regards to receiving the Environmental Program Excellence Award at the 2021 Australian Childcare Alliance NSW - Excellence in Early Childhood Awards.



Michael Regan
MAYOR

| | |
|----------------------|--|
| ITEM 7.2 | MAYORAL MINUTE NO 7/2022 - RECOGNITION AT THE INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA - EXCELLENCE AWARDS |
| TRIM FILE REF | 2022/230523 |
| ATTACHMENTS | NIL |

BACKGROUND

Council was recently recognised at the Institute of Public Works Engineering Australasia (IPWEA) NSW Division - Excellence Awards for the Richard Road reconstruction project undertaken on Scotland Island.

These awards promote and recognise excellence within Local Government and Public Works Projects. They focus particularly on inspiration, innovation development and completion of projects and technical management.

Access around Scotland Island comprises narrow single lane roads, many of which are unsealed and do not have formal drainage. Council worked with the Scotland Island Residents Association to prioritise various roadworks projects to improve all weather access and safety around the island. These works comprised drainage, retaining walls, pavement reconstruction and sealing works.

I understand these works were not simple given the complexities of the location and accessibility issues and proved very difficult from the start of the planning phase through to completion. In the end we have been able to deliver safer and all-weather access for the residents of Scotland Island while maintaining the unique characteristics of the Island. I would like to thank our staff who do incredible work, day in and day out.

I ask Councillors to join me in acknowledging the efforts of our Transport and Civil Infrastructure team for their efforts and thank them for their dedication to working with the community to achieve great outcomes for our community.

MOTION

That Council:

1. Formally acknowledge the outstanding achievement in receiving an Excellence Award for the Richard Road reconstruction project on Scotland Island at the recent 2022 Institute of Public Works Engineering Australasia (IPWEA) NSW and ACT Division Excellence Awards.
2. Acknowledge the efforts of staff within the Transport and Civil Infrastructure team and all staff involved with delivering this project to the community on Scotland Island.



Michael Regan
MAYOR

9.0 CORPORATE AND LEGAL DIVISION REPORTS

| | |
|-------------------|--|
| ITEM 9.1 | MONTHLY INVESTMENT REPORT - MARCH 2022 |
| REPORTING MANAGER | CHIEF FINANCIAL OFFICER |
| TRIM FILE REF | 2022/187586 |
| 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 section 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 \$160,133,548 comprising:

- Trading Accounts \$1,739,470
- Investments \$158,394,078

Performance over the period from 1 July 2021 to date exceeded the benchmark: 0.45%pa vs. 0.01%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*, section 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 31 March 2022, including the certification by the Responsible Accounting Officer.

REPORT

BACKGROUND

In accordance with section 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 \$529,859 compared to budgeted income of \$427,100, a positive variance of \$102,759.

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 Council's Investment Advisors, Laminar Capital Pty Ltd in November 2021. That review noted that there have been no changes to the Ministerial Investment Orders over the last 12 months and that the Policy and its frameworks continue to be appropriate for Council. Minor amendments are proposed to the Policy following consultation with Council's Investment Advisors and these were presented to the Audit, Risk and Improvement Committee at its meeting in December 2021.

The Investment Policy and proposed amendments were reviewed by the Audit, Risk and Improvement Committee at its meeting in December 2021. The minor amendments recommended to the Policy were approved by the Committee endorsing a report to Council detailing the proposed changes to the revised policy and placing it on public exhibition to enable community consultation.

Council's Investment Strategy was reviewed in November 2021 by Council's Investment Advisors, who noted that strategy remains at the conservative end relative to its peers and that where future cash flow allows, consideration should be given to lengthen the maturity term of the portfolio via the use of authorised deposit-taking institution (ADI) issued bonds and floating rate notes.

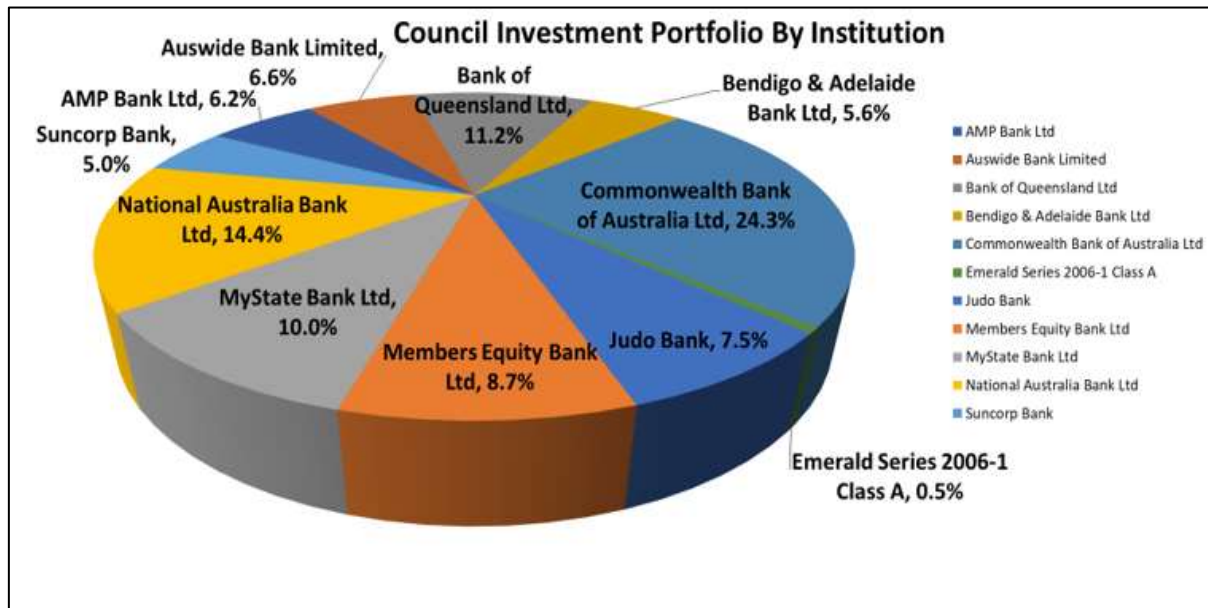
Investment Balances

| INVESTMENT BALANCES | | | | |
|------------------------------------|--------|------------------|------------------|------------------|
| As at 31-Mar-2022 | | | | |
| INSTITUTION | RATING | AMOUNT \$ | MATURITY DATE | INTEREST RATE |
| Trading Accounts | | | | |
| Commonwealth Bank of Australia Ltd | A1+ | 201,796 | | 0.15% |
| National Australia Bank Ltd | A1+ | 19,849 | | 0.00% |
| | | 221,645 | | |
| At Call Accounts | | | | |
| Commonwealth Bank of Australia Ltd | A1+ | 3,567,664 | At Call | 0.20% |
| | | 3,567,664 | | |
| Mortgage Backed Securities | | | | |
| Emerald Series 2006-1 Class A | A* | 769,227 | 21-Aug-51 | 0.5250% |
| | | 769,227 | | |
| Term Deposits | | | | |
| 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% |
| Bank of Queensland Ltd | A2 | 2,000,000 | 12-Apr-22 | 0.42% |
| 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% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 19-Apr-22 | 0.36% |
| Judo Bank | A3 | 2,000,000 | 19-Apr-22 | 0.57% |
| Members Equity Bank Ltd | A2 | 2,000,000 | 21-Apr-22 | 0.40% |
| Commonwealth Bank of Australia Ltd | A1+ | 2,000,000 | 26-Apr-22 | 0.37% |
| Judo Bank | A3 | 2,000,000 | 26-Apr-22 | 0.70% |
| Suncorp Bank | A1 | 2,000,000 | 28-Apr-22 | 0.32% |
| Members Equity Bank Ltd | A2 | 2,000,000 | 03-May-22 | 0.40% |
| MyState Bank Ltd | A2 | 2,000,000 | 05-May-22 | 0.60% |
| MyState Bank Ltd | A2 | 2,000,000 | 10-May-22 | 0.65% |
| Members Equity Bank Ltd | A2 | 2,000,000 | 10-May-22 | 0.40% |
| MyState Bank Ltd | A2 | 2,000,000 | 12-May-22 | 0.60% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 17-May-22 | 0.38% |
| Judo Bank | A3 | 2,000,000 | 19-May-22 | 0.86% |
| Judo Bank | A3 | 2,000,000 | 24-May-22 | 0.88% |
| Bendigo & Adelaide Bank Ltd | A2 | 2,000,000 | 26-May-22 | 0.40% |
| MyState Bank Ltd | A2 | 2,000,000 | 31-May-22 | 0.65% |
| AMP Bank Ltd | A2 | 2,000,000 | 07-Jun-22 | 0.75% |
| Judo Bank | A3 | 2,000,000 | 07-Jun-22 | 0.92% |
| MyState Bank Ltd | A2 | 2,000,000 | 09-Jun-22 | 0.65% |
| MyState Bank Ltd | A2 | 2,000,000 | 14-Jun-22 | 0.65% |
| Suncorp Bank | A1 | 2,000,000 | 16-Jun-22 | 0.40% |
| AMP Bank Ltd | A2 | 1,100,000 | 21-Jun-22 | 0.75% |
| MyState Bank Ltd | A2 | 2,000,000 | 21-Jun-22 | 0.65% |
| AMP Bank Ltd | A2 | 900,000 | 21-Jun-22 | 0.75% |
| Members Equity Bank Ltd | A2 | 2,000,000 | 23-Jun-22 | 0.50% |
| Auswide Bank Limited | A2 | 2,500,000 | 23-Jun-22 | 0.65% |
| MyState Bank Ltd | A2 | 2,000,000 | 28-Jun-22 | 0.65% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 28-Jun-22 | 0.51% |
| Judo Bank | A3 | 2,000,000 | 30-Jun-22 | 0.82% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 05-Jul-22 | 0.51% |
| AMP Bank Ltd | A2 | 1,500,000 | 05-Jul-22 | 1.00% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 05-Jul-22 | 0.45% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 07-Jul-22 | 0.52% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 12-Jul-22 | 0.52% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 14-Jul-22 | 0.52% |

| INVESTMENT BALANCES | | | | |
|--|--------|--------------|------------------|------------------|
| As at 31-Mar-2022 | | | | |
| INSTITUTION | RATING | AMOUNT \$ | MATURITY DATE | INTEREST RATE |
| Term Deposits (continued) | | | | |
| National Australia Bank Ltd | A1+ | 2,000,000 | 19-Jul-22 | 0.53% |
| National Australia Bank Ltd | A1+ | 2,000,000 | 19-Jul-22 | 0.45% |
| AMP Bank Ltd | A2 | 2,000,000 | 21-Jul-22 | 1.00% |
| Bank of Queensland Ltd | A2 | 3,000,000 | 26-Jul-22 | 0.60% |
| Bendigo & Adelaide Bank Ltd | A2 | 2,000,000 | 28-Jul-22 | 0.45% |
| Bendigo & Adelaide Bank Ltd | A2 | 3,000,000 | 02-Aug-22 | 0.50% |
| Commonwealth Bank of Australia Ltd | A1+ | 2,000,000 | 04-Aug-22 | 0.40% |
| Members Equity Bank Ltd | A2 | 2,000,000 | 09-Aug-22 | 0.60% |
| Members Equity Bank Ltd | A2 | 2,000,000 | 11-Aug-22 | 0.60% |
| Bank of Queensland Ltd | A2 | 3,000,000 | 16-Aug-22 | 0.60% |
| Bank of Queensland Ltd | A2 | 2,000,000 | 18-Aug-22 | 0.60% |
| Bank of Queensland Ltd | A2 | 2,000,000 | 23-Aug-22 | 0.60% |
| Bendigo & Adelaide Bank Ltd | A2 | 2,000,000 | 25-Aug-22 | 0.55% |
| Bank of Queensland Ltd | A2 | 2,000,000 | 06-Sep-22 | 0.60% |
| Bank of Queensland Ltd | A2 | 2,000,000 | 08-Sep-22 | 0.60% |
| Auswide Bank Limited | A2 | 3,000,000 | 13-Sep-22 | 0.80% |
| Auswide Bank Limited | A2 | 2,000,000 | 15-Sep-22 | 0.80% |
| Suncorp Bank | A1 | 1,000,000 | 20-Sep-22 | 0.88% |
| Auswide Bank Limited | A2 | 3,000,000 | 27-Sep-22 | 0.80% |
| National Australia Bank Ltd | A1+ | 3,000,000 | 11-Oct-22 | 0.63% |
| Suncorp Bank | A1 | 3,000,000 | 25-Oct-22 | 0.93% |
| AMP Bank Ltd | A2 | 2,500,000 | 14-Feb-23 | 1.00% |
| | | 128,500,000 | | |
| Kimbriki Environmental Enterprises Pty Ltd | | | | |
| Trading Accounts | | | | |
| Commonwealth Bank of Australia Ltd | A1+ | 1,517,825 | | 0.00% |
| | | 1,517,825 | | |
| At Call Accounts | | | | |
| Commonwealth Bank of Australia Ltd | A1+ | 118,061 | At Call | 0.01% |
| Commonwealth Bank of Australia Ltd | A1+ | 814,598 | At Call | 0.01% |
| | | 932,659 | | |
| Term Deposits | | | | |
| Commonwealth Bank of Australia Ltd | A1+ | 2,000,000 | 19-Apr-22 | 0.33% |
| Commonwealth Bank of Australia Ltd | A1+ | 2,000,000 | 28-Apr-22 | 0.33% |
| Commonwealth Bank of Australia Ltd | A1+ | 2,000,000 | 11-May-22 | 0.33% |
| Commonwealth Bank of Australia Ltd | A1+ | 2,000,000 | 09-Jun-22 | 0.32% |
| Commonwealth Bank of Australia Ltd | A1+ | 1,500,000 | 01-Jul-22 | 0.47% |
| Commonwealth Bank of Australia Ltd | A1+ | 2,000,000 | 01-Aug-22 | 0.53% |
| Commonwealth Bank of Australia Ltd | A1+ | 13,124,528 | 22-Aug-22 | 0.50% |
| | | 24,624,528 | | |
| Total Cash and Investments | | 160,133,548 | | |

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

Portfolio Analysis

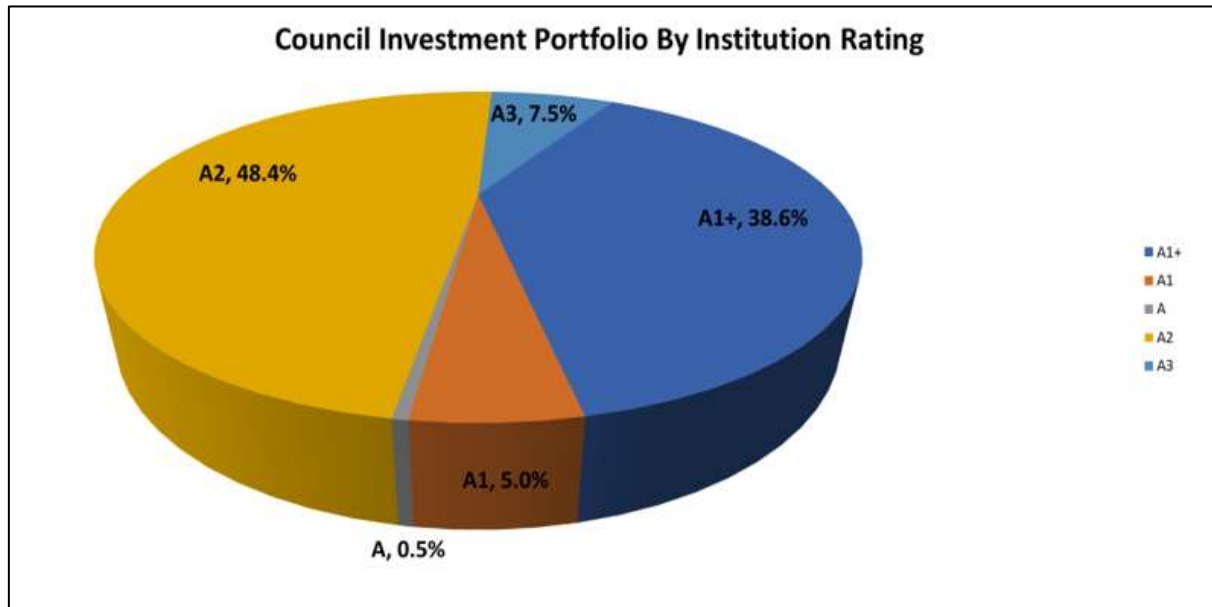


Institutional Credit Framework – Compliance with Investment Policy Requirements

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.



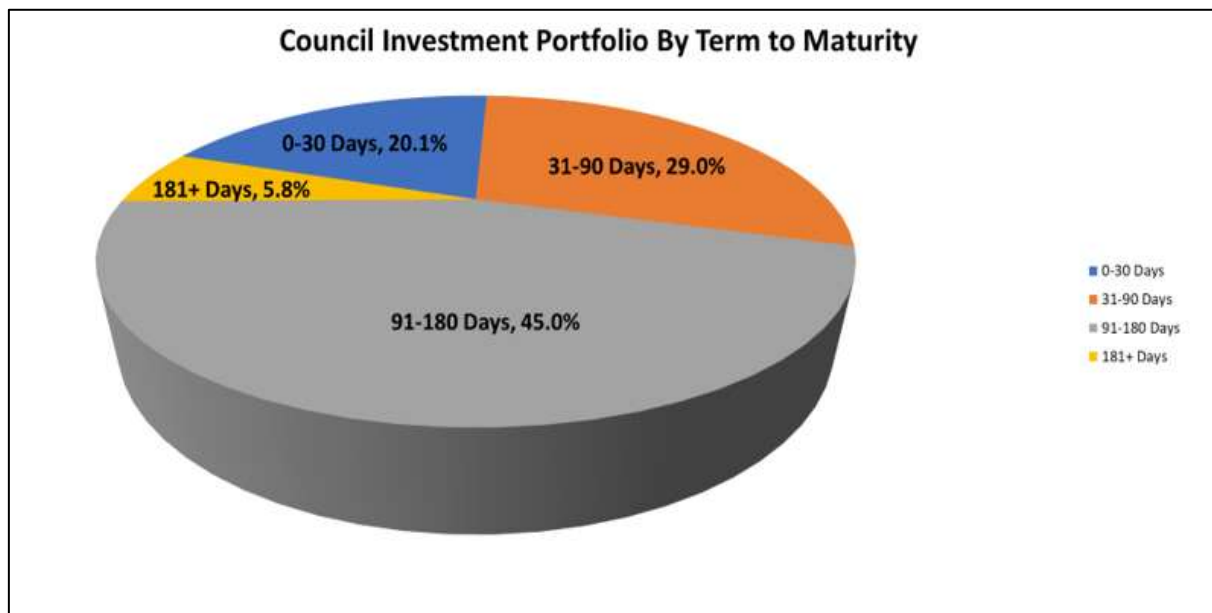
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

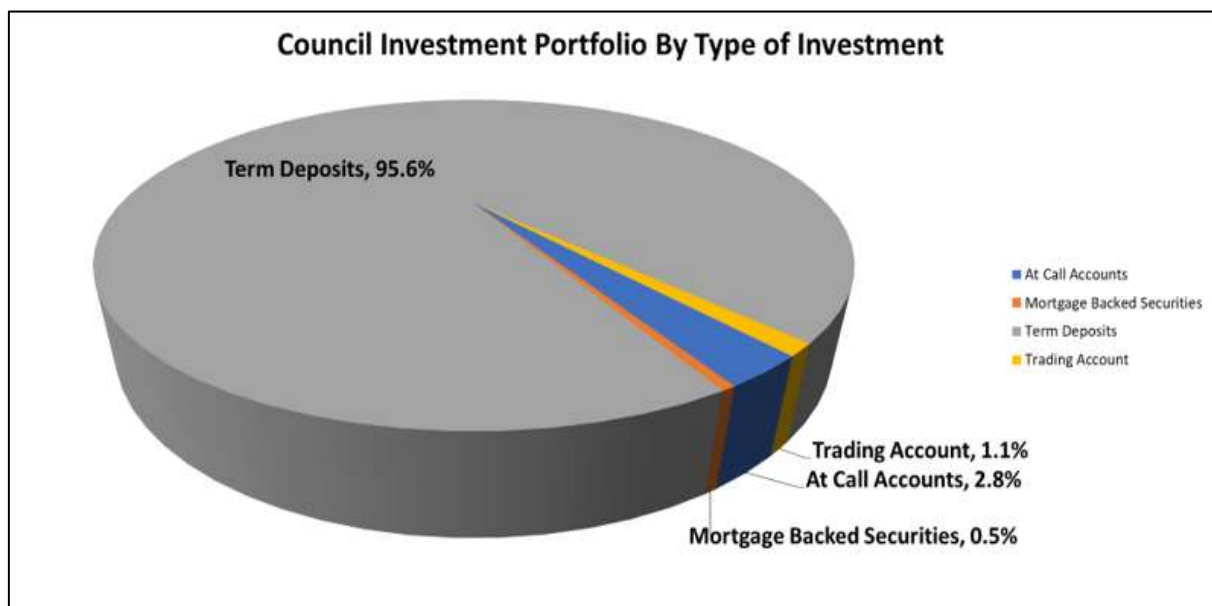
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities



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 |

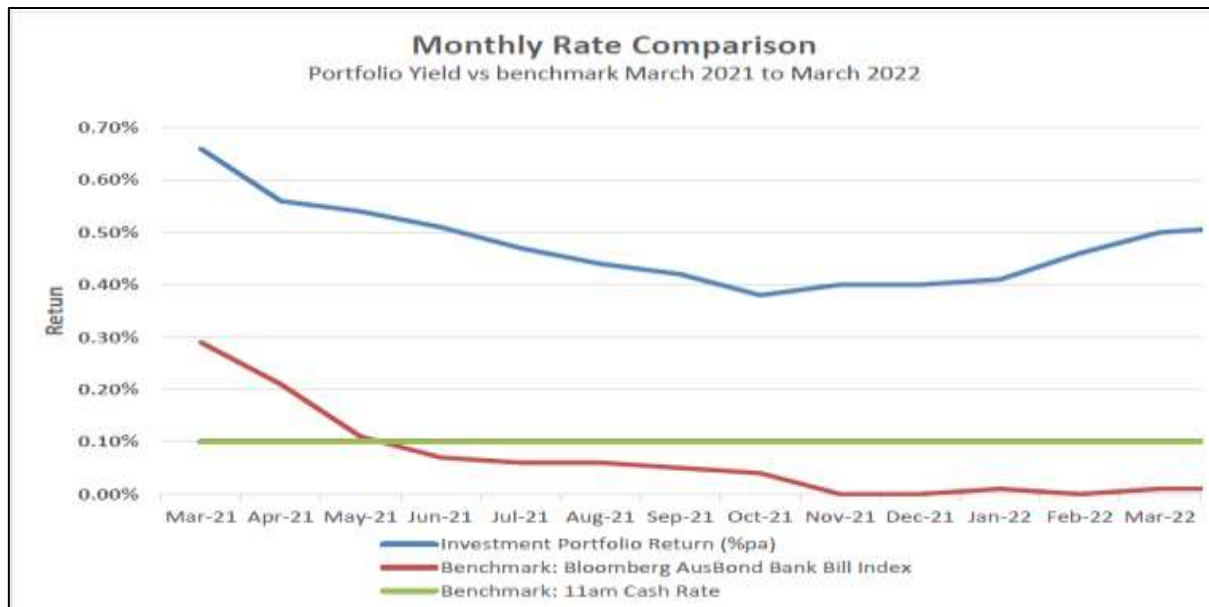


Investment Performance Vs. Benchmark

| | Investment Portfolio Return (%pa) * | Benchmark: Bloomberg AusBond Bank Bill Index | Benchmark: 11am Cash Rate ** |
|-----------|--|--|---------------------------------|
| 1 Month | 0.59% | 0.00% | 0.10% |
| 3 Months | 0.53% | 0.01% | 0.10% |
| 6 Months | 0.48% | 0.01% | 0.10% |
| FYTD | 0.45% | 0.01% | 0.10% |
| 12 Months | 0.46% | 0.03% | 0.10% |

* Excludes trading account balances

** This benchmark relates to Cash Fund holdings

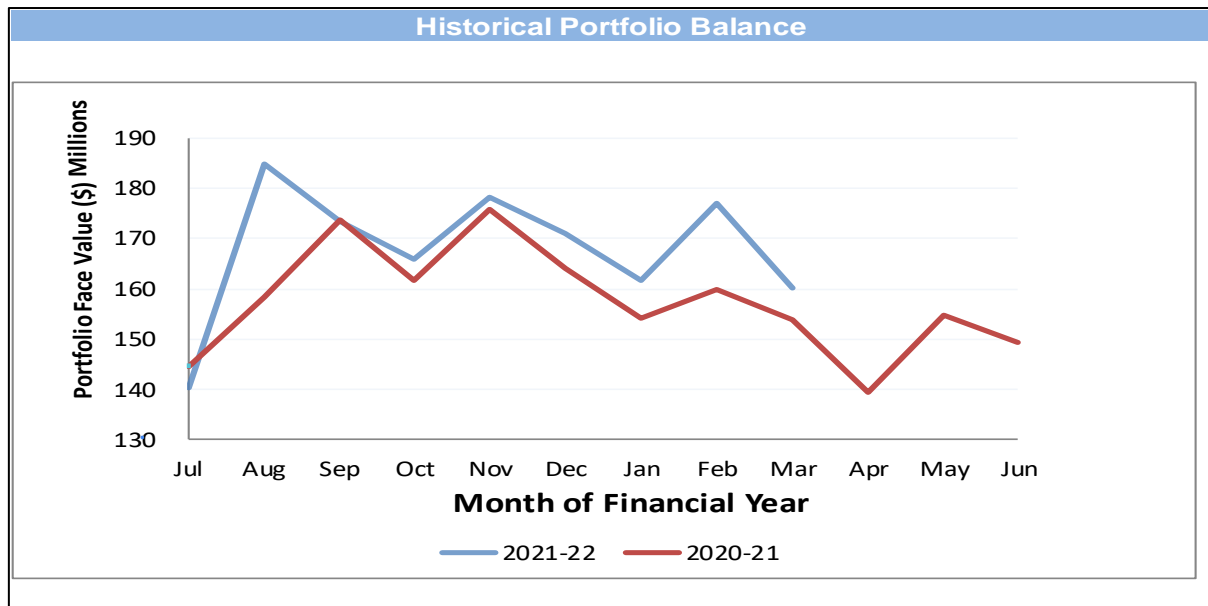


Monthly Investment Income* Vs. Budget

| | Mar 2022 \$ | Year to Date \$ |
|---------------------------|----------------|--------------------|
| Investment Income | 77,152 | 515,552 |
| Adjustment for Fair Value | 4 | 14,307 |
| Total Investment Income | 77,156 | 529,859 |
| | | |
| Budgeted Income | 45,600 | 427,100 |

* 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 | 166,006,688 | 161,704,389 |
| Nov | 178,085,861 | 175,913,936 |
| Dec | 170,911,655 | 163,952,299 |
| Jan | 161,545,259 | 154,102,219 |
| Feb | 176,973,362 | 159,915,952 |
| Mar | 160,133,548 | 153,861,974 |
| Apr | | 139,392,596 |
| May | | 154,616,319 |
| Jun | | 149,441,669 |
| Average Portfolio Balance | 167,992,456 | 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)

In March, high inflation and what central banks might do to tackle it was the dominant theme in financial markets. Government bond markets suffered their worst month in 30 years with yields up sharply responding to fear of aggressive hikes in official interest rates by central banks. The US Federal Reserve (Fed) facing sustained high US inflation caused by strong growth which is stretching disrupted supply chains and showing signs of being sustained by rising wages, talked about the need for regular and bigger rate hikes. It delivered at its March policy meeting a minimal 25 basis point (bps) rate hike taking the Federal Funds up to 0.25% to 0.50% range to combat US inflation at 7.9% y-o-y in February and expected to be above 8% in March.

The US S&P 500 rose by 3.6% in March helped by evidence of continuing strength in the US economy. While higher interest rates may slow the pace of US economic growth down the track there is near-term momentum for business and household spending from current rapid economic growth, a strong labour market, past build-up of wealth and savings and continuing lift in government spending. The strong US economy is providing most US businesses with growing sales volume and ability to price higher with higher inflation yet to be staunch by Fed policy action running much softer than its tough talk.

US economic readings released in March and early April still show current strong economic growth and prospects. The labour market is very strong with March nonfarm payrolls up 431,000 after lifting an upwardly revised 750,000 in February. The unemployment rate fell from 3.8% in February to 3.6% in March and is lower than where it stood at the start of the pandemic early in 2020. Annual growth in average hourly earnings accelerated to 5.6% y-o-y in March from 5.2% in February. Importantly, weekly initial jobless claims are hovering very low around the 200,000 level among the lowest readings in 50 years and mark continuing labour market tightness and likelihood of several more months of big increases in nonfarm payrolls, falling unemployment and higher wages.

In Australia, the bond market sell-off in March was more pronounced than in the United States with the 10-year bond yield rising by 70bps to 2.83% although shorter-maturity bond yields rose a little less and the bond yield curve is still positively shaped as it should be in an economy exhibiting strong growth with growing inflation but a central bank still being patient before starting to hike the cash rate.

The most recent Australian economic growth reading for Q4 2021 was exceptionally strong, up in real terms by 3.4% q-o-q, 4.2% y-o-y (more than 10% y-o-y in current price terms). Australian households are spending up after being restrained periodically in lockdowns during 2021 and now with the promise that we are living with Covid, and lockdowns will not return. Retail spending growth was very strong in Q4 2021 and is still lifting rapidly early in 2022 with retail sales up 1.8% m-o-m in both January and February.

Post lockdowns' employment has rebounded strongly taking the unemployment rate down to 4.0% in February. The Federal Budget last week is providing more money to households over the next few months with a \$250 one-time higher cost-of-living compensation payment to government pensioners and a \$420 additional tax rebate to low-to-middle income taxpayers. A halving of Government excise duty on petrol is already cutting the high cost of petrol that was starting to impact household budgets.

Apart from the more than \$A8 billion near-term government largesse for households, the Ukraine War has added to high commodity prices boosting the incomes of Australian resource companies. Australia's strong economic growth rate with a tightening labour market looks set to continue as recognised in Treasury's economic forecasts released with the Budget. Treasury forecasts 2021-22 real GDP growth at 4.25% but up 10.75% in nominal terms.

| | |
|--------------------------|--|
| ITEM 9.2 | PUBLIC EXHIBITION OF THE DRAFT COMMUNITY STRATEGIC PLAN 2022-2032, RESOURCING STRATEGY, DELIVERY PROGRAM 2022-2026, OPERATIONAL PLAN AND BUDGET 2022/23 AND PRICING POLICY |
| REPORTING MANAGER | EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS |
| TRIM FILE REF | 2022/022857 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒ Draft Community Strategic Plan 2040 (Included In Attachments Booklet) 2 ⇒ Draft Resourcing Strategy (Included In Attachments Booklet) 3 ⇒ Draft Delivery Program 2022-2026 and Operational Plan 2022/23 (Included In Attachments Booklet) 4 ⇒ Draft Fees and Charges 2022/23 (Included In Attachments Booklet) 5 ↓ Draft Pricing Policy 6 ⇒ Community Engagement Report - exhibition of Community Strategic Plan discussion paper (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To seek Council approval to place on exhibition the:

- Draft Community Strategic Plan 2040
- Draft Resourcing Strategy 2022-2032
- Draft Delivery Program 2022-2026 and Operational Plan 2022/23 (including the Budget and Fees and Charges), and
- Revised Pricing Policy.

EXECUTIVE SUMMARY

Councils in NSW need to revise and adopt a new Integrated Planning and Reporting Framework (IP&RF) by 30 June 2022. Our IP&RF has been revised and includes:

- Draft Community Strategic Plan 2040 – two stages of community engagement has guided the review. The feedback confirms overall support and longevity out to 2040 for the vision, outcome areas, goals and strategies.
- Draft Resourcing Strategy 2022-2032 – this includes an updated Workforce Management Plan, Long-Term Financial Plan, Asset Management Policy, Strategy and Plan.
- Draft Delivery Program 2022-2026 and Operational Plan 2022/23 (including the Budget and Fees and Charges) – the Delivery Program outlines the Council's priorities over the next four years to deliver the goals in the Community Strategic Plan. It addresses Council's operations and allocates responsibility areas for each action. The draft Operational Plan 2022/23 (including the Budget and Fees and Charges) is a subset of the Delivery Program and details the specific actions Council will deliver during the year.

In accordance with the *Local Government Act 1993* the documents need to be exhibited for a minimum of 28 days. The outcomes of this exhibition will be reported back to Council for consideration prior to adopting the IP&RF.

An overview of the Operational Plan and Budget is below. The 2022/23 budget projects a total expenditure of \$443 million, including a capital works program of \$85 million. It shows that our financial position is sound, with a projected Operating Surplus before Capital Grants and Contributions of \$9 million and a balanced budget position. A further \$5 million in loan repayments will also be made during the year, reducing the loans balance to \$12 million by 30 June 2023.

Following significant events in recent years including storms, bushfire threats and the COVID-19 pandemic, restoration of working capital funds is a priority over the four years of the Delivery Program. Working capital provides funding to respond to unexpected events, invest in new opportunities, and ensure a financially sustainable position into the future.

Highlights of the \$85 million capital works program include:

- Resurfacing 10.7km of roads across 25 suburbs
- 38 footpath renewal projects across 16 suburbs
- 3.5km of new footpath in 10 suburbs
- \$1.8m boardwalk at Manly Dam Reserve
- \$1.6m upgrade to the Lynne Czinner Park, Warriewood
- Foreshore upgrades at Little Manly Beach, Mona Vale Beach and Warriewood Beach
- \$7.7m of stormwater works, new and renewal
- New fitness equipment for Lionel Watts, Belrose, and Forestville War Memorial Playing Fields
- Tidal pool renewal at Clontarf Beach and at Paradise Beach, Avalon
- \$2.1m of new playgrounds in Frenchs Forest at Brickpit, Rabbett and Akora Reserves.

This Operational Plan and Budget relies on maintaining the level of rates income anticipated in the 2021-2025 Delivery Program for the 2022/23 financial year. This will require an application to the IPART for approval to maintain Council's forecast rate increase of 2.4% and the planned expenditure program for these funds. Maintaining rates at this level is essential in providing sufficient funding each year for the renewal of community infrastructure assets.

A review of the Council's Pricing Policy has also been undertaken, with minor changes to the policy proposed.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That:

1. In accordance with essential elements 1.6, 3.10, 4.10 and 4.25 of the *Integrated Planning and Reporting, Guidelines for Local Government in NSW 2021*, the following draft documents be exhibited for a minimum of 28 days:
 - A. Community Strategic Plan 2040
 - B. Resourcing Strategy 2022-2032
 - C. Delivery Program 2022-2026 and Operational Plan 2022/23 (including Fees and Charges 2022/23)
 - D. Pricing Policy.
 2. The outcomes of the public exhibition be reported back to Council.
 3. Council make an application to the Minister for Local Government through the Independent Pricing and Regulatory Tribunal, under Section 508(2) of the Local Government Act, 1993, for a permanent single year special variation to general (rates) income of 2.4% (including the rate peg of 0.7%) for the 2022/23 financial year, noting the following:
 - A. Council will receive approximately \$3,013,413 in additional income in the 2022/23 financial year if the special variation is approved (on top of the forecast \$1,240,817 million provided through the IPART rate peg of 0.7%), which maintains rates income at the level expected in the 2022/23 financial year.
 - B. The special variation is required to deliver the programs anticipated in the Council's 2021-2025 Delivery Program for the 2022/23 financial year. A permanent increase is essential to maintain financial sustainability in balance with responsible expenditure on the renewal of infrastructure assets.
 - C. Council has considered the impact on ratepayers and the community in the 2022/23 financial year and in future years if the special variation is approved and considers that it is reasonable.
 4. Council delegate authority to the Chief Executive Officer to do all things necessary in order to give effect to this resolution.
-

REPORT

BACKGROUND

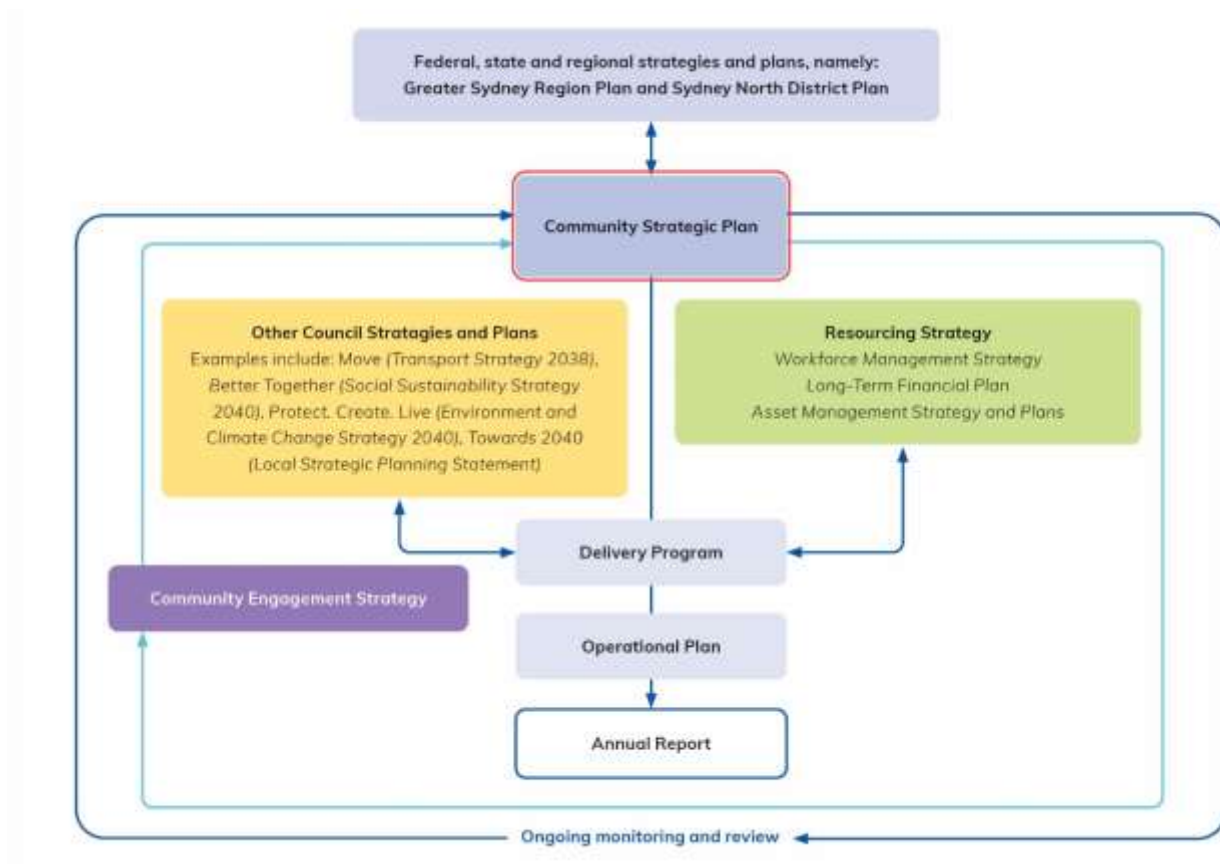
The *Local Government Act 1993* (the Act), sections 402 to 405 and *Integrated Planning and Reporting Guidelines (2021)* require every NSW council to review and update their Integrated Planning and Reporting Framework (IP&RF) in consultation with its community following each ordinary local government election.

The IP&RF comprises:

- Community Strategic Plan (CSP) - the highest-level plan that a council will prepare with an outlook of at least 10 years. The CSP identifies the community's main priorities and aspirations for the future and strategies for achieving these goals.
- Resourcing Strategy - the people, asset and financial, resources available to Council to support progress towards the goals in the CSP. It includes a four-year Workforce Strategy and 10 year Long-Term Financial Plan, Asset Management Strategy and Plan
- Delivery Program - the principal activities Council will undertake in response to the CSP goals over four years
- Annual Operational Plan - the individual projects that will be undertaken in that year.

The revised Framework needs to be adopted by 30 June in the year following the election. See Figure 1.

Figure 1: Integrated Planning and Reporting Framework



Community Strategic Plan

The current CSP, SHAPE 2028 was developed in consultation with the community and adopted by Council on 17 April 2018. It has an outlook to 2028.

The review of the CSP is well advanced with two stages of engagement complete:

- Stage 1 - Research Phase – involved qualitative analysis of all community engagement completed from June 2018 to June 2021. It also included four focus groups to test significant changes in community sentiment.
- Stage 2 – Community Strategic Plan Discussion Paper – the exhibition of the Discussion Paper shared the findings from the Research Phase and also sought broader community feedback on the aspirations in the CSP, including testing the longevity of the outcomes, goals and strategies to 2040.

The Community Strategic Plan Discussion Paper was on exhibition from 2 February to 2 March 2022. It was promoted through email newsletter (EDM) channels, social media and a YouTube video. Targeted engagement was also undertaken with key stakeholders.

A total of 55 submissions were received on the Discussion Paper and are detailed in the Community and Stakeholder Engagement Report at **Attachment 6**. The feedback confirmed overall support and longevity out to 2040 of the current vision, outcome areas, goals and strategies. Community feedback as well as Councillor and internal feedback resulted in over 60 revisions to the vision, outcomes, goals and strategies to reposition the document. Some of the key revisions include:

- Updating the vision statement to recognise the diversity that exists demographically, culturally and economically on the Northern Beaches:
Northern Beaches - a safe, diverse, inclusive and connected community that lives in balance with our extraordinary coastal and bushland environment.
- Amending the title of the Places for People outcome to Housing, Places and Spaces to reflect the significant challenge of accessing diverse and affordable housing for members of the community. This also included similar revisions to strengthen goals and strategies under this outcome.
- Changes to reduce overlapping between outcomes and goals
- Revisions to better align the CSP with other lead strategies adopted by Council after April 2018 - Move (Transport Strategy 2038), Protect. Create. Live (Environment and Climate Change Strategy 2040), Towards 2040 (Local Strategic Planning Statement) and Better Together (Social Sustainability Strategy 2040)
- Revisions to place greater emphasis on resilience from an environmental, social, economic and civic perspective
- Amendments to strategies to recognise the value of shopping and working locally to support business.

The Community and Stakeholder Engagement Report at **Attachment 6** includes a complete list of revisions to the CSP (see Appendix 2) as well as a summary of the issue in the submissions and how they align to the CSP (see Appendix 1).

The revised draft Community Strategic Plan 2040 is at **Attachment 1**.

Resourcing Strategy

The revised draft Resourcing Strategy is at **Attachment 2**. The elements of the Resourcing Strategy are discussed below.

Workforce Strategy

A draft Workforce Strategy 2022-2026 has been developed to build the capacity and capability of our workforce to support the achievement of the CSP goals. The draft Strategy is based on four strategic priorities which are supported by range of deliverables. The strategic priorities are:

- Leadership Talent - Attract, identify and develop high performing leadership talent for the future
- Digital Transformation - Build future workforce capacity by developing a capable, agile and resilient workforce
- Wellbeing and Safety - Integrate safety and wellbeing solutions for staff resilience
- Diversity, Equity and Inclusion - Shape a desired organisational culture aligned to the customer experience.

Asset Management Policy, Strategy and Plan

The asset management policy, strategy and plan have been revised. They provide a foundation for sustainable, consistent, and sound asset management practices to support the achievement of CSP goals. Council is responsible for \$5.6 billion of assets, including infrastructure assets, land and other assets.

The draft Policy has been updated and is framed around five principles and nine objectives. It forms an attachment to the Asset Management Strategy.

The draft Asset Management Strategy identifies assets that are critical to Council's operations and risk management strategies for these assets. It also includes actions to improve our asset management capability over the next 10 years.

The draft Asset Management Plan covers all the assets under Council's control based on asset classes. It includes long term projections of asset maintenance, rehabilitation and replacement, including forecast costs. A 10-year action improvement plan is also included.

Long-Term Financial Plan

Council's Long-Term Financial Plan (LTFP) has been reviewed and updated as a rolling 10-year projection of Council's income and expenditure, assets and liabilities and cashflow. Updates have been made alongside the revision of Council's CSP, Asset Management Plan and Workforce Strategy and include revised assumptions and indexation and financial modelling for two scenarios.

The two scenarios considered in the LTFP are:

- **Maintain 2.4% permanent rate increase in 2022/23** – this option is based on Council's planned level of income and expenditure for the 2022/23 financial year and ongoing programs. This option demonstrates a strong financial position and responsible investment in the ongoing renewal of infrastructure assets. This model is consistent with the draft 2022/23 Budget.

- **0.7% rate peg in 2022/23** – this option applies the IPART’s rate peg to increase rates income in the 2022/23 financial year, which results in \$3 million less income in that year, and \$34 million over the 10 years of the plan. While performance benchmarks are met, the results are weaker especially regarding asset renewal and operating performance.

Financial sustainability and borrowing principles have been incorporated into the LTFP. The following policies of the three former councils (Manly, Pittwater and Warringah) also include similar principles:

- Manly **Council** ‘Loan Borrowing and Overdraft Policy’
- Pittwater **Council** ‘Loan Borrowing Policy’
- Warringah **Council** ‘Financial Planning and Sustainability Policy’.

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

Following community consultation, in June 2022 we will propose Council consider adopting the revised LTFP and revoking the policies of the former Councils as they relate to matters now incorporated into the LTFP.

Delivery Program and Operational Plan

The Delivery Program 2022-2026 continues to respond to community priorities identified through extensive community engagement since 2017, including the engagement undertaken during the review of the CSP.

The document flows directly from the CSP with the 16 key Council services mapped from the community outcome to the goals that they support.

For each service, the document shows the following elements for the next four years:

- Ongoing services and programs
- Operational and capital projects
- Performance measures, with revised targets
- Income and expenditure.

The Operational Plan 2022/23 supports the continued delivery of high-quality services and key operational projects to ensure better outcomes for our community. It also includes a capital works program of \$85 million. Highlights include:

- Resurfacing 10.7km of roads across 25 suburbs
- 38 footpath renewal projects across 16 suburbs
- 3.5km of new footpath in 10 suburbs
- \$1.8m boardwalk at Manly Dam Reserve
- \$1.6m upgrade to the Lynne Czinner Park, Warriewood
- Foreshore upgrades at Little Manly Beach, Mona Vale Beach and Warriewood Beach

- \$7.7m of stormwater works, new and renewal
- New fitness equipment for Lionel Watts, Belrose, and Forestville War Memorial Playing Fields
- Tidal pool renewal at Clontarf Beach and at Paradise Beach, Avalon
- \$2.1m of new playgrounds in Frenchs Forest at Brickpit, Rabbett and Akora Reserves.

Budget Overview And Financial Forecasts

Draft Budget 2022/23

The 2022/23 budget projects total expenditure of \$443 million, including a capital works program of \$85 million. It shows that our financial position is sound, with a projected Operating Surplus before Capital Grants and Contributions of \$9 million and a balanced budget position. The \$9 million surplus from the operating budget contributes towards the funding required for the capital works program and a further \$5 million in loans repaid. The balance of funding is derived from capital grants and contributions, proceeds on the sale of vehicles, funding allocated to asset depreciation and the Council's cash reserves and working capital. With the application of all these funding sources the Council has achieved a balanced budget.

The proposed \$85 million capital works program responds to the priorities in the Community Strategic Plan for improving infrastructure, protecting our environment and provides attractive spaces where we can play sport or relax with friends and family. This investment includes \$41 million in asset renewal to improve the overall condition of our assets and to reduce ongoing operational costs associated with asset repair and maintenance. A further \$44 million will deliver high priority new assets to the community.

Efficiency savings

Council's focus is on continuing to achieve efficiency savings and reinvesting those into our community. Council has achieved a reduction in operating costs in the development of the 2022/23 draft budget of \$1.8 million. This includes efficiencies achieved through the introduction of new systems and processes and the optimisation of plant and fleet. We are continuing to work across the organisation to provide efficiency improvements and contain costs.

Financial Position and Performance

The Council's financial results over the past three financial years largely reflect the impact of the COVID-19 pandemic restrictions on operations and the support measures in place for the community. Significant events have also placed pressure on the Council's finances, including significant storms and bushfire preparation. This Delivery Program is focused rebuilding the Council's working capital into the future to support the resilience of the organisation to, again, sustain unexpected events into the future.

Uncertainty about the inflation outlook has challenged the preparation of this budget. The impact of inflation on costs will need to be closely monitored throughout the financial year. If the impacts threaten Council's ability to deliver services we will report back to Council to identify strategies to mitigate any issues.

The 2022/23 forecast operating surplus of \$9 million (excluding capital grants and contributions) provides an Operating Performance Ratio of 2.4%, a significant improvement on the -1.7% ratio forecast in 2021/22 and well above the industry benchmark of 0%.

Liquidity remains within the industry benchmark (1.50) with an Unrestricted Current Ratio 1.63x, meaning for every \$1.00 in current liabilities there is \$1.63 in current assets. Rebuilding working

capital following the significant events of the past two financial years provides a strengthening of this ratio over the four years of the Delivery Program, growing to 1.95 by 2025/26.

Net cashflow will be a negative \$19 million in 2022/23, primarily due to capital expenditure funded through working capital, grants and developer contributions received in the past. Net cashflow will return to a positive position from 2023/24.

| | Result 2020/21 \$ 'mil | Forecast 2021/22 \$ 'mil | Budget 2022/23 \$ 'mil | Projected 2023/24 \$ 'mil | Projected 2024/25 \$ 'mil | Projected 2025/26 \$ 'mil |
|--|------------------------------|--------------------------------|------------------------------|---------------------------------|---------------------------------|---------------------------------|
| Operating budget | | | | | | |
| Income | 366 | 400 | 392 | 389 | 397 | 409 |
| Operating expenses | (366) | (356) | (358) | (368) | (380) | (388) |
| Operating result | 0 | 44 | 33 | 21 | 17 | 21 |
| Less grants and contributions for capital projects | (27) | (50) | (24) | (13) | (9) | (11) |
| Operating result - excl capital income | (26) | (6) | 9 | 8 | 8 | 10 |
| Capital expenditure | | | | | | |
| New works | (35) | (69) | (41) | (16) | (10) | (8) |
| Renewal works | (39) | (40) | (44) | (46) | (49) | (53) |
| Total capital expenditure | (74) | (109) | (85) | (62) | (59) | (62) |
| Loan repayments | (5) | (5) | (5) | (3) | (2) | (2) |
| Cash and investments | | | | | | |
| Externally restricted | 30 | 26 | 21 | 21 | 26 | 33 |
| Internally restricted | 84 | 63 | 55 | 56 | 58 | 59 |
| Unrestricted | 33 | 18 | 13 | 16 | 17 | 21 |
| Total cash and investments | 147 | 107 | 89 | 93 | 102 | 114 |
| Cashflows | | | | | | |
| Net cash from operating activities | 75 | 83 | 77 | 73 | 71 | 78 |
| Net cash from investing activities* | (75) | (115) | (89) | (63) | (60) | (62) |
| Net cash from financing activities | (7) | (6) | (6) | (5) | (3) | (3) |
| Net increase / (decrease) in cash | (7) | (39) | (19) | 5 | 8 | 12 |
| * Exclude purchase and sale of investments | | | | | | |
| Financial position | | | | | | |
| Assets | 5,245 | 5,261 | 5,318 | 5,379 | 5,441 | 5,509 |
| Liabilities | (199) | (172) | (159) | (155) | (155) | (155) |
| Net Assets | 5,047 | 5,089 | 5,160 | 5,224 | 5,286 | 5,354 |

Performance measures

| | OLG | Result | Forecast | Budget | Projected | Projected | Projected |
|--|-----------|---------|----------|---------|-----------|-----------|-----------|
| | Benchmark | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 | 2025/26 |
| Budget Performance | | | | | | | |
| Operating Performance Ratio | >0% | -7.3% | -1.7% | 2.4% | 2.2% | 2.0% | 2.6% |
| <i>measures the extent to which a council has succeeded in containing operating expenditure within operating revenue</i> | | ✗ | ✗ | ✓ | ✓ | ✓ | ✓ |
| Own Source Operating Revenue Ratio | >60% | 87.4% | 81.6% | 89.6% | 92.6% | 93.3% | 93.2% |
| <i>measures fiscal flexibility. It is the degree of reliance on external funding sources</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Operational Liquidity | | | | | | | |
| Unrestricted Current Ratio | >1.5x | 1.7x | 1.6x | 1.6x | 1.8x | 1.8x | 1.9x |
| <i>represents a council's ability to meet short-term obligations as they fall due.</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage | < 5% | 3.9% | 3.8% | 3.7% | 3.7% | 3.8% | 3.8% |
| <i>expressed as a percentage of total rates and charges available for collection in the financial year</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Cash Expense Cover Ratio | > 3 mths | 5.2mths | 3.8mths | 3.2mths | 3.3mths | 3.5mths | 3.9mths |
| <i>liquidity ratio indicates the number of months a council can continue paying for its immediate expenses without additional cash inflow</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Liability and Debt Management | | | | | | | |
| Debt Service Cover Ratio | >2.00x | 2.8x | 5.7x | 8.3x | 11.0x | 15.1x | 17.1x |
| <i>measures the availability of operating cash to service loan repayments.</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Asset Management | | | | | | | |
| Building and Infrastructure Renewals Ratio | >100% | 117.2% | 103.6% | 109.4% | 114.8% | 115.2% | 115.7% |
| <i>assesses the rate at which these assets are being renewed against the rate at which they are depreciating</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Infrastructure Backlog Ratio | <2% | 1.50% | 1.49% | 1.44% | 1.41% | 1.37% | 1.33% |
| <i>ratio shows what proportion the infrastructure backlog is against the total net carrying amount of a council's infrastructure</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Asset Maintenance Ratio | >100% | 106.5% | 106.5% | 107.0% | 108.6% | 110.4% | 112.2% |
| <i>ratio compares actual versus required annual asset maintenance. A ratio of above 100% indicates that the council is investing enough funds that year to halt the infrastructure backlog from growing.</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Cost to bring assets to agreed service level | | 1.25% | 1.23% | 1.19% | 1.16% | 1.13% | 1.10% |
| <i>ratio shows what proportion the infrastructure backlog is against the total gross replacement cost of a council's infrastructure</i> | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

Revenue Policy

Additional Special Variation for Rates Income

The State Government via the Independent Pricing and Regulatory Tribunal (IPART) caps the total general income that may be raised from levying rates on property. IPART has determined that general income from rates in 2022/23 may increase by a maximum of 0.7%. This will challenge Council in meeting its obligations and is significantly lower than Council had anticipated. In the 12 months to December 2021 the CPI (for NSW) was 3.1% - more than four times the rate peg.

The IPART's current approach to determining the rate peg means variations can occur when there is economic instability, like we have experienced during the COVID-19 pandemic. The 2022-23 rate peg of 0.7% was based on the changes in costs experienced by councils between 2019-20 and 2020-21, in the low inflation environment at the beginning of the COVID-19 pandemic. In acknowledgement such a low rate peg would result in difficulty for councils, the Office of Local Government announced an 'Additional Special Variation (ASV)'. The ASV is a one off process for the 2022/23 financial year and provides Council with a mechanism to maintain its expected level of rating income and expenditure program.

The draft Operational Plan and Budget 2022/23 is based on maintaining rates income at the level anticipated in the 2021-2025 Delivery Program for the 2022/23 financial year. This will require an application to IPART to proceed with an ASV to increase rates by 2.4%, which raises an additional \$4.2 million to ensure Council can sustain existing service levels and maintain assets.

Additional Special Variation – Application and income

This report recommends Council make an application to the IPART, under Section 508(2) of the Act, for a permanent single year special variation to general (rates) income of 2.4% (including the rate peg of 0.7%) for the 2022/23 financial year.

Council will receive approximately \$3 million in additional income in the 2022/23 financial year if the special variation is approved (on top of the forecast \$1.2 million provided through the IPART rate peg of 0.7%), which maintains rates income at the level expected in the 2022/23 financial year. The following table summarises the impact of the increase.

Rates increase 2022/23

| | Rates at 2.4% | | Rates at 0.7% | | Difference |
|-------------------------------|--------------------|----------------------|--------------------|----------------------|--------------------|
| | Additional Income | Total Rates | Additional Income | Total Rates | |
| Ordinary rates - residential | \$3,513,596 | \$149,898,417 | \$1,024,799 | \$147,409,620 | \$2,488,797 |
| Ordinary rates - business | \$706,473 | \$30,091,696 | \$206,054 | \$29,591,278 | \$500,418 |
| Ordinary rates - farmland | \$369 | \$15,765 | \$108 | \$15,503 | \$262 |
| Ordinary rates - total | \$4,220,438 | \$180,005,878 | \$1,230,961 | \$177,016,401 | \$2,989,477 |
| Special rates - Manly | \$31,708 | \$1,336,600 | \$9,248 | \$1,314,140 | \$22,460 |
| Special rates - Balgowlah | \$2,084 | \$88,931 | \$608 | \$87,454 | \$1,476 |
| Special rates - total | \$33,792 | \$1,425,531 | \$9,856 | \$1,401,595 | \$23,936 |
| Total | \$4,254,230 | \$181,431,409 | \$1,240,817 | \$178,417,996 | \$3,013,413 |

Additional Special Variation – Purpose

The special variation is required to deliver the programs anticipated in the Council's 2021-2025 Delivery Program for the 2022/23 financial year. A permanent increase is essential to maintain financial sustainability in balance with responsible expenditure on the renewal of infrastructure assets.

The funds support maintaining planned infrastructure works and the rebuilding of working capital for the future. The projects contingent on this funding are listed in the following table.

Additional special variation program 2022/23

| | \$'000 |
|---|--------------|
| Road Resheeting Program | 1,000 |
| Planned Stormwater Renewal Works | 435 |
| Library Books - Replacement | 200 |
| Rockpool Renewal Program | 200 |
| Scotland Island Roads and Drainage Improvements | 150 |
| Foreshores Renewal Program | 145 |
| Sportsfield Renewal Program | 100 |
| Playground Renewal Program | 100 |
| Beach Buildings Works Program | 100 |
| Sport Buildings Works Program | 70 |
| Community Buildings Works Program | 57 |
| Public Amenities Works Program | 56 |
| Building Code of Australia Compliance Works (BCA) | 50 |
| Children's Centres Works Program | 15 |
| Community Centres Minor Works Program | 15 |
| Manly Aquatic Centre Renewal Works | 15 |
| Library Buildings Works Program | 10 |
| Warringah Aquatic Centre Renewal Works | 10 |
| Total ASV Funded Capital Expenditure | 2,728 |

Additional Special Variation – Impact on ratepayers and the community

Council has considered the impact on ratepayers and the community in the 2022/23 financial year and in future years if the special variation is approved and considers that it is reasonable.

The average residential rate will increase by \$37 for the year under the 2.4% rates increase scenario, which is \$26 higher than the 0.7% rate peg as illustrated in the following table.

Average residential rates

| Average residential rate | Rates at 2.4% | | Rates at 0.7% | | Difference |
|--------------------------|------------------|-------------|------------------|-------------|------------|
| | Additional Rates | Total Rates | Additional Rates | Total Rates | |
| Per annum | \$37 | \$1,561 | \$11 | \$1,535 | \$26 |
| Per quarterly instalment | \$9 | \$390 | \$3 | \$384 | \$6 |

Council's adopted Rates and Annual Charges Hardship Policy allows for appropriate assistance to ratepayers where they are suffering genuine financial hardship due to a variety of different circumstances. In addition, the Pensioner Concession Policy continues to provide additional support to eligible pensioners.

Rating Structure 2022/23

The rating structure is based entirely upon property valuations (ad valorem) but with minimum rates applying where appropriate. Rates for 2022/23 will be assessed on land values as at 1 July 2019 and are forecast to raise \$181 million before rebates and adjustments.

Stormwater Management Services Charge 2022/23

The Stormwater Management Services Charge is levied to all eligible residential and business ratepayers to fund a program of stormwater improvement projects and is forecast to raise \$2.2 million in 2022/23. No changes to the charge are proposed.

Pricing Policy

The Pricing Policy, adopted by Council in March 2017, provides a transparent, consistent, and equitable approach to the setting of fees and charges, under s608 of the *Local Government Act 1993* (the Act), for services delivered by Northern Beaches Council. A review of the Pricing Policy has been completed and minor amendments are recommended to the policy (Attachment 5) to:

- Align the content with the current policy template format, including itemising the principles of the policy
- Update terminology and legislation references
- Add a new chart to illustrate the decision-making process of determining which pricing basis should be applied to a service.

Fees and Charges 2022/23

Fees and Charges relate mainly to the recovery of service delivery costs through the charging of fees to users. These include use of leisure, entertainment and other community facilities and the provision of human services such as long day care, vacation care and family day care.

The draft Fees and Charges schedule for the 2022/23 financial year is provided as Attachment 2 to this report and has been prepared in accordance with the principles of the Council's Pricing Policy.

Domestic Waste Management Charge 2022/23

The Domestic Waste Management (DWM) Service is provided to all residential properties on the Northern Beaches. Council must make and levy an annual charge for the service and income must not exceed the reasonable cost to Council of providing the services (Section 496 and 504). The standard domestic waste charge is proposed to be \$505.00 in 2022/23 (a \$39 increase on the 2021/22 charge), raising \$53 million in revenue.

As illustrated in the below chart, the \$39 increase in the charge relates to:

- + \$10 = Increase in waste disposal costs due to a higher EPA Levy
- + \$9 = 2022/23 inflation on disposal and collection contracts
- + \$7 = Increase in vegetation disposal tonnage by 13%
- + \$5 = Adjustment to the collection contract pricing as inflation indexation in the 2021/22 year was 3.3% higher than anticipated
- + \$5 = Increase to reserve for future needs
- + \$3 = Increase in Bulky Goods disposal tonnage by 10%

Domestic Waste Charge price change drivers – 2021/22 to 2022/23



CONSULTATION

A community engagement plan consistent with Council's Community Engagement Policy and Strategy, has been developed to support the exhibition. The draft CSP, Resourcing Strategy, Delivery Program, Operation Plan (including Fees and Charges) and Pricing Policy will be placed on exhibition for a minimum of 28 days in accordance with essential elements 1.6, 3.10, 4.10 and 4.25 of the *Integrated Planning and Reporting, Guidelines for Local Government in NSW* (2021).

Promotion and engagement will include:

- A dedicated Your Say page, including all documents and frequently asked questions
- Social media

- Bulk emails to around 23,000 people on our Community Engagement Register
- Public forums, two online and two face to face
- Video presentations on the budget and capital works programs and one explaining the IP&R framework
- 12 locality-based summaries of the draft Operational Plan
- Fact sheets on the roads and footpath program, environment and sustainability initiatives, health and recreation initiatives, and Council savings and efficiencies.

Submissions can be made online as well as via letter and email.

TIMING

The draft IP&R documents and Pricing Policy will be exhibited for a minimum of 28 days. A summary of the submissions received along with revised IP&R documents will be presented to Council on 28 June 2022 for consideration.

LINK TO STRATEGY

The IP&R documents address all of the Community Strategic Plan's eight outcomes and 22 goals. The development and exhibition of the framework documents and Pricing Policy address these three key goals:

- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.
- Good Governance - Goal 20: Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Participation and Partnership - Goal 21: Our community engaged in decision making processes.

FINANCIAL CONSIDERATIONS

The 2022/23 budget projects total expenditure of \$443 million, including a capital works program of \$85 million. This includes investing \$41 million in asset renewal to improve the overall condition of our assets and a further \$44 million in delivering high priority new assets to the community. It shows that our financial position is sound, with a projected Operating Surplus before Capital Grants and Contributions of \$9 million, a further \$5 million in loans repaid and a balanced budget position.

The Council is anticipated to achieve the Office of Local Government financial and asset performance benchmarks in 2022/23.

Following significant events in recent years including storms, bushfire threats and the COVID-19 pandemic, restoration of working capital funds is a priority over the four years of the Delivery Program along with continuing to repay loans taken out by the former Councils. Strengthening of working capital will ensure Council maintains sufficient funding for unexpected events and future opportunities.

This financial position is contingent on the approval to increase rates income by 2.4% in the 2022/23 financial year, which maintains rates income at the level anticipated by Council. The Long-Term Financial Plan has been revised and includes an alternative scenario based on a rates increase of 0.7% in the 2022/23 financial year. The alternative scenario results in a reduction in investment in infrastructure assets due to the \$34 million reduction in income over the ten years of

the plan. While performance measures remain within the industry benchmark, the results are weaker especially regarding asset renewal and operating performance. The following table compares key performance measures for the two scenarios.

Performance indicators – Long Term Financial Plan Scenarios

| OLG | Result | Result | Forecast | → | Budget | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 |
|-----------|---------|---------|----------|-------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Benchmark | 2019/20 | 2020/21 | 2021/22 | Model | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 | 2030/31 | 2031/32 |

Budget Performance

Operating Performance Ratio

measures the extent to which a council has succeeded in containing operating expenditure within operating revenue.

| OLG | Result | Result | Forecast | → | Budget | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 |
|-----------|-------------|-------------|-------------|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Benchmark | 2019/20 | 2020/21 | 2021/22 | Model | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 | 2030/31 | 2031/32 |
| > 0% | (4.9%) ✗ | (7.3%) ✗ | (1.7%) ✗ | 2.4% Model | 2.4% | 2.2% | 2.0% | 2.6% | 2.4% | 2.4% | 2.2% | 2.5% | 2.4% | 2.6% |
| | | | | 0.7% Model | 1.6% | 1.5% | 1.3% | 1.9% | 1.7% | 1.7% | 1.5% | 1.8% | 1.7% | 1.9% |

Operational Liquidity

Unrestricted Current Ratio

represents a council's ability to meet short-term obligations as they fall due.

| OLG | Result | Result | Forecast | → | Budget | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 |
|-----------|------------|------------|------------|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Benchmark | 2019/20 | 2020/21 | 2021/22 | Model | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 | 2030/31 | 2031/32 |
| > 1.5x | 2.09x ✓ | 1.69x ✓ | 1.61x ✓ | 2.4% Model | 1.63x | 1.79x | 1.83x | 1.95x | 2.00x | 2.15x | 2.11x | 2.40x | 2.54x | 2.52x |
| | | | | 0.7% Model | 1.62x | 1.78x | 1.82x | 1.93x | 1.98x | 2.12x | 2.08x | 2.36x | 2.49x | 2.48x |

Asset Management

Building and Infrastructure Renewals Ratio

assesses the rate at which these assets are being renewed against the rate at which they are depreciating.

| OLG | Result | Result | Forecast | → | Budget | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 |
|-----------|-------------|-------------|-------------|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Benchmark | 2019/20 | 2020/21 | 2021/22 | Model | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 | 2030/31 | 2031/32 |
| > 100% | 121.3% ✓ | 117.2% ✓ | 103.6% ✓ | 2.4% Model | 109.4% | 114.8% | 115.2% | 115.7% | 120.1% | 119.6% | 118.9% | 118.3% | 116.1% | 116.6% |
| | | | | 0.7% Model | 102.1% | 108.3% | 108.8% | 109.4% | 113.9% | 113.3% | 112.7% | 112.1% | 109.9% | 110.5% |

Infrastructure Backlog Ratio

ratio shows what proportion the infrastructure backlog is against the total net carrying amount of a council's infrastructure.

| OLG | Result | Result | Forecast | → | Budget | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Year 10 |
|-----------|------------|------------|------------|---------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Benchmark | 2019/20 | 2020/21 | 2021/22 | Model | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2028/29 | 2029/30 | 2030/31 | 2031/32 |
| < 2% | 1.37% ✓ | 1.50% ✓ | 1.49% ✓ | 2.4% Model | 1.44% | 1.41% | 1.37% | 1.33% | 1.30% | 1.26% | 1.23% | 1.20% | 1.17% | 1.14% |
| | | | | 0.7% Model | 1.45% | 1.42% | 1.39% | 1.36% | 1.32% | 1.29% | 1.26% | 1.24% | 1.21% | 1.18% |

SOCIAL CONSIDERATIONS

The suite of documents prepared in the IP&R review include initiatives aimed at continuing to build resilience within a connected, safe and diverse community.

ENVIRONMENTAL CONSIDERATIONS

Protecting the environment and ensuring that we can live sustainably on the Northern Beaches are key features of the documents to be exhibited. The CSP contains the community aspirations for

environmental management, as well as a set of goals and strategies for their achievement. The Delivery Program, Operational Plan and Budget feature programs and activities that protect the environment and support the community to live sustainably.

GOVERNANCE AND RISK CONSIDERATIONS

The review and updating of Council's IP&RF are integral to the governance framework of Council. These documents have been prepared in accordance with Sections 402-405 of the Local Government Act 1993 and the Office of Local Government's *Integrated Planning and Reporting Guidelines for local government in NSW (2021)* and *Integrated Planning and Reporting Handbook for Local Government in NSW (2021)*.

The Council's Pricing Policy guides the pricing of Council's services along with the annual budget process. This mitigates the risk of Council not meeting competitive neutrality guidelines.

Council Policy

Pricing Policy

Policy Statement

The Pricing Policy provides a transparent, consistent, and equitable approach to the setting of fees and charges, under s608 of the Local Government Act 1993 (the Act), for services delivered by Northern Beaches Council.

Council applies a principles-based approach to the pricing of services to balance recovering the cost of providing a service from users proportionate to its broader community benefit along with recognising competitive neutrality and legislative obligations.

Principles

The following five principles guide how Council sets fees and charges for its services:

1. **Financially sustainable:** price-setting is informed by the cost of providing the service (*per s610D of the Act*), the capacity of the user to pay and, where relevant, any expected return on the investment of community assets.
2. **Recognise the importance of the service to the community:** seek to promote fair, just and equitable access to services, promote the participation of service target groups and encourage positive health and wellbeing outcomes (*per s610D of the Act*).
3. **Recognise competitive neutrality obligations:** where services are supplied on a commercial basis as part of a defined Council business consider market prices to ensure the service does not utilise its public sector position to gain an unfair advantage over private sector competitors.
4. **Compliant with legislation:** where applicable, pricing is in line with legislation and consideration made of any price suggested for that service by a relevant industry body or in a schedule of charges published by the Office of Local Government (*per s610D of the Act*).
5. **Consistent, transparent, efficient to administer and regularly reviewed:** set in a consistent way across Council services, documented and presented in a way the community can understand, simple to administer and reviewed annually.

Pricing basis

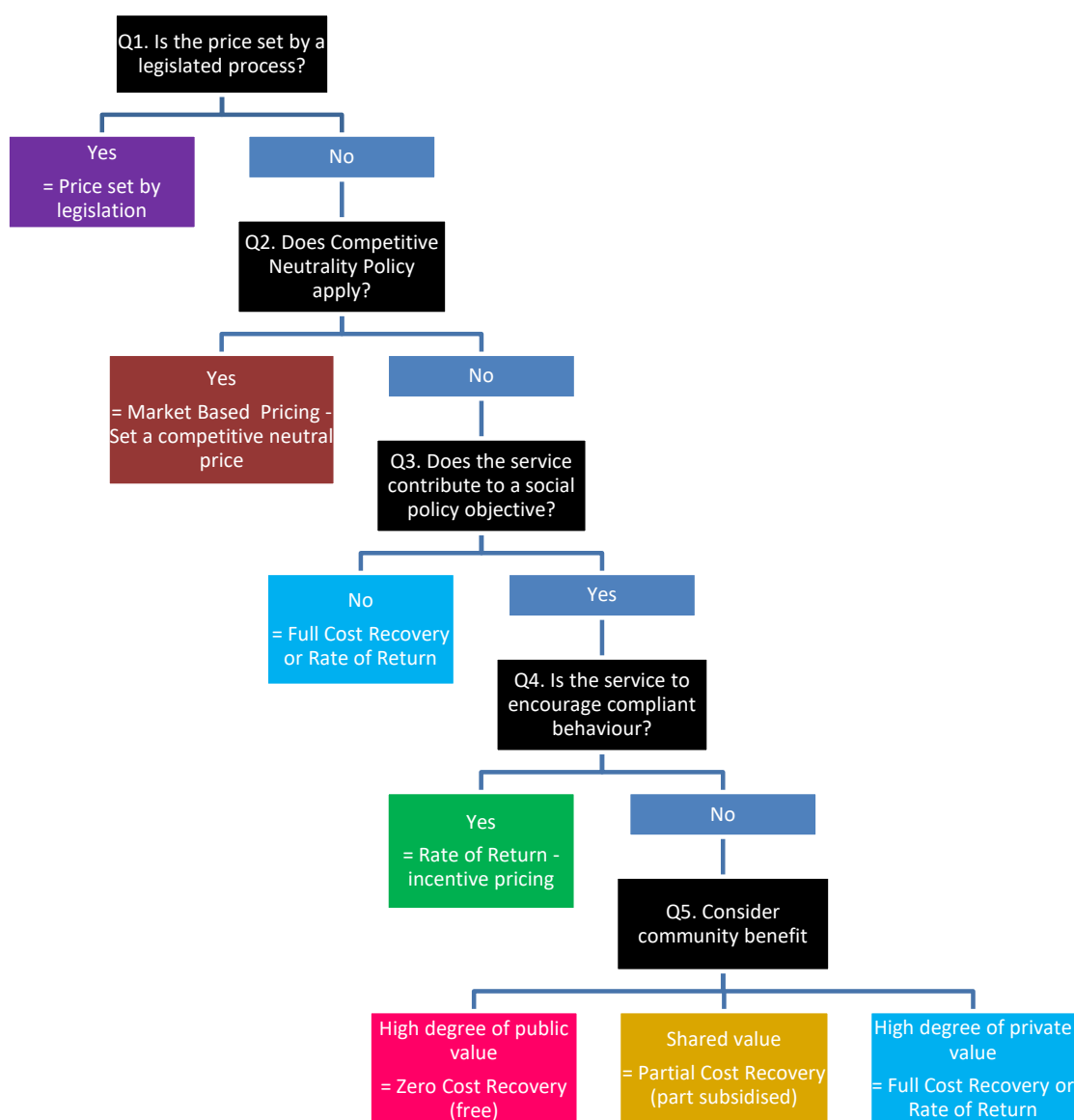
Informed by the principles listed above, Council determines an appropriate pricing methodology that is consistent with the level of individual and community benefit of the service. Fees and charges are classified according to the following pricing basis outlined below:

Table 1 Pricing Basis

| Pricing Basis | Description |
|--------------------------|--|
| Full Cost Recovery | Council recovers all direct and indirect cost of the service (including depreciation of assets employed). |
| Partial Cost Recovery | Council recovers less than the full cost (as defined above) - the reasons for this may include broader community service benefits. |
| Legislative Requirements | Price of the service is determined by legislation and dependent on price may or may not recover the full cost. |

| Pricing Basis | Description |
|----------------------|--|
| Market Based Pricing | The price of the service is determined by examining alternative prices of surrounding service providers (this also may or may not recover the full cost). e.g., Children's Services and Glen Street Theatre. |
| Zero Cost Recovery | Some services may be provided free of charge and the whole cost determined as a community service or a class of public good. |
| Rate of Return | This would include Full Cost Recovery as defined above in addition to a profit margin to factor in a return to Council for assets employed or to provide an incentive to encourage compliant behaviour. |

Pricing setting process



Scope and application

This policy applies to all employees, agents, officers, and Councillors of Northern Beaches Council in determining fees and charges under s608 of the Act.

References and related documents

- Local Government Act 1993 - s405 and ss608 – 610 (inclusive)
- Pricing and Costing for Council Businesses, A Guide to Competitive Neutrality, Office of Local Government, July 1997

Definitions

Nil

Responsible Officer

Executive Manager Financial Planning and Systems

Review Date

March 2026

Revision History

| Revision | Date | Status | TRIM Ref |
|----------|------------|--|-------------|
| 1 | 13/12/2016 | First draft Pricing Policy | 2016/386055 |
| 1 | 28/03/2017 | Adopted by Council – no changes to draft policy | 2016/386055 |
| 1.1 | 02/08/2019 | Approved by CEO – minor wording changes | 2019/435456 |
| 2 | 10/01/2022 | Revision draft – formatting changes to update policy template, dates, legislation references and minor wording changes | 2022/017537 |

Attachment 1. Pricing principles and methodology guidance

| Pricing principle | | Example | Code | Pricing methodology | |
|-------------------------------------|--|---|------|--|---|
| Private Good | Service benefits a particular user, making a contribution to their individual income, welfare or profits without any broader benefits to the community. | Application fee for drainage easement | F | Full Cost Recovery | Council recovers all direct and indirect cost of the service (excluding depreciation of assets employed). |
| Monopoly | Council has a monopoly over provision of the service and there is no community service or equity obligation. | Abandoned vehicles – removal and storage. Standard fee to be paid prior to release of the vehicle | | | |
| Development | Fee set will enable Council to develop and maintain a service. | Domestic Waste Service Management Charge | | | |
| Regulatory – non fixed | Fee charged to cover costs incurred in legislative requirements where no community service obligation exists. | Information request under the Government Information (Public Access) Act 2009 | | | |
| Shared benefits | The community as a whole as well as individual users (Community Service Obligation). | Hairdressers, Beauty Salons and Skin Penetration Inspections | P | Partial Cost Recovery | Council recovers less than the Full Cost as defined above (the reasons for this may include community service obligation or prioritises or legislative limits on charging). |
| Stimulus | A stimulus to the demand for the service is required. In the short term, only part of the cost of the service is to be recovered. | Introduction of a new service item | | | |
| Evasion | Charging prices to recover full cost may result in widespread evasion. | Tree preservation orders | | | |
| Equity | Service is targeted to low-income users. | Youth programs | | | |
| Economic/ social/ community welfare | Service promotes or encourages local economic or social activity. | Community centre hire | | | |
| Regulatory - fixed | Fixed by legislation. | Certificates for Classification of Council Land | L | Legal Requirements (Regulatory) | Price is determined by legislation (may or may not recover costs). |
| Market | Service provided is in competition with that provided by another agency (private or public) and there is pressure to set a price which will encourage adequate usage of the service. | Copying of documents, Glen Street Theatre tickets | M | Market Based Pricing (Reference Pricing) | Price determined by examining alternative prices of surrounding service providers (may or may not recover the full cost of the service). |
| In-house | Service provided predominantly for Council use but sale to external markets may defray costs. | Human Resources training | | | |
| Public Good | Service provides a broad community benefit inconceivable or impractical to charge for service on a user basis. | Public access to the internet | Z | Zero Cost Recovery (free) | Services may be provided free of charge and the whole cost determined as a community service obligation or may fall within a class of a public good. |
| Practical Constraint | Service is a minor part of the overall operation of the Council or the potential for revenue collection is so minor as to be outweighed by the costs of collection. | Participation in workshops, markets or events | | | |
| Cost-plus activity | The service is a profit-making activity and the price paid by users should recover an amount greater than the full cost of providing that service. | Civil works on behalf of developers, the public & other third parties | R | Rate of Return (RoR) | This would include Full Cost Recovery as defined above in addition to a profit margin to factor in a return to Council for assets employed. |
| Penalty | Fee charged is greater than cost of the service so as to act as a disincentive. | Dishonoured cheque fee | | | |
| Utility | Fee charged for possession, occupation or enjoyment of Council Land, Public Land and Air Space by Gas, Electricity, Telecommunications and Water Utilities. | Annual compensation fee for telecommunications facility on Council controlled land | | | |

Attachment 2. Competitive Neutrality Principles explained

In 1995 the NSW Government agreed, along with the Commonwealth and other State and Territory Governments, to implement competitive neutrality principles as part of its commitment to National Competition Policy (NCP).

The purpose of competitive neutrality policy is the elimination of resource allocation distortions arising from public sector ownership, where significant publicly owned business activities compete with the private sector. The intention is that publicly owned businesses should not enjoy any net competitive advantage as a result of public sector ownership. Such action removes potential market distortions and promotes an efficient allocation of resources between public and private businesses.

Typically, the application of competitive neutrality principles may require adjustments to the price of a good or service that make allowance for the following:

- taxes that may not be paid by a government business but would be paid by a private sector competitor;
- the cost of capital; and
- any other material costs not borne by a government business purely as a result of its public ownership status.

Accordingly, when Council competes in the market place it should do so on a basis that does not utilise its public sector position to gain an unfair advantage over a private sector competitor. The principle of competitive neutrality applies to council business activities only. It does not apply to non-business, non-profit activities.

Council has a discretion as to whether it will treat an activity as a business. One of the first matters for consideration will be the objectives that Council has for the activity. Other factors are listed below. They are not exhaustive. Nor is a council obliged to consider an activity as a business because it satisfies one or more of the criteria. However, Council must be able to justify any decision if requested by the community (or if a complaint is made in relation to unfair competition). The issues include:

- **Is the activity intended to make a profit?** An activity which is intended by council to make a profit clearly has a strong business element to it.
- **Does council bid for external contracts?** Any activity in which council bids for external contracts should be regarded as a business activity. For example, Council's staff may tender for external contracts as well as providing internal services. Despite the in-house element of the activity, the decision to tender externally means that the Council should regard the whole of the activity as a business, unless the internal unit and external bidders are completely separate.

Similarly, if a Council unit intends to or has participated in a competitive tendering process called by Council, the activity of the unit should be regarded as a business activity.

- **Is the activity provided on a fee for service basis?** A wide range of activities could be included in this. Once again, Council will need to balance this element with others in any decision.
- **What economic impact does the activity have?** For example, a small scale activity, possibly included within a larger function, may not have a significant effect on the local or regional economy. It may also be inefficient to separate it from the larger function.
- **What is the nature of the activity and how important is it to customers?** A particular type of activity may be difficult to treat as a business, for example some community service functions. The reverse may also be true in relation to some activities.

ITEM 9.3

OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT COUNCILLOR EXPENSES AND FACILITIES POLICY

REPORTING MANAGER

EXECUTIVE MANAGER GOVERNANCE AND RISK

TRIM FILE REF

2022/118477

ATTACHMENTS

- 1 [⇒ Draft Councillor Expenses and Facilities Policy \(Included In Attachments Booklet\)](#)
- 2 [⇒ Community Engagement Report Draft Councillor Expenses and Facilities Policy \(Included In Attachments Booklet\)](#)

BRIEF REPORT

PURPOSE

To seek the adoption of the draft Councillor Expenses and Facilities Policy 2022.

REPORT

At its 22 February 2022 meeting, Council resolved to place the draft Councillor Expenses and Facilities Policy on exhibition with the outcomes to be reported to Council (resolution 007/22).

The draft Policy was publicly exhibited from Monday 28 February to Sunday 27 March 2022 and attracted four submissions. A response to the comments raised in the submissions is provided in the table below.

| Submission verbatim | Response |
|--|--|
| Why are you wasting time on a policy which should be handed down by the Dept of Local Government? The policy should be the same throughout NSW. You have more important things to consider which have a far greater impact on the residents of the Northern Beaches. | <p>Noted. This is a matter for the NSW Government.</p> <p>Council is required under section 252 of the Local Government Act 1993, to adopt a policy concerning the payment of expenses and the provision of facilities to the mayor, deputy mayor and councillors in relation to discharging the functions of civic office within the first 12 months of each term of council.</p> <p>The Office of Local Government's (OLG) template policy does not stipulate standard financial thresholds leaving individual councils to set these and a policy according to their needs and community's expectations. Council's draft Policy was developed from the OLG template.</p> |
| I believe it's essential that the details of each individual Councillor's expenses be transparent and available to the community. In the former term of Council there was major inequity in the amount each Councillor claimed. | <p>Noted. The draft Policy proposes a report detailing the expenses provided to councillors. Councillor expenses are also published on Council's website and linked to individual councillor profiles for increased transparency.</p> <p>It is a matter for individual councillors to expense eligible items as they are incurred in line with the Policy. There will be a natural variance in the expenses incurred by individual councillors for a variety of factors including the uptake of professional development, attendance at civic functions or community events, childcare requirements, etc. All</p> |

| Submission verbatim | Response |
|---|--|
| | expenses are processed in accordance with the thresholds in the Councillor Expenses and Facilities Policy set by Council. |
| Childcare expenses should be increased to a more realistic amount commensurate with the number of hours a Councillor is expected to attend meetings, Council and Committee as well as briefings out of normal business hours (9 to 5). | Noted. The draft Policy proposes a \$6,000 threshold for childcare / family member care expenses. This is an increase of \$4,000 a year on the current policy (which provides \$2,000). |
| <p>Our councillors and mayor do not get paid anywhere near enough for the contribution they make. I see this as a major barrier for diverse groups within the community to put their hands up as you have to effectively be independently wealthy for it to make sense. I would love for people my age to be able to consider it as a legitimate option and not have to juggle it with another full time job! Councillors should be paid an equivalent of an officer salary at a minimum and mayor an exec manager level Salary at a minimum plus super.</p> <p>Think about the contribution these individuals make to our community - to properly read and understand all agenda papers, to advocate with state and federal stakeholders and to be actively engaged with the community is a full time job and should be remunerated accordingly.</p> <p>In lieu of constraints set by legislation to what we can pay them, we should seek to be as generous as possible in other areas to compensate. \$70 no longer covers a high quality broadband internet connection with 4g backup - that costs more like \$90-95 per month as an example - councillors struggling with poor quality internet during a meeting is not appropriate. \$1-3,000 for events is pretty low for a whole year, this should be doubled.</p> | Noted. The draft Policy proposes reasonable increases in the thresholds for a number of expense categories (civic duties, professional development, home office and stationery, subscriptions and resource material, childcare) and a \$10 a month increase to internet expenses on the current policy. Whilst a high-speed home internet connection may ultimately cost more than the policy provides, it is anticipated the policy provides an adequate amount taking into consideration the anticipated proportion of use for council business. |

The draft Policy is provided for Council's consideration (Attachment 1). In line with the comments above there are no changes to this version from the version put to Council in February 2022, with the exception of one word change at item 6.51 to edit "for attendance at official business" to "for attendance to official business" to clarify accessing caring expenses is not linked or limited to an actual event, but is available for use for any official council business.

Should Council adopt the draft Policy, the current [Northern Beaches Councillor Expenses and Facilities Policy 2018](#) will be revoked.

The Community Engagement Report is provided at Attachment 2.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

Funding to provide for the reimbursement of councillor expenses and facilities as outlined in the draft Policy will be incorporated into the existing budget.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations associated with the draft Policy.

SOCIAL CONSIDERATIONS

The proposed draft Policy provides a framework for councillors to claim expenses incurred and facilities required which enables councillors to undertake their civic duties across the local government area.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Policy seeks to facilitate the discharge of civic functions by councillors. Adopting a policy will ensure Council complies with its obligations under [section 252 of the Local Government Act 1993](#), which requires Council to adopt a policy concerning the payment of expenses and the provision of facilities to the mayor, deputy mayor and councillors in relation to discharging the functions of civic office within the first 12 months of each term of council.

The draft Policy complies with the relevant requirements of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the guidelines issued by the Office of Local Government under section 23A of the *Local Government Act 1993*.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Note the outcomes of the public exhibition of the draft Councillor Expenses and Facilities Policy 2022.
 2. Adopt the draft Councillor Expenses and Facilities Policy 2022 provided at Attachment 1.
 3. Revoke the Councillor Expenses and Facilities Policy 2018.
-

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|--------------------------|--|
| ITEM 9.4 | COUNCIL WARD BOUNDARY REVIEW |
| REPORTING MANAGER | EXECUTIVE MANAGER GOVERNANCE AND RISK |
| TRIM FILE REF | 2020/514687 |
| ATTACHMENTS | NIL |

BRIEF REPORT

PURPOSE

To advise that Council meets the statutory requirements under the Local Government Act 1993 regarding number of electors in each ward of the Northern Beaches Council.

REPORT

Under section 211 of the Local Government Act 1993 (NSW) (the Act), councils must keep ward boundaries under review to ensure that a difference in elector numbers of no greater than 10% exists between wards.

Council last reviewed its ward boundaries on 16 May 2019.

The NSW Electoral Commission (NSWEC) maintains a [website](#) which provides enrolment statistics for each council and ward. The last published data provided by the NSWEC was at 22 February 2022. These statistics show the difference in elector numbers between the highest and lowest numbers per ward in the Northern Beaches Council is 4.47%, which is within the required 10% limit.

| Ward | No. of electors | Variance = 4.47% |
|----------------|------------------------|-------------------------|
| Curl Curl | 38,227 | Highest |
| Frenchs Forest | 36,520 | Lowest |
| Manly | 36,758 | |
| Narrabeen | 37,173 | |
| Pittwater | 36,862 | |

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. In particular it relates to the performance measure in the Delivery Program to ensure Council complies with its governance framework to meet governance statutory requirements.

FINANCIAL CONSIDERATIONS

There are no financial impacts relating to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts relating to this report.

SOCIAL CONSIDERATIONS

There are no social or community impacts relating to this report.

GOVERNANCE AND RISK CONSIDERATIONS

It is important that Council monitors the variance in number of electors in each ward to ensure Council is complying with section 211 of the Local Government Act 1993 and meeting its statutory compliance.

The risk of a significant change in ward population numbers which would drive the variance beyond the 10% threshold between wards is considered unlikely to occur prior to the next local government election.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note that no action is necessary to alter existing ward boundaries, however ward boundary elector numbers will be kept under review as required under section 211 of the Local Government Act 1993.

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| ITEM 9.5 | REPORTING OF CHANGE, ANNUAL OR FIRST DISCLOSURES OF INTERESTS |
| REPORTING MANAGER | EXECUTIVE MANAGER GOVERNANCE AND RISK |
| TRIM FILE REF | 2021/661540 |
| ATTACHMENTS | 1 Office of Local Government Circular 19-21 |

BRIEF REPORT

PURPOSE

To table any change or first designated persons returns lodged under the provisions of Clause 4.21 of the Northern Beaches Code of Conduct.

REPORT

Clause 4.21 of Council's Code of Conduct (the Code) requires councillors and designated persons to make and lodge with the CEO a return disclosing the councillor's or designated person's interests as specified in schedule 1 to the Code of Conduct within three months after:

- a. becoming a councillor or designated person, and
- b. 30 June of each year, and
- c. the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

Returns received since tabling of annual returns in October 2021 will be tabled at the meeting in accordance with the Code. There are: 26 first returns (including 15 councillors newly appointed for the current term of Council, new staff and staff moving into designated positions), two change returns, and six annual returns (staff back from extended periods of leave, eg maternity leave).

In addition to being publicly available on request, these returns will be published on Council's website as soon as practicable in line with Information Access Guideline 1 – For Local Councils on the disclosure of information (returns disclosing the interest of councillors and designated persons) September 2019 (Attachment 1). A general redaction of all residential street addresses will be applied to all forms following a public interest test approved by the Chief Executive Officer, plus any further redactions that have been requested and approved through the 'withhold details' request process.

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 considerations for this report.

SOCIAL CONSIDERATIONS

There are no social considerations for this report.

GOVERNANCE AND RISK CONSIDERATIONS

Transparency is a key pillar of good governance and the tabling and publication of these returns will ensure Council is promoting transparency.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the change, annual and first returns received since the October Council Meeting, as tabled in accordance with clause 4.25 of Council's Code of Conduct.

| | |
|-----------------------------|--|
| Circular Details | Circular No 19-21 / 26 September 2019 / A664471 |
| Previous Circular | 19-08 Consultation on revised IPC Guideline 1 Returns of Interests |
| Who should read this | Councillors / General Managers / Governance staff |
| Contact | Council Governance / olg@olg.nsw.gov.au / (02) 4428 4100 |
| Action required | Information |

Release of IPC Guideline 1 Returns of Interests

What's new or changing?

- The Information and Privacy Commission (IPC) has finalised and issued *Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons* (Guideline 1).
- Councils should review the positions they currently identify as designated persons in light of Guideline 1 by applying the principles set out in the attachment to this circular.

What this will mean for your council

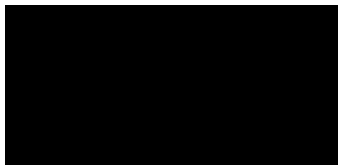
- Guideline 1 states that councillors' and designated persons' returns of interests must be made publicly available free of charge on councils' websites, unless there is an overriding public interest against disclosure of the information contained in them or to do so would impose unreasonable additional costs on the council.
- Where a council decides that there is an overriding public interest against the disclosure of some of the information contained in a return, consideration should be given to releasing an edited copy of the return (for example redacting the individual's signature and residential address).
- Where information is deleted from a return, councils should keep a record indicating, in general terms, the nature of the information redacted from the return in accordance with section 6(5) of the *Government Information (Public Access) Act 2009* (GIPA Act).
- Councils should be mindful when identifying a position as the position of a designated person or a committee as a committee whose members are designated persons, that the consequence of this is that the council will be required to publish information contained in those persons' returns of interests on their websites.
- The Office of Local Government (OLG) would encourage councils to review the positions and committee memberships that they currently identify as those of designated persons with this consequence in mind.
- OLG would encourage councils to apply the principles set out in the attachment to this circular when identifying positions and committee memberships as those of designated persons.

Key points

- Section 6 of the GIPA Act provides for the mandatory proactive release by NSW public sector agencies (including councils) of open access information. The GIPA Act provides that open access information must be made publicly available free of charge on a website maintained by the agency.
- Councillors' and designated persons' returns of interests are prescribed as open access information for local government under Schedule 1 to the *Government Information (Public Access) Regulation 2018*.

Where to go for further information

- Guideline 1 and further information on open access information requirements for local government is available on the IPC's website at www.ipc.nsw.gov.au.
- The attachment to this circular provides guidance on the principles councils should apply when identifying positions and committee memberships as those of designated persons.
- See the [Guide to Completing Returns of Interests](#) which is available on OLG's website, for information on how to complete returns of interests and what information to include.
- Contact the IPC at 1800 472 679.
- Contact OLG's Council Governance Team on 02 4428 4100.



Tim Hurst
Deputy Secretary
Local Government, Planning and Policy

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ATTACHMENT**Identifying “designated persons”****The obligation to complete returns of interests**

Under the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct), councillors and designated persons are required to complete and submit returns of interests within 3 months of:

- becoming a councillor or designated person
- 30 June of each year, and
- becoming aware of a new interest that must be disclosed in the return.

Who is a “designated person”?

Under clause 4.8 of the Model Code of Conduct, designated persons include:

- the general manager
- senior staff of councils for the purposes of section 332 of the *Local Government Act 1993*
- any other member of staff or delegate of the council who holds a position identified by the council as the position of a designated person because it involves the exercise of a function that could give rise to a conflict of interest, and
- a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of functions that could give rise to a conflict of interest.

Identifying “designated persons”

The requirement to publish returns of interests is designed to operate as a transparency mechanism to ensure that key decision makers in councils appropriately disclose and manage pecuniary interests they may have in matters they are dealing with.

Councils should be mindful when identifying a position as the position of a designated person or a committee as a committee whose members are designated persons, that the consequence of this is that the council will be required to publish personal information about those persons on their websites.

Councils should weigh this consequence against the risk that the requirement to publish returns of interests is designed to address to ensure that this is a proportionate mitigation of that risk. This assessment should be based on a consideration of the nature, responsibilities and functions of a role or a committee and the type and level of delegations it exercises.

Positions or committee memberships involving the performance of low-level administrative or regulatory functions that carry limited or no discretion or financial delegations, should not be identified as positions of designated persons.

The types of positions or committee memberships that should be identified as designated persons are those that exercise functions or decision-making that involve the potential for significant risk to the council, including of damage to the council's reputation, where conflicts of interest are not disclosed and appropriately managed.

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| ITEM 9.6 | MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 14 DECEMBER 2021 |
| REPORTING MANAGER | EXECUTIVE MANAGER GOVERNANCE AND RISK |
| TRIM FILE REF | 2022/188058 |
| ATTACHMENTS | 1 Minutes - ARIC - 14 December 2021 (Included In Attachments Booklet) |

BRIEF REPORT

PURPOSE

To report the confirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 14 December 2021 (provided at Attachment 1).

REPORT

The ARIC plays a pivotal role providing Council with independent assurance and advice in the areas of internal audit, financial management, risk management, compliance and control, organisational performance and improvement. In accordance with the ARIC Charter, confirmed minutes of ARIC meetings are to be reported to Council.

LINK TO COUNCIL STRATEGY

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

FINANCIAL CONSIDERATIONS

Funding to support the Audit, Risk and Improvement Committee is included in the existing budget.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts in relation to this report.

SOCIAL CONSIDERATIONS

There are no social impacts in relation to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The Committee functions in accordance with the non-mandatory guidelines issued by the Chief Executive of the Office of Local Government under section 23A of the *Local Government Act 1993* and in consideration of Part 4A of the *Local Government Act 1993*. The ARIC Charter outlines that a key function of the ARIC is to assess and provide advice on Council's governance, compliance and risk management functions. The oversight of ARIC aims to ensure that appropriate controls are in place for risk exposures as they relate to the strategic objectives of Council, and to satisfy itself that Council is taking a fully informed risk based approach.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the confirmed minutes of the Audit, Risk and Improvement Committee meeting held on 14 December 2021.

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

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|--------------------------|--|
| ITEM 10.1 | FUNDING REVIEW - COMMUNITY NORTHERN BEACHES, NORTHERN BEACHES WOMEN'S SHELTER AND AVALON YOUTH HUB |
| REPORTING MANAGER | EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE |
| TRIM FILE REF | 2022/066995 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒Community Northern Beaches - Annual Report - 2021 (Included In Attachments Booklet) 2 ⇒Community Northern Beaches - Funding Report & Proposal - April 2022 (Included In Attachments Booklet) 3 ⇒Northern Beaches Women's Shelter - Annual Report - 2021 (Included In Attachments Booklet) 4 ⇒Northern Beaches Women's Shelter - Funding Agreement - Report - 2021 (Included In Attachments Booklet) 5 ⇒Avalon Youth Hub - Report on Financial Assistance - 2021 (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To review and determine the level of financial assistance from Council to Community Northern Beaches, Northern Beaches Women's Shelter and the Avalon Youth Hub through the auspice organisation, The Burdekin Association.

EXECUTIVE SUMMARY

As per Section 356 of the *Local Government Act 1993*, a Council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Council has provided financial subsidies to Community Northern Beaches (formerly known as Manly Community Centre) and Northern Beaches Women's Shelter (formerly known as Manly Women's Shelter) since amalgamation in 2016, as a continuation of long-standing funding agreements with the former Manly Council. At the Council meeting on 27 June 2017 (Item 9.1) subsidies for three years were approved for both organisations. In 2018, Council resolved to provide 2-years of seed funding to the Avalon Youth Hub through the auspice organisation, The Burdekin Association.

At the Council meeting on 27 October 2020, it was resolved to extend the agreements for all three organisations and provide an additional 18 months of financial assistance. This funding will cease on 30 June 2022. A total of \$252,500 (ex GST) per annum was allocated to these organisations in the 2021/22 financial year.

The 27 October 2020 Council resolution included reviewing the financial assistance prior to the end of the funding period. It also resolved that Avalon Youth Hub identify other funding sources prior to June 2022 to become self-sufficient during this period and not reliant on future Council funding.

Each agency has provided a report supporting the continuation of funding from Council, summarised as:

- Northern Beaches Women's Shelter requests a continuation of funding of \$65,500 (ex GST) per annum and states that an additional \$20,000 (ex GST) per annum would provide additional support services which are in high demand.
- Community Northern Beaches has requested that funding continue and increase to \$202,342 (ex GST) per annum, \$105,342 (ex GST) in addition to the 2021/22 allocation of \$97,000 (ex GST). This funding will provide outreach homeless services to meet an increasing demand.
- Avalon Youth Hub, auspiced by the Burdekin Association, is requesting a continuation of \$90,000 (ex GST) per annum to provide outreach services and coordination of the Hub.

Funding at the existing level of \$252,500 (ex GST) has been included in the draft 2022/23 Operating Budget.

RECOMMENDATION OF ACTING DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Allocate \$97,000 (ex GST) in the 2022/23 financial year as financial assistance to Community Northern Beaches, in accordance with Section 356 of the Local Government Act 1993.
 2. Allocate \$65,500 (ex GST) in the 2022/23 financial year as financial assistance to Northern Beaches Women's Shelter, in accordance with Section 356 of the Local Government Act 1993.
 3. Allocate \$90,000 (ex GST) in the 2022/23 financial year as financial assistance to Avalon Youth Hub through the auspice organisation The Burdekin Association, in accordance with Section 356 of the Local Government Act 1993.
 4. Delegate authority to the Chief Executive Officer to negotiate service contracts with Community Northern Beaches, Northern Beaches Women's Shelter and Avalon Youth Hub through the Burdekin Association, including reporting on agreed KPIs, service outcomes and financial acquittals.
-

REPORT

BACKGROUND

Council's Social Sustainability Policy clearly articulates the role of local government and Council in the delivery of community development and services to the community. Key sections of the Policy Statement include:

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

It further states:

Through these activities Council will work strategically with local services to maximise the efficiency and quality of service delivery to the Northern Beaches community.

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

The Policy outlines several of the key activities of Council including:

To maximise the use of community buildings and the sustainability of the social services sector, Council facilitates the colocation of services and the provision of community service hubs (Activity 5. Delivering Infrastructure).

Council partners with community organisations to deliver support services that respond to the changing needs of our community. Consideration will be given to the direct provision of community services that are responsive to community outcomes where there is a gap, and work to access a provider to deliver this service to the community (Activity 6. Delivering programs and services).

Financial assistance towards these organisations is in accordance with the adopted Council Policy.

The Policy highlights that direct services are normally funded within the remit of the NSW Department of Communities and Justice and the Federal Department of Social Services. This includes services that are provided to the most vulnerable in our community, including seniors, youth, children and families, mental health, people with disability and carers, homelessness, housing support, legal aid, migrant support and domestic violence. The ongoing, significant funding of direct services, except for small grants for specific projects, is not traditionally the role of local government.

As per Section 356 of the Local Government Act 1993, a Council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions. Public notice is not required when the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.

Financial assistance towards Community Northern Beaches & Northern Beaches Women's Shelter

Former Manly Council had agreed funding arrangements in place with Manly Community Centre & Services Inc and Manly Women's Shelter Inc, which were annulled with Council amalgamations. At the Council meeting on 27 June 2017 (Item 9.1) a three-year extension was approved for both organisations. An additional \$10,000 was allocated to Manly Community Centre to make up for a shortfall in funding for their Homeless Outreach Service. Since that time both organisations have

changed their name to reflect the Council amalgamation and their broader service areas across the peninsula.

At the Council meeting on 27 October 2020, Item 10.5 resolved that:

1. *Council provide financial assistance to Community Northern Beaches Inc for the amount of \$95,315 per annum (ex GST, indexed to CPI) for a period of 18 months, commencing on 1 January 2021.*
2. *The financial assistance to Community Northern Beaches Inc be reviewed during the funding period, in light of the capacity of the new Community Services Hub to generate additional income for the service.*
3. *Council provide financial assistance to Northern Beaches Women's Shelter Inc for the amount of \$64,460 per annum (ex GST, indexed to CPI) for a period of 18 months, commencing on 1 January 2021.*
4. *The financial assistance to Northern Beaches Women's Shelter Inc be reviewed prior to the end of the funding period.*
5. *The Chief Executive Officer be delegated authority to negotiate service contracts with Community Northern Beaches and Northern Beaches Women's Shelter, including annual reporting on agreed KPIs, service outcome reporting and financial acquittals.*
6. *Community Northern Beaches and Northern Beaches Women's Shelter be thanked for their ongoing dedication and hard work in meeting the needs of the community on the Northern Beaches.*

Both Community Northern Beaches and Northern Beaches Women's Shelter continue to provide support for the local community, as detailed in Attachments 1 to 4. These reports are to assist Council in reviewing the financial assistance to these organisations, as per points 2 and 4 above.

Funding Report – Community Northern Beaches

The Community Northern Beaches Annual Report (Attachment 1) identifies the key achievements of Community Northern Beaches, including the community services hub at 52 Raglan St, Manly. It also details the financial position of the organisation.

The Funding Proposal (Attachment 2) requests funding of \$202,342 (ex GST) per annum, primarily to support the homeless outreach service. This includes the current allocation of \$97,000 (ex GST), plus an additional \$102,342 (ex GST) to expand the support provided. It should be noted that past financial assistance from Council has not been tied to any specific service, rather provided as base funding for all services provided.

As the Funding Proposal is regarding funding of the homeless outreach and drop-in service, it should be noted that it is not the responsibility of local government to provide funding for homeless services. Council's involvement is through the management of public open space and rough sleeping in these spaces. Mission Australia receives specialist homelessness services funding from the NSW State Government, part of which also supports Women and Children First. Even though Mission Australia are the funded service for this area of work in the Northern Beaches, the current financial assistance to Community Northern Beaches from Council provides additional homeless outreach services.

As stated in the Funding Proposal by Community Northern Beaches (Attachment 2), the increased funding would guarantee ongoing service delivery and financial certainty as well as employment security, as it would not be reliant on possible grants and donations.

Funding Report – Northern Beaches Women’s Shelter

The Northern Beaches Women’s Shelter Annual Report (Attachment 3) outlines key achievements during 2021 and the financial position of the organisation.

The 2021 Funding Report from Northern Beaches Women’s Shelter has outlined how the \$65,500 (ex GST) financial assistance from Council was spent. (Attachment 4).

This Report includes an unmet needs analysis indicating that an additional \$20,000 per year would increase outreach support by another 400 hours and help an additional 42 women per year to maintain and sustain accommodation and access case management support. It is reported that there are more women wanting outreach support, and that without additional funds outreach turn aways will increase, further impacting the homelessness on the Northern Beaches and service stress.

Financial assistance towards Avalon Youth Hub

An Administrator’s Minute (Item 5.4) of the Council meeting of 27 June 2017 announced funding for several new programs that support arts and culture, youth, environmental sustainability, and community events on the Northern Beaches. One of these programs related to a Youth Wellbeing Hub with the following detail:

- ii. *Youth Wellbeing Hub in the northern part of the local government area (e.g., Mona Vale): seed funding (e.g., rental assistance) for establishment of a space for hosting youth outreach services - \$90,000 per year for two years commencing 2017/18 with an intent to secure long term external funding beyond the seed funding term.*

Funding was approved in the Council meeting on 27 February 2018, including additional associated briefing notes that were provided to Council when considering this project which stated:

The project will provide seed funding (e.g., rental assistance) for establishment of a space for hosting youth outreach services that can provide holistic support and counselling services for all young people (not just those people diagnosed with an illness). There are currently no such services in the northern part of the LGA (e.g., Mona Vale) and existing school counselling services are heavily booked. With a budget of \$90,000 per year for two years commencing 2017/18, the project will meet an urgent need for help for young people through a partnership approach with professional service providers. It is the intention to secure long term external funding beyond the term of this project.

In 2018, the Burdekin Association were successful in securing the Council funding through an Expression of Interest process, with the proposal of a Youth Wellbeing Hub to act as a ‘triage and assessment facility for young people and their families’. Due to Covid19, in 2020 this funding was extended to 31 December 2020.

At the Council meeting of 27 October 2020, Item 10.6, it was resolved that:

1. *Council provide financial assistance to The Burdekin Association as the auspice body for the Avalon Youth Hub to the amount of \$90,000 per annum (ex GST, indexed to CPI) for a period of eighteen months, commencing in January 2021.*
2. *The Chief Executive Officer be delegated authority to negotiate a service contract with The Burdekin Association, including annual reporting on agreed KPIs, service outcome reporting and financial acquittals.*
3. *The Burdekin Association and Avalon Youth Hub be asked to identify other funding sources prior to June 2022 so as to become self-sufficient during this period and not reliant on future Council funding.*

4. *The Burdekin Association and the Avalon Youth Hub be thanked for their dedication and hard work in meeting the needs of the community in the northern part of the local government area over the past two years.*

The Burdekin Association have provided a Report to Council (Attachment 5) including specific detail regarding the outcomes achieved from Council funding. The Avalon Youth Hub is working towards becoming independently financially viable and has obtained some funding from other sources, such as fundraising, philanthropy and grants from other agencies. Avalon Youth Hub has stated that they still require baseline funding to operate while they continue to endeavour to attract alternative funding sources.

Financial assistance towards local social services

The total funding provided to local social services by Council in 2021/22 was \$372,500. Council's primary vehicle for financial assistance towards local social services is through the annual Community Development Grants Program. The 2021/22 Community Development Grants Program supported 17 organisations for up to \$10,000 each, with a total pool of funding of \$120,000. This grants program has become increasingly competitive since its commencement in 2018, with 91 applicants in the 2021/22 round resulting in less than 25% of applicants receiving funding. Northern Beaches Women's Shelter was one of these successful recipients receiving an additional \$7,500.00 towards a Safety and Wellbeing program.

It is noted that 68% of Council's total financial assistance towards local social services goes towards the three services that are the subject of this report. Council also provides significant rental subsidies to Community Northern Beaches for the community service hubs at 52 Raglan St Manly and Brookvale Community Centre. Rental subsidies are also provided to Women and Children First (formerly Manly Warringah Women's Resource Centre). In addition to the rental subsidy, in 2019/20 Council funded the fit out of the community services hub at 52 Raglan St, Manly, which amounted to over \$900,000 from Council's general revenue.

CONSULTATION

Council staff have liaised with management at Community Northern Beaches, Northern Beaches Women's Shelter and Avalon Youth Hub via The Burdekin Association. If future funding is approved their respective Management Committees will be consulted in relation to the drafting of the new Agreements and Service levels.

TIMING

Financial assistance towards Community Northern Beaches, Northern Beaches Women's Shelter and Avalon Youth Hub ceases on 30 June 2022. As such, a decision is required to ensure adequate time to develop new funding agreements or for these agencies to identify alternate funding and income sources.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and Belonging - Goal 11: Our community feels safe and supported.
- Community and Belonging - Goal 12: Our community is friendly and supportive.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

This report relates to the Council's Social Sustainability Policy articulating the role of local government and Council in the delivery of community development and services to the community:

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

FINANCIAL CONSIDERATIONS

Funding to support these organisations is included in the draft 2022/23 operational budget, including \$97,000 (ex GST) for Community Northern Beaches, \$65,500 (ex GST) for Northern Beaches Women's Shelter and \$90,000 (ex GST) for Avalon Youth Hub. Financial assistance above this level of funding will require a reduction in service levels in another program to maintain a balanced budget.

If financial assistance is approved, Funding Agreements will be entered into which outline the terms and conditions of the approved annual operating subsidy, including annual reporting and financial acquittal of the funds. All organisations have met or exceeded Funding Agreement KPI's in previous years.

SOCIAL CONSIDERATIONS

Financial assistance to Community Northern Beaches, Northern Beaches Women's Shelter and Avalon Youth Hub provides positive social outcomes, in relation to providing services to those in need on the Northern Beaches. These organisations are held in high regard and are an important part of the Northern Beaches' social infrastructure.

Further details on the services achievements are outlined in the Attachments.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations.

GOVERNANCE AND RISK CONSIDERATIONS

Council may grant financial assistance for the purpose of exercising its functions under Section 356 of the Local Government Act 1993, by Council resolution.

The Community Northern Beaches 2020/21 Annual Report indicates that Michael Regan, Mayor of Northern Beaches Council, is a Patron of Community Northern Beaches.

Northern Beaches Women's Shelter website indicates that Lisbeth (Beth) Lawsen has been a Board Member since 2018. Ms Lawsen is a previous senior staff member of Council.

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|--------------------------|---|
| ITEM 10.2 | PUBLIC EXHIBITION OF THE DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2026 |
| REPORTING MANAGER | EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE |
| TRIM FILE REF | 2022/099619 |
| ATTACHMENTS | 1 ⇒ Draft Disability Inclusion Action Plan 2022-2026 (Included In Attachments Booklet) 2 ⇒ Stage One Community Engagement Report - DIAP 2022-2026 (Included In Attachments Booklet) 3 ⇒ Draft DIAP Easy Read (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To seek Council's approval to publicly exhibit the draft Disability Inclusion Action Plan 2022-2026 and supporting documents for a minimum of 28 days.

EXECUTIVE SUMMARY

Disability inclusion makes our community stronger as it creates a community where everyone can participate, and a diverse range of views and individual perspectives are valued. People living with disability bring a range of individual strengths, interests and knowledge that contribute to the vibrancy and diversity of the Northern Beaches.

The draft Disability Inclusion Action Plan 2022–2026 (DIAP 2022–2026) is Northern Beaches Council's second Disability Inclusion Action Plan. The current Disability Inclusion Action Plan 2017-2021 (DIAP 2017–2021) delivered a number of actions that support the vision of universal access and inclusion. The draft Disability Inclusion Action Plan 2022 - 2026 (DIAP 2022 – 2026) builds on this progress and outlines Council's next set of priorities. In the development of the DIAP 2022-2026 over 250 community members participated and contributed through an extensive consultation process.

Actions identified in the draft DIAP 2022-2026 address the following four focus areas in line with the NSW State Disability Inclusion Plan (DIP):

- Positive community attitudes and behaviours
- Creating liveable communities
- Supporting access to meaningful employment
- Improving access to mainstream services through better systems and processes.

Better Together 2040 Social Sustainability Strategy outlined the vision for creating a socially sustainable and inclusive community for all. The draft DIAP 2022 - 2026 is an identified action working towards the outcomes in the Inclusive pillar of Better Together 2040.

Disability Inclusion Action Plans are a legislative requirement of all Councils in NSW. Council is required to have the next DIAP adopted by 30 June 2022.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That:

1. Council place on exhibition the draft Disability Inclusion Action Plan 2022-2026 for a minimum of 28 days.
 2. The outcome of the public exhibition of the draft Disability Inclusion Action Plan 2022–2026 be reported to Council.
-

REPORT

BACKGROUND

Council's Better Together 2040 Social Sustainability Strategy identifies priorities and actions for the ongoing development of a safe, inclusive, and connected Northern Beaches. The Disability Inclusion Action Plan 2022-2026 (DIAP 2022-2026), Attachment 1, is an identified action within Better Together 2040 under the inclusion pillar.

The DIAP 2022-2026 sets priorities and identifies actions for the next four years to ensure there is continual improvement to create a more accessible and inclusive community for all residents and visitors to the Northern Beaches.

Legislation implemented in 2014 requires all Councils to develop and implement a DIAP every four years to create positive change on the accessibility and inclusiveness of their communities. Council is also required to provide annual updates on the progress of the plan to the NSW Disability Council.

The State Government delivered their first State-Wide Disability Inclusion Plan (DIP) in February 2015, providing direction for all public authorities including Local Government. The State Government DIP identifies the following four keys focus areas which the Northern Beaches Council DIAP is required to align with:

1. Attitudes and Behaviours
2. Employment
3. Liveable Communities
4. Systems and Processes.

As this is Northern Beaches Council's second DIAP a key objective in developing this plan has been reviewing and building on the success of the first plan. A review of the Northern Beaches DIAP 2017-2021 was conducted at the start of the project and highlighted key achievements in delivering and implementing the actions identified. A summary can be found in the draft DIAP 2022-2026, Attachment 1.

The draft DIAP 2022-2026 continues to work towards achieving the community's' vision for inclusion and access:

Universal access and inclusion across the Northern Beaches that enables people living with disability to fulfill their potential as equal members of the community. (Northern Beaches Disability Inclusion Action Plan 2017-2021)

CONSULTATION

Consultation for the development of the draft DIAP 2022-2026 was conducted throughout October and November 2021. The engagement involved over 250 stakeholders and further detail is provided in Attachment 2 – Engagement Report.

Community and stakeholder engagement aimed to:

- Build community and stakeholder awareness of participation activities
- Provide accessible information so community and stakeholders can participate in a meaningful way
- Identify community and stakeholder concerns, local knowledge, and values
- Provide vulnerable and marginalised groups access to the engagement process.

A range of online engagement tools were developed to ensure people living with disability, their family, carers, friends, service providers and other engaged and interested community members could meaningfully engage.

The consultation techniques were also designed to overcome the challenges to consultation presented by the COVID-19 pandemic.

The engagement activities included:

- Your Say project page outlining project objectives and timeline, hosting key documents, promoting engagement opportunities, and seeking feedback
- Feedback on a draft community survey from service providers on the Northern Beaches prior to launch
- Online community survey – 194 community members shared their experiences and feedback about living, working, and participating on the Northern Beaches
- Vision board – 30 community members shared their vision for an inclusive and accessible Northern Beaches using an online vision board hosted through the Your Say project page
- Workshop in a Box – service providers supported their clients to participate in a Workshop in a Box activity that gathered lived experience
- Two community conversations with people from the community with lived experience of disability
- Two Internal DIAP workshops with teams across Council that contribute to improving access and inclusion of people living with disability.

All feedback received through the consultation activities has been analysed and themed to provide guidance in the development of the actions identified for implementation. The following themes emerged:

- Access to what the Northern Beaches has to offer
- Opportunities for engagement
- Opportunities for employment
- Focus on infrastructure
- Awareness and education.

During the consultation a number of community members shared that they believed Council has made positive progress in making the Northern Beaches more inclusive and accessible but there was still more that needed to be done.

It is proposed to publicly exhibit the draft DIAP 2022-2026, the Easy Read version of the DIAP 2022-2026 Attachment 3, and the Engagement Report in May 2022. During this period, community engagement will include:

- Information on the Your Say page, including an online submission form for community feedback; and
- Notification to previously involved community members and organisations seeking their feedback.

TIMING

Following the 28-day public exhibition period all submissions received will be reviewed and any necessary changes made to the draft DIAP 2022-2026.

The submissions and final DIAP 2022-2026 will be reported back to Council for adoption.

An endorsed Disability Inclusion Action Plan must be submitted to the Disability Council NSW by 30 June 2022.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes 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.
- Community and Belonging - Goal 12: Our community is friendly and supportive.

Other Strategies:

Better Together 2040 Social Sustainability Strategy – The Disability Inclusion Action Plan is identified as one of the key action plans within Better Together 2040.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with the exhibition of the draft DIAP 2022-2026.

The implementation of the draft DIAP 2022-2026, once adopted, will have financial implications in relation to actions identified over the next 4 years. The actions that involve capital works of Council assets will be considered in line with the Asset Management Plan, fit within existing financial forecasts and will be included in the annual budgets. The operational actions will be managed within existing operational budgets.

SOCIAL CONSIDERATIONS

The draft DIAP 2022-2026 and implementation of the actions over the next four years will have a positive and meaningful impact for the whole community, particularly those people living with a disability and their families, carers, and friends.

By engaging with people living with disability we have been able to identify actions that will work towards addressing current barriers that exist for them in the community that prevent or limit their participation. This includes physical barriers to infrastructure provided by Council, systems and processes involved when engaging with Council services, attitudes and behaviours of staff and the community, and increasing employment opportunities available to people living with disability.

The implementation of the plan will continue Council's efforts to make the Northern Beaches even safer, more inclusive, and better connected.

ENVIRONMENTAL CONSIDERATIONS

The draft DIAP 2022-2026 has minimal environmental consideration. The implementation of actions that require capital projects will consider all necessary environmental impacts of the projects and improvement works when being delivered. Some of the actions work towards improving access to the environment for the community.

GOVERNANCE AND RISK CONSIDERATIONS

The draft DIAP 2022–2026 will allow the Northern Beaches community to achieve positive outcomes for people living with disability and their networks.

This plan provides direction and alignment of Council resources to improve access and inclusion. That is important given the number of services across Council that contribute to these outcomes.

The adoption of the final DIAP 2022-2026 will meet Councils statutory requirement to deliver a Disability Inclusion Action Plan by 30 June 2022.

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

| | |
|--------------------------|--|
| ITEM 11.1 | PUBLIC EXHIBITION OF THE DRAFT NARRABEEN LAGOON ENTRANCE MANAGEMENT STRATEGY |
| REPORTING MANAGER | EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE |
| TRIM FILE REF | 2021/683609 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒ Draft Narrabeen Lagoon Entrance Management Strategy (Included In Attachments Booklet) 2 ⇒ Community and Stakeholder Engagement Stage 1 Report (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To seek Council approval to place the draft Narrabeen Lagoon Entrance Management Strategy (the Strategy) on public exhibition for a period of at least 28 days.

EXECUTIVE SUMMARY

Council has developed the Draft Strategy (the Strategy) (Attachment 1) to review current practices and processes and to establish the most effective way to manage the Narrabeen Lagoon entrance in the longer term. The Strategy is a comprehensive investigation of all aspects of entrance management, including sand transport, flood benefits, entrance efficiency and dynamics and the long-term costs and sustainability of entrance-specific options.

The Strategy is structured based on management for the Short, Medium and Long Term horizons, which are broadly determined based upon the existing management practices as follows:

- Short Term management involves the reactive management of the Lagoon entrance and associated emergency response arrangements and intelligence, to reduce immediate flood risk within the Lagoon/surrounding areas, including emergency breakouts of the entrance as required. The strategy recommends continuing with mechanical breakouts, as needed, with refinements including:
 - developing a flexible set of trigger conditions to allow for a wider range of conditions
 - improving the pilot channel to maximise the available scour depth and provide flexibility for current conditions such as the state of beach rotation
 - investigating improved technology for data collection.
- Medium Term management involves the periodic removal of accumulated sand in the Lagoon entrance and transport to Collaroy-Narrabeen Beach for beach replenishment. Entrance clearance operations have been undertaken over the last 40 years, and have involved removing on average 30,000-50,000m³ of sand approximately every 3-5 years. Consideration has also been given to entrance clearances with increased frequency but at lower volumes and management of the Birdwood Park Dune. The strategy recommends continuing with entrance clearances with the following improvements:

- trial undertaking the entrance clearance more frequently but with a reduced volume, noting that a clearance of 15,000m³ every 2 years has a similar economic cost as a clearance of 40,000m³ every 4 years
- for the more regular clearances, trial focusing the clearance area on a regime tidal channel or on the western shoal.
- Long Term management options have been investigated, including options requiring high upfront costs for permanent infrastructure, to determine whether there is a better way to reduce flood risk in the longer term. The options considered include:
 - Ebb-Tide Channel - half-tide training walls or low-level rock structures would be installed within the Lagoon entrance to harness the outgoing tide to help push sand away from accumulated areas and thereby reduce sand build-up.
 - Mobile Sand Pumping – an alternative to trucking sand down the beach during an entrance clearance, this would see excavated sand fed mechanically into a mobile hopper as a slurry pumped through a permanent pipeline and then a temporary delivery pipeline for beach replenishment along Collaroy-Narrabeen Beach.
 - Low flow pipes - low flow pipes similar to those at Manly Lagoon entrance would be installed to improve water clarity in the Lagoon through regular tidal exchange. This would maintain lower initial water levels when the Lagoon entrance is closed.

Each of the potential long term entrance management options underwent an assessment of the technical feasibility and economic, social and environmental impacts and risks against the 'base case' or current entrance management practices undertaken by Council. The assessment was informed by a review of existing literature, modelling of selected options and a detailed cost benefit analysis by a quantity surveyor.

The ebb-tide channel option was found to not sufficiently clear sand to provide flood relief, and the low flow pipes were not considered viable due to operational/maintenance challenges and likely environmental impacts.

The main Strategy recommendation for the longer term is the continuation of periodic entrance clearance operations, with the trialing of an increased frequency of every 2 years and a lower volume of about 15,000m³, and flexibility depending on the state of beach rotation on Collaroy-Narrabeen Beach.

It is also recommended that mobile sand pumping (as an alternative to trucking sand) be reviewed if lower cost pricing becomes available from a contractor-delivered scheme rather than Council purchasing pipes and pumps. The Strategy also recommends reshaping and revegetation of the Birdwood Park Dune to reduce the potential for movement of sand into the Lagoon.

Public exhibition of the draft Strategy is recommended. This will be completed through the delivery of a comprehensive engagement program that builds on the approach developed during the Stage 1 initial community consultation.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

1. Council place the draft Narrabeen Lagoon Entrance Management Strategy on public exhibition for a period of at least 28 days.
 2. The outcome of the public exhibition of the draft Narrabeen Lagoon Entrance Management Strategy be reported to Council.
-

REPORT

BACKGROUND

The Narrabeen Lagoon (the Lagoon) is the largest of the four coastal lagoons within the Northern Beaches Local Government Area and is very highly valued for its natural wildlife and environment, bushwalks, water sports and other recreational activities. Council's management of the Lagoon considers a wide range of factors, including the environment, the highly urbanised nature of the adjacent floodplain, recreational use including the entrance itself and the adjacent National Surfing Reserve at North Narrabeen, and the constant movement of sand in the area.

Flooding on the Lagoon floodplain occurs after heavy rain in the catchment or from elevated ocean water levels due to storm surge and king tides, or a combination of both. Over the last 40 years Council has pro-actively managed the entrance of the Lagoon so that it is mostly open, reducing the flood risk of homes and businesses. During periods of entrance closure and impending rainfall, Council will intervene and undertake an emergency mechanical opening of the lagoon entrance when pre-determined "trigger" conditions are met. This is referred to in the Strategy as Short Term management.

Every few years Council undertakes a larger scale removal of sand. Entrance clearance practices are referred to in the Strategy as Medium Term management, and involve the removal of about 30,000 - 50,000 m³ of sand from the greater entrance area (west and east of the Ocean Street Bridge) with heavy machinery. This generally maintains the entrance in an open condition for several years, (depending on ocean and rainfall conditions). Each entrance clearance operation requires significant planning and funding and takes many months to plan and complete.

The Narrabeen Lagoon Floodplain Risk Management Plan (Cardno, 2019) identified entrance clearance works as the highest ranked option for flood mitigation within the catchment due to its role in removing accumulated ocean sand and improving flow. It also called for the preparation of an Entrance Management Strategy to undertake a technical investigation into how the current entrance management practices for the Lagoon might be improved.

Council has prepared this Strategy (Attachment 1) to review current practices and processes and to establish the most effective way to manage the Lagoon entrance in the longer term. The Strategy reviews all aspects of entrance management, investigates potential alternative options including options with permanent infrastructure, and makes recommendations for improvement.

Coastal processes

The Lagoon is one of approximately 70 Intermittently Closed and Open Lakes and Lagoons (ICOLLs) in NSW. An ICOLL is a generic term for a distinct type of estuary with a tendency for the ocean entrance to close during periods of low freshwater inflow and/or specific entrance conditions. An ICOLL entrance is a dynamic environment, and in Narrabeen Lagoon the amount of sand moved into the entrance by the incoming tide and the action of waves continually exceeds the amount of sand removed by the outgoing tide, eventually resulting in closure of the entrance. In a natural system, the Lagoon entrance remains closed until rainfall in the catchment fills the Lagoon, raising water levels enough to overtop the sand barrier and scour a new channel to the ocean.

In Narrabeen Lagoon, sand is continually being delivered to the entrance of the Lagoon. It enters under the action of waves, which mobilise the sand within the surf zone and deliver it to the seaward end of the entrance channel. Sand is also transported towards the entrance alongshore within the swash zone by waves breaking and running up at an angle to the beach alignment. Other mechanisms for sand transport into the Lagoon include being blown by the wind over the Birdwood Park dune and by wave overtopping of the beach berm adjacent to the entrance channel, which can mobilise sand from the berm and deposit it into the entrance channel behind.

In recent years there has been an increased rate of sand movement northwards up the beach, resulting in a much wider than normal beach width at the entrance. This is due to the decadal cycle

of beach rotation, which varies with changes in the predominant wave direction associated with the El Nino-Southern Oscillation (ENSO) climate cycle. Beach rotation during the last five years has resulted in a much wider beach width at North Narrabeen Beach, which has increased the potential for sand transport into the entrance of the Lagoon. Consequently, Entrance Clearance operations have needed to be completed more frequently.

The aerial photos in Figure 1 below show that historically, the entrance area has generally been choked with sand.



1930



1941



1955



1962



1971



1975

Figure 1: Historical aerial photographs of Narrabeen Lagoon 1930-1975

The photos in Figure 2 show the entrance area just before and just after the construction of the Ocean Street Bridge between 1920 and 1927.



Figure 2: Narrabeen entrance – just before and just after construction of the Ocean Street Bridge, ca. 1900-1927

The photos in Figure 3 illustrate the impact of ocean waves pushing back into the entrance, which not only transports sand, but can impede the outflow of flood waters in some circumstances.



Figure 3: Elevated ocean levels on 6 June 2012

Draft Narrabeen Lagoon Entrance Management Strategy

This Strategy considers how Council currently manages the Lagoon entrance and whether improvements could be implemented. The Strategy includes a review of the Council's current entrance management practices, data collection and a literature review of best practice. It identifies, analyses and evaluates possible alternative options. A prioritised set of actions for implementation have been identified that are expected to improve the management of the entrance both in terms of efficiency and outcomes (Table 1).

The Strategy is structured based on management for the Short, Medium and Long Term horizons:

- Short Term: Mechanical opening of closed entrance
- Medium Term: Large scale removal of sand through periodic entrance clearance operations
- Long Term: Investigation into major alternatives to periodic entrance clearance operations

Short Term Closed Entrance Management

The short term horizon focused on a review of Council's existing emergency procedures for managing the Lagoon entrance, including existing opening trigger levels and their effectiveness for a range of flood scenarios.

As outlined above, Council mechanically opens the entrance of the Lagoon when the water level reaches 1.0-1.3m AHD. Although at this level the Lagoon is not inundating homes, it begins to impact some roads, and is noticeably elevated which can cause alarm in the community if it remains elevated for long periods of time. It was found that this trigger level range is appropriate, but openings are more effective at the upper end of this range.

Flood response, successful emergency openings and forecasting the need for an entrance clearance could be enhanced with additional in-field data capture which is being recommended as a short-term improvement.

Recommendations have also been made to investigate whether mechanically opening the Lagoon with a better pilot channel and/or at lower water levels could be done and if so, what conditions would be required to ensure a successful opening.

Finally, noting that with the best efforts flooding is still likely under certain conditions, recommendations have also been made to improve the level of information available to the community to help with flood preparation and resilience.

Medium Term Entrance Management

The Medium Term horizon focuses on the management and removal of accumulated marine sand in the Lagoon entrance and the subsequent placement of the excavated material on Collaroy-Narrabeen Beach for replenishment. Over the last 40 years, entrance clearance operations have involved the removal on average of 30,000-50,000 m³ of sand, approximately every 3-5 years, depending on sand and weather conditions.

The Lagoon entrance clearance works require significant planning and funding, with each operation costing in excess of \$1 million. From the time it is confirmed that a new entrance clearance is required, it can take at least six months before works begin on-site, with design, environmental approvals and construction procurement being required before works can commence.

The Strategy reviewed current entrance clearance practices and while it recommended that the large clearances continue, identified some areas where processes could be improved. It also investigated the concept of undertaking the entrance clearance more frequently but with a reduced volume, with a clearance of 15,000m³ every 2 years based on providing a similar economic cost as a clearance of 40,000m³ every 4 years. For the 2 yearly clearance proposal, two potential options were identified for trialling, being a clearance focusing on a regime tidal channel or a clearance focusing on the western shoal.

The Strategy also investigated the role of Birdwood Park Dune and provided recommendations for its management and maintenance.

Long Term Entrance Management Strategy Options

The Strategy investigated a range of options including options requiring high upfront costs for permanent infrastructure, to determine whether there is a better way to reduce flood risk in the longer term. These options could be implemented either in conjunction with or as alternative to the current entrance clearance practices. The investigation included consultation with a technical expert panel as well as the community, and the options were assessed from a technical feasibility, economic, environmental and social impact perspective.

Options were compared against current entrance clearance practices as the 'Base Case', which for comparison was adopted as the removal of 40,000m³ of sand every 4 years, and transporting it to Collaroy-Narrabeen Beach for beach replenishment.

An Entrance Management Workshop was convened by Council in December 2019, and involved technical stakeholders and industry experts, where a range of potential options were discussed including options considered in previous studies and ideas provided by community members, with a view to narrowing down the range for detailed investigation. The outcome of this workshop was the identification of the following four potential long term entrance management options:

1. Rock training wall
2. Ebb tide channel
3. Mobile sand pumping
4. Low flow pipes.

Rock Training Wall

Council commonly receives requests to consider a permanent opening at the Lagoon entrance. The only method to permanently open the Lagoon entrance is to build a training wall (breakwater or breakwall) with consideration given to removal of the bedrock platform and/or rock sill that act to control natural scour levels and form a hydraulic control for Lagoon water levels. The option of constructing a training wall at the Lagoon entrance was discussed in detail by the expert technical

panel. Preliminary investigation of a training wall identified a range of significant environmental, recreational, public safety and aesthetic impacts, which are detailed in the Strategy (*NLEMS, Section 6.2*).

The investigation also identified that even a moderate training wall (reduced length, no entrance bedrock removal) would be twice as expensive as current management practices over a 30 year planning period with a full permanent entrance (including entrance bedrock removal) likely to be over five times more expensive. The training wall would also likely impact surfing conditions at North Narrabeen. As a result, the training wall option was not considered any further.

Ebb-Tide Channel

The ebb tide is the tidal phase during which the tidal current is flowing seaward out of the Lagoon, and the flood tide is the tidal phase during which the tidal current is flowing inland into the Lagoon. An ebb tide channel is the naturally formed underwater channel which forms as the tide flows out of the Lagoon. Depending on various factors such as water velocity, direction and sand grain size, a submerged wall structure may be able to deflect and focus the energy of the ebb tide to enhance natural channel scour and potentially keep the entrance open longer if ebb tide currents are able to transport sand out of the Lagoon and into the ocean.

The ebb tide channel option would involve the enhancement of an ebb tide dominant channel by installing submerged control structures downstream of Ocean Street perpendicular to the left hand bank (looking downstream), as in Figure 4.



Figure 4 – Concept of Ebb Tide Channel Option

The modelling results indicated that the walls would not be effective in generating the desired increase in ebb tide currents to maintain an ebb tide dominated entrance channel thereby keeping the lagoon open. It may also have needed to be supported by periodic sand removal with earthmoving equipment. As such, the ebb-tide channel option was not considered to be a technically feasible entrance management option and was eliminated from further consideration.

Mobile Sand Pumping

This option involved the use of a mobile sand pumping system which would be fed with sand mechanically excavated from the entrance and, together with Lagoon water, would pump the resulting slurry through a pipeline to a beach replenishment location to the south, as shown in Figure 5.

It should be noted that this option is not a different concept of permanently maintaining an open Lagoon, but rather a different sand transport mechanism to remove and transport the sand during periodic entrance clearance operations.

Pumping of a sand slurry over a distance of greater than 2km requires the use of booster stations, which would be necessary for pumping sand further south of Devitt Street. This type of mobile pumping system operates at Mandurah in Western Australia.

A section of pipeline would be permanently installed along the top of the existing foredune or through a cut and cover operation along Ocean Street. A mobile hopper would be periodically deployed and connected to the end of the permanent pipeline to pump the excavated sand. A temporary pipeline would be used to pump sand south of Devitt Street where there is a lack of existing foredune. The temporary pipeline would be deployed along the back of the existing beach during pumping operations.

This option would remove in excess of 6,000 truck movements from the roads as per the Base Case clearance operation which are currently required to transport excavated sand from the entrance to Collaroy-Narrabeen Beach.



Figure 5 – Concept of Sand Pumping Option

Installation of Low Flow Pipes

This option involved the installation of low flow pipes at the Lagoon entrance to provide some release of rainfall runoff into the Lagoon (mitigation of build-up in Lagoon water level and thus benefit to Lagoon flooding), and to allow tidal exchange between the Lagoon and the ocean when the entrance is otherwise closed for prolonged periods. A similar scheme has been implemented at the entrance to Manly Lagoon.

The installation of low flow pipes at the Lagoon could be achieved by directional drilling of pipelines through the entrance bedrock platform. The inlet of the low flow pipes could be positioned at the bend in the tidal channel running adjacent to the northern seawall, as shown in Figure 6. At this location the bed levels within the entrance channel are relatively stable at around -0.6m AHD, being a sufficient distance away from the more dynamic downstream areas opposite Birdwood Dune where extensive shoaling occurs.

This option does not address the ongoing deposition of sand within the Lagoon entrance therefore the option is a supplementary option to consider in conjunction with another long term option or would require regular emergency clearances (short term options).



Figure 6 – Concept of Low Flow Pipes Option

Recommendations for implementation in the Strategy

The Strategy has developed a prioritised set of actions for implementation, (refer Table 1) that are expected to improve the management of the entrance both in terms of efficiency and outcomes. Options for the Short Term relate to mechanical opening of the lagoon for flood mitigation purposes and options for the Medium / Long Term relate to managing large volumes of sand in the longer term, with a view to maintaining an open entrance for as long as is practicably possible. These options are still in draft form, for consideration by the community during public exhibition.

Table1: Entrance Management Strategy implementation actions

| Option Type | Option Description | Action | Priority |
|-------------|--|---|----------|
| Short term | Maintain mechanical opening of the lagoon entrance for the primary purpose of flood mitigation | Develop a flexible set of trigger conditions to allow for openings to be undertaken in a wider range of conditions, including extenuating scenarios. | High |
| | | Refine guidelines for where the pilot channel is to be excavated, locating it in a position that works more effectively with the natural configuration of the entrance. Review and update Council's OMS procedures and REF for lagoon openings. | High |
| | | Enhance collection of data, including through the use of remote data sensing equipment, and use this data to refine flood forecasting, improve the location of the entrance channel etc. and evaluation of the success of entrance openings. | Medium |

| Option Type | Option Description | Action | Priority |
|---------------------------|---|--|----------|
| | | Enhance publicly available information on Council's website and the MHL flood warning webpage to support understanding of how and why Council manages the Narrabeen Lagoon entrance. Information could include a decision matrix/tree, trigger levels for mechanical openings, and real-time updates on conditions. | Medium |
| Medium / Long Term | Continue periodic entrance clearance operations | Review design and frequency of entrance clearance operations on an ongoing basis, with consideration for factors including beach rotation and climate change. Investigate more frequent, smaller scale, strategic removal of sand from the flood tide shoals. Consider trialling a focus on the western shoal or a regime tidal channel. | High |
| | Review mobile sand pumping option | Review mobile sand pumping if lower cost pricing becomes available from a contractor delivered scheme rather than requiring Council to purchase pipes and pumps. | Low |
| | Review processes for entrance clearance | Review payment methods and procurement strategy for contractor; and Review tracking method for excavation depths and extent during works. | Medium |
| | Reshape, revegetate and maintain Birdwood Park dune | Reshape the dune, with relocation of sand away from western side and re-creation of the beach on the western side of the dune. | High |
| | | Revegetate the denuded areas of the dune, to stabilise it and to limit wind-blown sand entering the lagoon. Extend the vegetation as far north as practicable, to reduce alongshore width of the lagoon entrance berm to reduce sand entering lagoon. | High |
| | | Maintain the dune. Maintain the vegetation, monitor the profile of the dune and adjacent beaches and manage sand movement. Consider sand-catching fences. | Ongoing |

Recent flood improvements

In addition to the development of this Strategy, Council is continuously improving its floodplain management planning and processes.

- In 2017 Council engaged a consultant to develop a predictive tool to aid in flood prediction and emergency response, and to inform decisions relating to mechanical openings of the entrance. Flood prediction in coastal lagoons is complicated by the highly variable downstream conditions related to tidal behaviour, berm height, entrance dynamics and morphology, and ocean waves. This bespoke flood information tool integrates these considerations while incorporating near real-time rain gauge data, Bureau of Meteorology (BoM) rainfall forecasts, tide and antecedent moisture content into its automated predictions of the lagoon level for up to three days into the future.

- Council has improved its emergency response processes by adopting the Australasian Inter-Agency Incident Management System (AIIMS) to manage the risk of flooding. The establishment of an Incident Management Team when flooding is likely, allows for rapid assimilation of information, allocation of resources to where they are most needed and integrates with similar models in use by our emergency services partners, making it easier to manage support.
- Council has improved the information disseminated to the community prior to and during flood events through its website and through social media.
- Council is continuously investigating flooding and options for floodplain risk management throughout the LGA by undertaking studies with financial and technical assistance from NSW Government. Flood related studies have been undertaken throughout the LGA, including the Narrabeen Lagoon Floodplain Risk Management Plan (Cardno, 2019).
- One of the most significant flood investigations in recent times has been the Wakehurst Parkway Flood Improvement investigation, which has sought options for reducing the frequency of road closure due to flooding.

CONSULTATION

The options underwent an initial community consultation process from 10 February 2021 to 28 March 2021 (Stage 1). A full breakdown of the consultation approach, the submissions received and the responses to the themes are outlined in the *Stage 1 Community Engagement Report* included as Attachment 2. The Stage 1 consultation highlighted the diversity of opinion in the local community about the key issues and management objectives for Narrabeen Lagoon.

The consultation process included the preparation of a 7 minute educational video; a letter and associated online delivery of an Options Paper to all flood prone and beachfront landowners and residents within 1,000m of the Narrabeen Lagoon entrance (~3100 properties); media releases and regular news stories on Council's website; establishment of a project website through the Your Say platform providing regular updates on the project; key messaging to all stakeholder groups surrounding Narrabeen Lagoon, all watercraft storage permit holders, and all recreational and community user groups; targeted meetings with the Northern Beaches Flood Committee and other key stakeholder groups that have an interest in Lagoon entrance management; and five face to face drop in appointments at three different locations.

A total of 111 submissions across the Your Say platform and emailed submissions were received. There were 4,115 visits to the Your Say page from 3,112 visitors. The educational video received over 4,500 views during the consultation period, and as of February 2022, has received over 9,300 views.

The key themes that were highlighted in submissions are:

- Support for further investigation into a sand pumping scheme
- Support for and outlining the benefits of open entrance conditions at Narrabeen Lagoon
- Requests to consider dredging of the main waterbody of Narrabeen Lagoon
- Suggested improvements to the Entrance Clearance operation
- Suggested alternative management options

An external stakeholder technical workshop was also conducted in September 2021 to provide feedback for an early draft of the Strategy. Feedback through this workshop highlighted potential improvements which were then incorporated into the draft Strategy.

Public exhibition of the draft Strategy is now proposed, for a period of at least 28 days, to ensure members of the community have an opportunity to provide comments. A comprehensive engagement program is currently being developed, building on the approach developed during the Stage 1 initial community consultation. This will include:

- Letters to residents affected by flooding within the Narrabeen Lagoon catchment
- Use of signboards in key locations around the Lagoon (e.g. at North Narrabeen Rockpool)
- Focussed social media advertising to raise awareness among users as well as residents
- Community information sessions including options for both face to face and online including sessions with staff and webinars
- Meetings with key stakeholder groups
- Use of a video summarising and explaining the options and recommendations
- Raising awareness via Council's e-news and engagement newsletters

TIMING

Public exhibition of the draft Strategy will commence pending endorsement by Council at the April 2022 meeting. Submissions will be reviewed and where appropriate incorporated into a revised final Strategy. The final Strategy will then be presented to Council for its consideration.

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.

The Strategy is a key recommendation in the Narrabeen Lagoon Floodplain Risk Management Study and Plan, 2019.

FINANCIAL CONSIDERATIONS

The delivery of the Strategy and associated community consultation is included in the 2021/22 and 22/23 operational budgets. The implementation of any future Long Term options will be the subject of future Council consideration and funding applications to the NSW Floodplain Management Program.

SOCIAL CONSIDERATIONS

The management of Narrabeen Lagoon entrance is complex and can have impacts on a range of stakeholder and lagoon/ocean user groups. The assessment of management options has been subject to not only the technical and economic feasibility, but also a detailed social impact assessment. The public exhibition of the draft Strategy will offer opportunities for stakeholders to engage with Council and will ensure that social impacts can be appropriately assessed and captured, and that the ultimate selection of improvements to existing approaches and new management approaches have community support.

ENVIRONMENTAL CONSIDERATIONS

The Strategy outlines the significant natural processes and attributes that have to be considered in managing the entrance to Narrabeen Lagoon. The potential impacts to these have been considered at a high level in the Strategy, however the implementation of any alternative management strategy for the Lagoon entrance would be the subject of a comprehensive environmental assessment and approval process.

GOVERNANCE AND RISK CONSIDERATIONS

Completion of the Strategy fulfils Council's obligations under Section 733 of the Local Government Act (1993) to manage flood prone land in accordance with the NSW Floodplain Development Manual, 2005, through the investigation and analyses of numerous options and in the development of recommendations for action.

The decision to implement any activities in the Strategy will be determined by the various legislative requirements that may apply, including but not limited to environmental assessments and the like under the Environmental Planning and Assessment Act (1979).

| | |
|--------------------------|--|
| ITEM 11.2 | PUBLIC EXHIBITION DRAFT NORTHERN BEACHES RESILIENCE STRATEGY - WITHSTAND. ADAPT. THRIVE |
| REPORTING MANAGER | DIRECTOR ENVIRONMENT AND SUSTAINABILITY |
| TRIM FILE REF | 2022/100229 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒ Draft Northern Beaches Resilience Strategy - Withstand. Adapt. Thrive. (Included In Attachments Booklet) 2 ⇒ Final Report - Resilience Phone Survey Results (Included In Attachments Booklet) 3 ⇒ Final Report - Resilience Online Survey Results (Included In Attachments Booklet) 4 ⇒ Final Report - Resilience Strategy Focus Groups (Included In Attachments Booklet) 5 ⇒ Final Report - Strategic Reference Group Resilience Workshop (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To seek Council endorsement to publicly exhibit the draft Northern Beaches Resilience Strategy.

EXECUTIVE SUMMARY

Council has developed the draft Northern Beaches Resilience Strategy – Withstand. Adapt. Thrive (the Strategy) which creates a vision for a resilient Northern Beaches and establishes a shared reference for collaborative action to increase the collective resilience of our community to a range of shocks and stresses that impact our community. The draft Strategy will influence a range of existing and in-development strategies, plans and policies, with the overall intent of embedding resilience in all of Council's activities.

The draft Strategy has been developed on the back of extensive community and stakeholder and engagement with over 1300 survey responses, 4 community and business focus groups, youth engagement sessions, briefings and a workshop involving representatives from all of Council's Strategic Reference Groups.

Some of the shocks that are most concerning to our community include disease (pandemic), bush fires, storms, cyber-attack, digital network failure and infrastructure failure. Some of the stresses that are most concerning to our community include housing affordability, climate change, environmental degradation and mental health.

In response, the Strategy establishes 7 over-arching strategic directions:

1. Planning for our future - Resilient land use planning reduces the impact of natural hazards on our community and enables access to a broad range of housing, employment, education, and transport options that support individual and community needs.
2. Get Ready Northern Beaches - Our community understands the risks they face and work together to prevent, prepare, respond, and recover from significant disruptions.
3. Connect for strength - Connected communities are stronger together. We look after each other in good times and bad, and care for those of who may need extra support.

4. A Strong and dynamic local economy - Our local economy is diverse and offers rich opportunities for innovation, education and career growth, and community vitality.
5. Adaptive services, assets and infrastructure - We partner with key agencies and providers to protect our diverse portfolio of services, assets, and infrastructure so that we continuously, and through significant disruptions, can meet the needs of our community.
6. A resilient natural and built environment - We live in balance with our natural and built environments, and proactively take steps to protect and enhance our environment, cool our suburbs and green our buildings
7. Activated places and spaces - Our safe and accessible public places and spaces support our social, emotional, and physical wellbeing.

The Strategy outlines a range of actions that will be implemented to help achieve or support these strategic directions across the diverse portfolio of Council's operations. It will consider the quadruple bottom line principles of sustainability to deliver equally on environmental, social and economic outcomes. While many of the key actions will be undertaken within Council's existing budget, additional funding may be required for project specific actions particularly involving infrastructure mitigation and adaption. Budget impacts associated with these activities will need to be determined on a case-by-case basis and provided within the business case for the project. We will actively seek opportunities to leverage external funds where available.

Council will evaluate the progress against the key priorities and actions with a detailed assessment, report and review, to be completed every four years, along with Council's standard annual reporting programs. This will allow us to adapt the key priorities and actions in light of fast paced changes within the risk landscape, knowledge, technology, as well as federal and state policies.

While the draft Strategy provides a range of high level priorities and key actions, the implementation will be supported by a tactical Resilience Action Plan that will articulate the full array of resilience actions. The plan will include a range of short, medium and long term actions, in addition to actions that will be undertaken on a regular or continuous basis.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That:

1. Council place the draft Northern Beaches Resilience Strategy – Withstand. Adapt. Thrive. on public exhibition for a minimum of 28 days.
 2. The outcomes of the public exhibition of the draft Northern Beaches Resilience Strategy – Withstand. Adapt. Thrive. be reported to Council.
-

REPORT

BACKGROUND

Resilience is a concept that epitomises the times in which we live. The storms and floods of 2016, 2020 and 2022, the Black Summer bushfires of 2019/20 that devastated many parts of the country, and particularly the COVID-19 pandemic are strong reminders of how our lives can be significantly impacted with little to no warning. These events highlight the need for Council to support our community to be prepared for shocks and stresses arising from current and future challenges.

While our stunning bushland, lagoons and coastline provide our community with opportunities to connect with nature, they also present us with several challenges. Over 19,000 properties are classified as bush fire prone, 22,000 flood prone, 63,000 properties at being of moderate to high-risk landslip potential, 270 properties affected by coastal erosion, and a further 4,400 associated with estuarine inundation. In addition, some of our communities such as the offshore communities within Pittwater, Duffys Forest, Cottage Point, and Ingleside also contend with evacuation risks due to their geographical isolation and proximity to hazards like bush fire. Pressures from climate change, population growth and increased property values will drive increased exposure to our entire community, from a safety, wellbeing, and financial perspective.

The complexity and interconnectedness of these future challenges demands a holistic and collaborative approach that puts resilience front and centre of what we do as individuals, local neighbourhoods and as a broader community.

The Strategy has been informed by the local knowledge and the lived experiences of more than 1,300 community members who contributed their time and insights to the development of this Strategy, played an equally important role in defining our key strengths, values and resilience challenges. It has also been informed by our ongoing collaboration with the Resilient Sydney Network, and utilises scientific evidence from a range of recognised global, national and local sources.

The Strategy establishes seven Strategic Directions to address shocks and stresses in order to support a more resilient Northern Beaches. The Strategic Directions identify key priorities and actions and create a platform for collaboration and partnerships between the community, businesses, government agencies and non-government organisations. A Resilience Action Plan will articulate the full range of resilience actions including their timeframes for delivery and key partners.

The Strategic Directions, key priorities and actions focus on:

- building the self-sufficiency and capacity of our community
- capitalising on our strengths as a connected community
- providing support mechanisms that harness our willingness to learn and adapt
- increasing awareness of current and emerging challenges, and
- implementing a range of mitigative and adaptive measures

Building the Strategy with the Community

Through the development of the Strategy a series of both broadscale and targeted community engagement activities were undertaken to gather data and tap into the collective knowledge of the community.

Community and stakeholder engagement aimed to:

- Collect data in relation to our community's values, strengths, levels of concern in relation to shocks and stress, and perceived levels of preparedness

- Gain an in-depth understanding of the community's values and behaviours in relation to preparing for, responding to and adapting to these shocks and stresses
- Ascertain the community's willingness to adapt and subsequently help build collective resilience
- Test the data collected and thinking around the key focus areas emerging in the draft Strategy with Strategic Reference Group participants by work-shopping the objectives of each focus area and what each direction entails in the way of high level actions
- Ultimately, use the whole suite of refined data and feedback to create a robust draft strategy that increases local's awareness of threats to collective resilience and encourages residents and business owners to take action to transform and build collective resilience.

This information assisted the project team by informing the development of the draft strategy and ensuring it reflected the strengths and values of the community, exploring our community's concerns and vulnerabilities, in addition to identifying opportunities to reduce the impact of shocks and stress.

There were five main touchpoints for external engagement including:

Telephone survey

A total of 401 resident interviews were completed by Micromex during March 2021. 348 of the 401 respondents were chosen by means of a computer based random selection process using the electronic White Pages and SamplePages. The remaining 53 respondents were 'number harvested' via face-to-face intercept at several locations around the Northern Beaches LGA, i.e. Manly Wharf, Dee Why Beach Boardwalk, Warringah Mall and Bungan Court/Street Mona Vale.

A sample size of 401 residents provided a maximum sampling error of plus or minus 4.9% at 95% confidence. This means that if the survey was replicated with a new universe of N=401 residents, 19 times out of 20 we would expect to see the same results, i.e. +/- 4.9%.

For the survey under discussion the greatest margin of error is 4.9%. This means, for example, that an answer such as 'yes' (50%) to a question could vary from 45% to 55%. The sample was weighted by age and gender to reflect the 2016 ABS Census data for the Northern Beaches Council area.

Phone interviewing was conducted in accordance with The Research Society Code of Professional Behaviour. Participants in this survey were pre-qualified as being over the age of 18, and not working for, nor having an immediate family member working for Northern Beaches Council. The data from the interviews was analysed using Q Professional.

The telephone Survey Report is provided in Attachment 2.

Online surveys

A total of 602 people participated in the online survey during March 2021 with 446 community members completing the survey via a link that was made publicly available on Council's Your Say webpage.

An additional 156 participants were recruited through a research panel by Micromex conducted in accordance with The Research Society Code of Professional Behaviour. Participants in the survey were pre-qualified as being over the age of 15, and not working for, nor having an immediate family member working for, Council. The data within the surveys was also analysed using Q Professional.

The online Survey Report is provided in Attachment 3.

Youth engagement and survey

A number of youth specific engagement sessions were held from May to June 2021 including engagement with the Youth Advisory Group, and attendance at a number of school events including NBSC: Cromer campus, Davidson High School and Business Education Network: Career expo (12 local schools in attendance).

An online survey was developed of which 288 participated. This was advertised on a youth Facebook site, as well as via QR codes at youth engagement events attended by the project team. Hard copies of the survey were also made available at these events and transferred into the online survey platform. A poster was also used to capture student's thoughts with sticky dots used to understand the significance of resilience challenges they face.

Focus groups

Four focus groups were held in May 2021 consisting of three community sessions and one for local business.

Focus groups were held in a 'blind format', meaning the groups were not facilitated by Council staff and the participants were unaware who the research was being conducted for. This was to ensure any types of potential biases were eliminated.

The groups were structured to ensure an equal representation of genders, as well as Council ward locations (Narrabeen & Pittwater, Curl Curl & Frenchs Forest and Manly). Participants were spread across a range of diverse backgrounds with ages ranging from 18 – 78 years.

The business focus group was also held in a 'blind format'. All participants lived within the LGA and all Council wards were represented. The age groups were also diverse ranging from 29 – 58 years.

The Focus Group Report is provided in Attachment 4.

Strategic Reference Group Engagement

Council's Strategic Reference Groups (SRG) were involved in a number of engagement activities during the development of the Strategy. A series of presentations were delivered to all SRG's in February 2021 with an extraordinary SRG 'all in' workshop was held in August 2021 which involved representation from all reference groups.

The SRG Workshop Report is provided in Attachment 5.

Overview of the Strategy

The vision for the Strategy is to "Empower our Northern Beaches community to Withstand, Adapt and Thrive".

The Strategy vision is centred around three key resilience capacities:

- Withstand - acknowledges that shocks and stresses will continue to occur, and that it will be necessary for our community to build self-sufficiency and take protective action to limit their impact. Often referred to as coping or absorptive capacity.
- Adapt – make intentional and incremental adjustments in anticipation of, or in response to change, in ways that create more flexibility in the future. Often referred to as adaptive capacity.
- Thrive - our community is empowered to make intentional change to overcome significant challenges to achieve an improved state of wellbeing. Often referred to as transformative capacity.

Guiding Principles

The following principles have guided the development of the Strategy, however will continue to provide a solid foundation for future engagement activities and decision-making during implementation. The core principles include:

1. Whole of Community Approach – whereby our community has a shared and collective responsibility to drive resilience outcomes.
2. Communities within Communities – acknowledges that our community is made up of many layers and smaller communities influenced by their social and geographical settings, each with their own unique set of strengths, vulnerabilities, and evolving levels of resilience.
3. Engagement & Inclusion - everyone should have equitable opportunities to genuinely participate in decisions which affect their lives.
4. Evidenced Based - using the most current evidence and data to respond effectively to the priorities of this Strategy.
5. Build Capacity - ensuring the best conditions are created to enable our community to achieve effective resilience outcomes.

Community Values and Strengths

We asked our community what they value about the Northern Beaches which is critical as many shocks and stresses threatened these values, which include:

- A distinct sense of place and identity
- The geographic isolation, however we are still able to access world class services, facilities and amenities
- A very high level of self-sufficiency
- Unfettered access to nature and the abundance of space
- The sense of community and laid-back lifestyle

Our community highlighted a number of key strengths that play a vital role in the way in which we have managed the numerous shocks and stresses we have faced over the years and will be at the heart of future initiatives to enhance and build our resilience. They include:

- A very strong attachment to the area
- A well-connected community
- A high level of self-sufficiency
- Access to services that support our community
- A willingness to learn how to be more resilient

Resilience Challenges

Resilience challenges are any short term or chronic pressures that have the potential to impact the wellbeing of our community. They are classified as:

Shocks – Any sudden, intense, short-term events that significantly impact our community. Shocks that concern our community the most include:

1. Disease (pandemic)
2. Bush fires
3. Storms, cyber-attack, digital network failure, infrastructure failure

Shocks with the highest perceived level of preparedness include:

1. Disease (pandemic)
2. Bush fires
3. Storms

Stresses – systemic, interconnected and complex issues that impact our community on a daily or cyclical basis. Stresses that concern our community the most include:

1. Housing affordability
2. Climate change and environmental degradation (equal second rating)
3. Mental health

Stresses with the lowest perceived levels of preparedness include:

1. Housing affordability
2. Inequity
3. Employment diversity

Strategic Directions

The Strategic Directions establish the outcomes we seek and identify a range of key priorities and key actions which have been developed based on the extensive research and engagement with our community, in addition to adopting the recommendations provided in a number of state and national inquiries. The Strategic Directions include:

1. Planning for our future - Resilient land use planning reduces the impact of natural hazards on our community and enables access to a broad range of housing, employment, education, and transport options that support individual and community needs.
2. Get Ready Northern Beaches - Our community understands the risks they face and work together to prevent, prepare, respond, and recover from significant disruptions.
3. Connect for strength - Connected communities are stronger together. We look after each other in good times and bad, and care for those of who may need extra support.
4. A Strong and dynamic local economy - Our local economy is diverse and offers rich opportunities for innovation, education and career growth, and community vitality.
5. Adaptive services, assets and infrastructure - We partner with key agencies and providers to protect our diverse portfolio of services, assets, and infrastructure so that we continuously, and through significant disruptions, can meet the needs of our community.

6. A resilient natural and built environment - We live in balance with our natural and built environments, and proactively take steps to protect and enhance our environment, cool our suburbs and green our buildings
7. Activated places and spaces - Our safe and accessible public places and spaces support our social, emotional, and physical wellbeing.

Implementing the Strategy

The Strategy will be supported by the development of a Resilience Action Plan which will articulate the full spectrum of projects and actions that Council will undertake to deliver the key priorities in this document and drive us towards achieving resilience outcomes. The Action Plan will also establish a range of key indicators to monitor and evaluate progress of key actions and their effectiveness to achieving the Strategy outcomes and priorities.

The implementation of key actions will use a combination of:

- Direct action - actions that directly target and reduce the impact of the shock or stress on our community i.e. hazard reduction works to protect critical infrastructure
- Supportive action - actions that are designed to improve supporting mechanisms that reduce the impact of shocks and stress on our community, particularly where no clear solution or targeted action can be applied i.e., increasing opportunities to access community services
- Advocacy - supporting our community to influence change where the primary responsibility lies with another entity i.e. changes to legislation

CONSULTATION

Public exhibition is proposed to be undertaken for a minimum of 28 days.

When the consultation does commence, the community will be invited to participate in the review of the Strategy through the following methods (as a minimum):

- Update to the Your Say page, including all documents and frequently asked questions
- Council weekly e-Newsletters and emails to members of the public that have requested to be kept up to date on the project.
- Direct engagement with relevant stakeholders
- Social media and bulk emails to people on our Community Engagement Register.

Following the completion of the exhibition period the community's comments will be considered and amendments made where appropriate.

TIMING

The draft Strategy will be publicly exhibited for at least 28 days. Following the community engagement period, it is anticipated that a final version of the Strategy will be reported to Council for consideration and adoption.

LINK TO STRATEGY

The Strategy is considered as being cross-cutting, in that that has strong links with many of Council's strategic documents as shown in [Figure 1](#). As such it is necessary to embed resilience as a core principle across the full spectrum of Council's strategic and operational activities. The Strategy will be implemented in tandem with a range of key strategies, programs and plans with progress monitored through the Integrated Planning and Reporting Framework (IP&R).



Figure 1 – Relationship to other Council strategies and plans

This Strategy relates to the Community Strategic Plan Outcomes of:

- Protection of the Environment - Goal 1: Our bushland, coast and waterways are protected to ensure safe and sustainable use for present and future generations.
- Protection of the Environment - Goal 2: Our environment and community are resilient to natural hazards and climate change.
- Protection of the Environment - Goal 3: Our community is well-supported in protecting the environment.
- Environment Sustainability - Goal 4: Our Council is recognised as a community leader in environment sustainability.
- Environment Sustainability - Goal 5: Our built environment is developed in line with best practice sustainability principles.
- 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.
- 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.

- 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.
- Transport and Infrastructure - Goal 16: Our integrated transport networks meet the needs of our community.
- Transport and Infrastructure - Goal 18: Our community can easily connect and communicate through reliable communication technologies.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.
- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

Whilst many of the key actions will be undertaken within Council's existing budget, additional funding may be required for project specific actions particularly involving infrastructure mitigation and adaption. Budget impacts associated with these activities will need to be determined on a case-by-case basis and provided within the business case for the project.

It is well documented that increased investment in risk reduction activities leads to a reduction of avoidable damages and recovery costs, clearly highlighting the long term financial benefit to focus on anticipatory, mitigative and adaptive actions.

Where additional funding is required, grant funding opportunities through a range of national and state resilience programs will be investigated to assist in the implementation of the recommended options.

SOCIAL CONSIDERATIONS

This draft Strategy has a strong synergy with and has been developed to complement the Better Together Social Sustainability Strategy 2040, which provides an overarching framework for achieving positive social impact with the community.

The draft Strategy acknowledges the impact of shock events and stresses on the wellbeing of our community and establishes a number of strategic directions to reduce their impact.

ENVIRONMENTAL CONSIDERATIONS

The draft Strategy recognises the community's value of our environment and acknowledges that environmental degradation and climate change are significant stresses for our community.

It has been developed to complement Protect. Create. Live – Northern Beaches Environment and Climate Change Strategy 2040 which provides a strategic direction to protect and improve our environment, now and for future generations.

GOVERNANCE AND RISK CONSIDERATIONS

Failing to adequately invest in resilience activities is likely to result:

- Significant increase in insurance costs or inability to obtain insurance
- Increased vulnerability to current and future risks
- Significant disruption to assets and services, particularly in times of crisis
- Repair/replacement costs may exceed the mitigation and adaption costs
- A reduction in mitigation/adaption opportunities as options are no longer available or feasible.

The focus of the draft Strategy is to mitigate and adapt to current and emerging risks, both to the community and organisation. As such regular engagement with Council's Audit, Risk and Improvement Committee (ARIC) will be an important consideration during the implementation phase.

| | |
|--------------------------|--|
| ITEM 11.3 | ECO SCHOOLS GRANTS 2022 PROGRAM - ALLOCATION OF FUNDING |
| REPORTING MANAGER | EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE |
| TRIM FILE REF | 2022/169794 |
| ATTACHMENTS | NIL |

SUMMARY

PURPOSE

To seek approval to allocate funding under Council's 2022 Eco Schools Grants Program (the Program) in accordance with the recommendation of the Eco Schools Grants Program Assessment Panel (the Panel).

EXECUTIVE SUMMARY

Northern Beaches Council has committed \$10,000 to the Program which is divided into five streams and provides grants of up to \$2,000 for our local schools. The Program has been developed in line with the Community Grants Program and aims to facilitate the delivery of sustainable educational programs across the Northern Beaches that will see enhanced economic, social, environmental and/or cultural benefits for the local school community.

Council received six applications requesting grant support. Applications were reviewed for eligibility in the first instance. All six met the eligibility criteria and these were assessed by the Panel. Of the six applications assessed, two were recommended for the full funding allocation of \$2,000, two were recommended for partial funding that matched their expenditure and two were recommended for partial funding of their expenditure, totaling a full allocation of the available \$10,000.

Projects recommended for funding

The following applications have been recommended by the Panel for funding under the Program:

| School | Recommendation | \$ Funding |
|-------------------------------------|----------------|-----------------|
| The Beach School | Full | \$2,000 |
| NBSC Freshwater Campus | Partial | \$1,550 |
| Balgowlah Heights Public School | Partial | \$1,927 |
| Maria Regina Primary School, Avalon | Full | \$2,000 |
| Belrose Public School | Partial | \$1,098 |
| Killarney Heights High School | Partial | \$1,425 |
| | Total | \$10,000 |

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That funding under the 2022 Eco Schools Grants Program be awarded as shown in Table 1 of this report.

REPORT

BACKGROUND

Council has implemented a centralised community grants program across four streams including Sport and Recreational Infrastructure, Community and Cultural Development, Events and Eco Schools.

Council has committed \$10,000 to the 2022 to the Program which is divided into five streams including bush regeneration, carbon reduction, waste reduction, sustainability education, and water reuse and reduction, and provides grants to eligible schools of up to \$2,000.

The Program will see enhanced economic, social, environmental and/or cultural benefits for the Northern Beaches community and has been developed to build the skills and resources of the community to facilitate the delivery of rich and diverse programs in local schools across the Northern Beaches.

The focus is on new and innovative programs and other activities that add value and benefits to our local schools across the Northern Beaches.

The Program opened for applications on 8 November 2021 and closed on 16 February 2022. The Program was advertised and promoted through print and on-line media and direct email to schools on the Northern Beaches.

Applications were sought from eligible schools for projects that addressed the assessment criteria as follows:

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

Council received six applications from local schools.

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

- Senior Environment Systems Officer
- Sustainability Education Project Officer
- Waste Education Project Officer
- Probity Officer – Senior Corporate Planner

The Panel makes recommendations to Council on the applications that should be funded based on rankings and scores achieved using the funding criteria. The Panel members undertook individual assessments and submitted a score for each application against the above criteria resulting in a priority ranking.

It should be noted that two Eco School applications have been allocated the full amount which was a maximum of \$2,000. A further four Eco School applications have been allocated partial funding, although for two of these schools this amount matched their expenditure. A summary of the applications is provided at Attachment 1, and the panel recommendations are set out in Table 1.

Table 1 – Applications recommended for funding

| School | Recommendation | \$ Funding |
|-------------------------------------|----------------|-----------------|
| The Beach School | Full | \$2,000 |
| NBSC Freshwater Campus | Partial | \$1,550 |
| Balgowlah Heights Public School | Partial | \$1,927 |
| Maria Regina Primary School, Avalon | Full | \$2,000 |
| Belrose Public School | Partial | \$1,098 |
| Killarney Heights High School | Partial | \$1,425 |
| | Total | \$10,000 |

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

CONSULTATION

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

TIMING

Funding is required to be allocated to groups as soon as practicable to allow funds to be expended in the required period (acquittal by December 2022). However, consideration may be given to extend the required period for schools to complete these projects where disruptions to the school year occur due to the impacts of COVID-19.

LINK TO 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.

FINANCIAL CONSIDERATIONS

A total of \$10,000 has been approved for this program in 2022. The recommended funding allocation for this round of the Eco Schools Grants Program is \$10,000.

SOCIAL CONSIDERATIONS

The Program has been developed to build the skills and resources of local school.

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

The Eco Schools program satisfies the requirements of Section 356 of the Local Government Act (1993) and does not require public notice under Section 356 (2) having satisfied the requirements of Section 356 (3). Successful applicants will be invited to enter into a funding agreement with Council outlining the requirements of the grant. This funding agreement must be signed prior to the project/initiative commencing. The financial management and documentation of how the grant

funding is spent, is the responsibility of the two nominated teachers at the school. Each successful school will be required to provide a brief progress report in June 2022, and a final report that outlines the long term environmental benefits and an acquittal statement at the end of the school year in December 2022.

BRIEF PROJECT DESCRIPTIONS

| | |
|------------------------------|---|
| Applicant School Name | The Beach School |
| Funding stream | Water re use and Reduction |
| Project Title | The Rain Garden Edible Food Forest |
| Project Start Date | 04/4/2022 |
| Project End Date | 15/12/2022 |
| Brief Project Description | The Rain Garden Edible Food Forest will feature vegetable growing gardens in water-conserving wicking beds, fruit trees, 180,000L of rainwater collected from 150m2 roof-space situated onsite alongside the garden, and other beneficial plant species for soil remediation and to provide habitat. The primary goal is to address Water Reuse and Reduction. This will be achieved by designing and implementing the project, as well as ongoing maintenance, tours and outdoor lessons with students and the community. Rainwater collected from the swim centre's roof will enable us to effectively reuse stormwater and reduce the need to source from mains water. In a future of uncertain rainfall and increasing water restrictions using water efficiently to grow food is never more important. This project offers both students and the local community an example of how we can effectively use and conserve the use of rainwater in growing food in urban environments. |
| | Full funding recommended: \$2,000 |

| | |
|------------------------------|---|
| Applicant School Name | NBSC Freshwater Campus |
| Funding stream | Carbon Waste Reduction |
| Project Title | The Ultimate Freshwater Campus Recycling Project |
| Project Start Date | 02/04/2022 |
| Project End Date | 10/11/2022 |
| Brief Project Description | I am extremely passionate about recycling and reducing waste. My goal is to increase the number of recycling bins in my beloved school as there are currently very few located around the school grounds. The recycling bins that are present are not easily accessible to students resulting in recyclable items ending up in the general waste bins. This grant will be used to invest in approximately 130 small recycling bins for hard and soft plastics as well and distribute them around the entire school including classrooms, corridors and eating areas. Currently, all waste streams are taken to one large bin, which is taken to landfill, so we will need a second large bin for all bottles and cans, and a third for crushable plastics. Students will be responsible for |

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| | taking smaller bins to the larger commercial bin on a selected day once a week. |
| | Partial funding recommended: \$1,550 |

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|------------------------------|---|
| Applicant School Name | Balgowlah Heights Public School |
| Funding stream | Water Reduction |
| Project Title | Waste less, Recycle more! |
| Project Start Date | 04/04/2022 |
| Project End Date | 16/12/2022 |
| Brief Project Description | A school-wide commitment to reducing and being accountable for waste collection and reduction with the involvement of school leaders, teachers, students, the P & C, the school canteen and parent volunteers. We would like to fund more recycling and compost bins to cover both campuses (East and West) on school grounds - we currently do not have enough bins. |
| | Partial funding recommended: \$1,927 |

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|------------------------------|--|
| Applicant School Name | Maria Regina Primary School Avalon |
| Funding stream | Sustainability Education |
| Project Title | Learning Through Eco Gardens |
| Project Start Date | 01/4/2022 |
| Project End Date | 21/11/2022 |
| Brief Project Description | We wish to transform our garden area into an eco garden that students use for Science lessons to learn about sustainability through a 'garden to plate' program and see it working in action. Through this project children in every single grade will learn how to create a working ecosystem of living things - plants and animals. The eco garden will also include a composting system with worm farms that will educate the children in reducing waste while enhancing sustainability in the environment. |
| | Full funding recommended: \$2,000 |

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| Applicant School Name | Belrose Public School |
| Funding stream | Sustainability Education |
| Project Title | Waste Education |
| Project Start Date | 01/4/2022 |
| Project End Date | 16/12/2022 |
| Brief Project Description | We have set up a recycling system that, in theory, should work well. We have 5 bins at each 'waste station' across the school. Unfortunately, we are sorting through all bins weekly to remove |

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| | contaminated items, separate R&E and move waste intended for landfill to recycling bins. This process is time consuming and not sustainable. Education is key in having all students and teachers participate correctly. Not all teachers have the knowledge, time or passion. We could outsource however to keep costs down we will do this internally. There is no point in continuing our waste campaign without continual education to both students and teachers. Funds would cover a casual 6 times per year so our key sustainability teacher can provide education to teachers and students on the importance of waste management. Education sessions are to take place each term plus 2 waste audits to be run each year. |
| | Partial funding recommended: \$1,098 |

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|------------------------------|---|
| Applicant School Name | Killarney Heights High School |
| Funding stream | Bush Regeneration |
| Project Title | Bush Tucker Garden |
| Project Start Date | 26/4/2022 |
| Project End Date | 01/7//2022 |
| Brief Project Description | We would love funding to establish a bush tucker garden on the school grounds. The Aboriginal Heritage Office and the Aboriginal Educational Consultative Group support this project to improve the school's connection with country, work in an educational capacity with students and source plants specific to the Killarney heights region to foster bush regeneration of our local area. Aboriginal students will help design and establish the bush tucker garden, as will our year 8 gardening group- a targeted group that has run throughout 2021 for students who need support with social skills. These are facilitated by Killarney's Aboriginal staff, our student support officer and KHHS gardener. The bush tucker garden will be used to strengthen connections between students and staff by its ongoing development in weekly groups across the term. It will further celebrate Aboriginal culture and history by providing information on how and why certain plants can be used. |
| | Partial funding recommended: \$1,425 |

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| ITEM 11.4 | SUBMISSION TO IPART - REVIEW OF DOMESTIC WASTE MANAGEMENT CHARGES |
| REPORTING MANAGER | EXECUTIVE MANAGER WASTE MANAGEMENT & CLEANSING |
| TRIM FILE REF | 2022/216535 |
| ATTACHMENTS | 1 IPART Domestic Waste Charges Review - Submission on the Draft Report (Included In Attachments Booklet) |

BRIEF REPORT

PURPOSE

To seek Council's endorsement of the submission to the NSW Independent Pricing and Regulatory Tribunal (IPART) on its review of Domestic Waste Management Charges.

REPORT

The NSW Independent Pricing and Regulatory Tribunal (IPART) released its Draft Report on the 'Review of Domestic Waste Management Charges' in December 2021 (Draft Report).

Submissions on the Draft Report are due by 29 April 2022, and IPART will hold a public hearing in July 2022 after it has considered public submissions.

The Draft Report's key recommendation is for IPART to publish an annual 'benchmark' waste peg at the same time IPART publishes the general rate peg. The proposed initial rate is 1.1% for 2022/23. The benchmark waste peg is not proposed to be binding on councils. Rather it is intended to provide guidance to ratepayers and councils on how much the reasonable cost of providing domestic waste management services should change year-to-year.

IPART also proposes to publish an annual report on the extent to which councils' annual domestic waste management charge (DWMC) increases more than the benchmark waste peg. IPART proposes to request councils whose charges increased more than the benchmark waste peg in any year to explain its reasons for exceeding the benchmark. Where IPART considers that a council cannot justify the increase in their charges, they may consider regulating the individual council's charges or implementing a binding waste peg.

IPART also recommends that the Office of Local Government publish pricing principles to guide councils on how they should recover the costs of providing domestic waste management services. The pricing principles include:

1. Domestic waste management revenue should equal the efficient incremental cost of providing the domestic waste management service
2. Councils should publish details of all the domestic waste management services they provide, the size of the bin, the frequency of the collection and the individual charges for each service
3. Within a council area, customers that are (a) imposing similar costs for a particular service should pay the same DWMC and (b) paying the same DWMC for a particular service should get the same level of service
4. Any capital costs of providing domestic waste management services should be recovered over the life of the asset to minimise price volatility.

Council has prepared a submission in response to the Draft Report (Attachment A). In the submission, we support more rigour in the comparison of services across councils and note that benchmarking can assist for transparency for ratepayers, provided it has appropriate settings.

Council staff have concerns with some key components of the proposed settings in the Draft Report, which are articulated in our submission:

- **Key omissions in calculation of benchmark waste peg:** the formula to calculate the benchmark waste peg fails to appropriately consider volume fluctuations, investment needed by councils to transition to a circular economy, and key differences in characteristics of different council areas and cost components in councils' waste management contracts.
- **Incremental pricing:** As a core council service, this methodology of pricing does not recognise the true cost of the waste service and provides a roadblock to investment in the applications that support the service. It would dilute transparency, consistency, and equity in our approach to the setting of fees for services delivered by Council and conflicts with the NSW Government's competitive neutrality pricing guidance for local government.
- **Ineligible costs to be recovered under the DWMC:** The draft report indicates that the use of the DWMC will be restricted for the following services:
 - *Cleaning up illegal dumping:* The DWMC will not be able to be used to cover costs of cleaning up illegally dumped household items, which could lead to environmental impacts (see below)
 - *Waste education:* The DWMC may not be able to be used to cover costs of *education* of residents to help reduce the generation of waste. This education is critical to drive down disposal of waste (and associated costs) and enable the transition to a circular economy.
 - *Different waste collection types:* The DWMC will only be able to be used to cover costs of collection of bin based and bulky goods services, and associated services. This limits flexibility for Council to have drop off collections (eg community recycling centres), or other 'customer friendly' innovative collection approaches such as parcels pick ups. Council should be able to make its own decisions on collection methods depending on the preferred and available processing and market options.

In addition, the draft report does not clarify whether Council providing free drop off services to waste facilities (eg vegetation drop off at Kimbriki) would be eligible to be recovered under the DWMC.

The domestic waste collection service is repeatedly rated by the Northern Beaches community as one of the most important service provided by Council in our Community Satisfaction Surveys. The submission expresses Council's concern that the settings in the Draft Report could lead to Council needing to reduce the level of waste service we provide, which could lead to poor streetscape and environmental outcomes, reduced recycling and increased landfilling. It could also lead to the NSW Government being unable to fulfil its recycling, waste avoidance and circular economy objectives under their long term Waste and Sustainable Materials Strategy 2041.

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.
- Environment Sustainability - Goal 6: Our community will continue to work towards sustainable use of resources.

- Participation and Partnership - Goal 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

The Council's largest operation is the domestic waste service at an estimated cost of \$53 million in the 2022/23 financial year, with a matching level of income from the DWMC. The 2021/22 DWMC is \$466. A 1.1% increase in 2022/23 would see the charge limited to \$471. The draft 2022/23 budget proposed a DWMC of \$505 in response to a range of non-discretionary increases including extra tonnes of waste being generated, EPA levy increases, inflation increases etc. This leaves a \$34 gap which could become a drain on general revenue until the DWMC could fund the difference. Section 504 of the Local Government Act only permits general revenue being lent (by way of an internal loan) for meeting the cost of providing domestic waste services.

IPART's proposed changes to what is eligible for funding via the DWMC would result in \$2.2 million in waste service costs no longer being recoverable through the DWMC. While this represents a \$22.00 reduction in the waste charge, Council would need to fund these costs through general revenue through reductions in other services or an increase in rates of approximately 1.22% through the 'rebalancing' option suggested by the IPART.

Further, if the \$2 million resident vegetation drop off service is also deemed no longer recoverable from the DWMC this would result in a total \$42 decrease in the DWMC and the possible need to increase rates by 2.3%.

Table 1 – 2022/23 Draft budget - Analysis of the impact of proposed IPART changes on the Domestic Waste Charge

| | 2022/23 Draft Budget | IPART proposal | IPART proposal if Veg Drop Off not permitted |
|---|-------------------------|-------------------|--|
| Domestic waste charge | \$505.00 | \$483.00 | \$463.00 |
| Voluntary pensioner rebate | (\$62.00) | (\$59.20) | (\$56.80) |
| Number of services | 97,973 | 97,973 | 97,973 |
| Reduction in domestic waste charge | | (\$22.00) | (\$42.00) |

Table 2 – Financial impact – 2022/23 Draft budget - Analysis of the impact of proposed changes to pricing domestic waste services

| | 2022/23 Draft Budget \$'000 | IPART proposal \$'000 | IPART proposal if Veg Drop Off not permitted \$'000 |
|---|--------------------------------------|-----------------------------|--|
| Domestic waste charge income | \$53,115 | \$50,934 | \$48,983 |
| Waste collection | \$18,797 | \$18,797 | \$18,797 |
| Waste disposal | \$27,991 | \$27,991 | \$26,039 |
| Rebates, education, illegal dumping, landfill monitoring, management and support and other costs | \$5,797 | \$3,616 | \$3,616 |
| Domestic waste service cost | \$52,584 | \$50,404 | \$48,452 |
| Surplus to domestic waste reserve | \$531 | \$531 | \$531 |
| No longer eligible to recover through the DWMC under proposal: | | | |
| Voluntary pensioner rebate | | | |
| Mandatory pensioner rebate (less govt grant) | | | |
| Resident vegetation drop off at Kimbriki | | | |
| Illegal dumping collection of residential waste | | | |
| Landfill gas monitoring at John Fisher Park Curl Curl | | | |
| Senior Management, Finance, HR and IT support, rates notice production and mailout and software | | | |
| Waste education not directly related to kerbside waste | | | |
| No longer eligible to recover through the DWMC under proposal | | (\$2,180) | (\$4,084) |
| % reduction in costs charged to DWMC | | 4% | 8% |
| Special Rate Variation Needed to Recover Funds>> | | 1.22% | 2.30% |

ENVIRONMENTAL CONSIDERATIONS

Implementation of the Draft Report could impede the ability of Council to introduce new schemes to collect different waste types for recycling, which could lead to more waste going to landfill, with associated environmental and carbon emissions impacts. It could also limit Council's financial capacity to collect illegally dumped material, which could lead to extensive piles of illegally dumped bulky goods across local streetscapes and resulting environmental pollution and other issues.

SOCIAL CONSIDERATIONS

The Council currently voluntarily provides an additional 12.25% rebate on the DWMC to over 9,000 eligible pensioners, equating to \$57.20 in 2021/22 and a proposed \$62.00 in 2022/23. Proposed pricing principles suggest this may no longer be an eligible cost of providing the domestic waste charge, placing this support of vulnerable members of our community at risk. Further, if the proposed benchmark limits Council's capacity to invest in local circular economy initiatives it could also reduce the economic opportunities a circular economy provides to the local community.

GOVERNANCE AND RISK CONSIDERATIONS

If, as a result of the policy settings in the Draft Report, Council needs to reduce its level of service (including for illegal dumping) or not adopt new collection systems for separate waste types, this is likely to lead to reputational risk with the community and other levels of government that Council is not meeting community environmental and sustainability expectations to increase resource recovery and minimize pollution (visual and environmental).

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council endorse the submission to IPART on the review of Domestic Waste Management Charges at Attachment 1.

| | |
|--------------------------|---|
| ITEM 11.5 | MINUTES OF THE NORTHERN BEACHES BUSH FIRE MANAGEMENT COMMITTEE HELD 7 DECEMBER 2021 |
| REPORTING MANAGER | EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE |
| TRIM FILE REF | 2022/157121 |
| ATTACHMENTS | 1 Minutes of the Bush Fire Management Committee Meeting held 7 December 2021 |

BRIEF REPORT

PURPOSE

To report the Minutes of the Northern Beaches Bush Fire Management Committee (BFMC) meeting held on 7 December 2021.

REPORT

The Northern Beaches BFMC area comprises of 23,525 hectares of which Council has care, control and management of approximately 13% of the land. The remainder of the area is managed by NSW National Parks and Wildlife Service (NPWS) (46%), private tenure (36%), or by other government agencies (5%).

Under the *Rural Fires Act 1997* land owners are responsible for managing bush fire risk on their land. The BFMC consists of a range of agencies and stakeholders such as the fire authorities, land management agencies and community organisations. The BFMC is responsible for coordinating bush fire management across the Local Government Area and Council actively participates in the Committee and sub-committees. BFMC meetings are held quarterly.

An Ordinary Meeting of the BFMC was held on 7 December 2021, the Minutes of which were adopted at the BFMC meeting held on 1 March 2022. A copy of the Minutes are attached to this report (Attachment 1).

Matters discussed at the meeting relevant to Council included the following:

- BFMC Meeting Dates for 2022
- 2021-2022 Hazard Reduction Program
- Mitigation Strategies for Fire Season
- 2020-2021 Manual (APZ) Hazard Reductions
- Fire Access and Fire Trail Plan
- Bush Fire Risk Management Plan (BFRMP)
- Section 52 Operations Plan
- Emergency Operations Centre (EOC) & Fire Control Centre (FCC) Upgrades
- Ignition Management Zone (IMZ) Update
- Ingleside Resident Enquiry
- General Business

LINK TO COUNCIL STRATEGY

Council's participation in the BFMC and ensuing bush fire management throughout the Northern Beaches meets requirements of the Bush Fire Management Policy 2021 in addition to the following outcomes in the Community Strategic Plan:

- 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.

FINANCIAL CONSIDERATIONS

Funding to support bush fire management is included in existing operational budgets and supported by NSW Rural Fire Service (RFS) grants annually.

ENVIRONMENTAL CONSIDERATIONS

Council staff work with RFS, Fire & Rescue NSW (FRNSW) and contractors to manage environmental risks associated with fire management works such as fire trail preparation, Asset Protection Zone works on Council lands, and prescribed burns. Bush Fire Hazard Reduction Certificates, Reviews of Environmental Factors or approvals under other legislative pathways are undertaken for specific sites as required. Council is working with BFMC partners to encourage and undertake ecological/low intensity HR burns within the LGA.

SOCIAL CONSIDERATIONS

The BFMC provides valuable information and advice relating to risk and safety of the community to support their resilience. It includes participation and engagement with a number of key state agency stakeholders. Council works with the fire agencies through this Committee to facilitate community preparedness before and during the bush fire season.

GOVERNANCE AND RISK CONSIDERATIONS

The BFMC is conducted in accordance with the governance arrangements outlined in the *Rural Fires Act 1997*.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council notes the Minutes of the Northern Beaches Bush Fire Management Committee Meeting held on 7 December 2021.

Minutes Northern Beaches BUSH FIRE MANAGEMENT COMMITTEE MINUTES

Meeting: 004/2021

Convened by: A/Executive Officer – Insp Guy Baddock (RFS)

Location: Online – Teams Meeting

Date and time: Tuesday, 7 December 2021 1100hrs

Minutes by: Sam Dolan - RFS

Table 1: Attendance Record

| Members (alternate) | Organisation | Present | Apology | Absent |
|---------------------|---------------------------------|---------|---------|--------|
| Chris Munro | Northern Beaches Council | X | | |
| Nick Skelton | Nature Conservation Council | | X | |
| Guy Baddock | NSW Rural Fire Service | X | | |
| Dave Richards | NSW Police | | | |
| Patrick Sharkey | NSW Police | X | | |
| Peter Jensen | Sydney Harbour Federation Trust | X | | |
| Scott Crosweller | NSW Rural Fire Service | X | | |
| Kel McNamara | Fire & Rescue NSW | | X | |
| Jonathan Mallin | Ausgrid | | | |
| Archie Broadley | Crown Lands | X | | |
| Luke Freeman | Sydney Water | X | | |
| Ian White | Northern Beaches Council | | | |
| Warren Cree | NSW Rural Fire Service | | X | |
| Scott Crosweller | NSW Rural Fire Service | X | | |

| Observers / Support | Organisation | Present | Apology | Absent |
|---------------------|------------------------|---------|---------|--------|
| Gary Hansen | NSW Rural Fire Service | X | | |
| Adam Perry | Fire & Rescue NSW | X | | |
| Guy Munro | Ausgrid | | X | |

| | | | | |
|-------------------|---------------------------|---|---|--|
| Bryan Germain | NSW Rural Fire Service | | | |
| Ben Albers | NSW Rural Fire Service | X | | |
| Matt Horwood | Northern Beaches Council | X | | |
| Ben Fallowfield | Northern Beaches Council | X | | |
| Chris Buckley | Northern Beaches Council | | | |
| Steve Chapple | National Parks & Wildlife | X | | |
| Shayne O'Sullivan | National Parks & Wildlife | | | |
| Rod Clarke | National Parks & Wildlife | X | | |
| Yianni Mentis | Northern Beaches Council | X | | |
| Leigh Nolan | National Parks & Wildlife | | | |
| Scott Molenaar | NSW Rural Fire Service | | | |
| Mick Morris | Water Police | | X | |
| Natasha Funke | National Parks & Wildlife | | X | |
| Timothy Hassiotis | Fire & Rescue NSW | X | | |
| Todd Dickinson | Northern Beaches Council | X | | |
| George Sheppard | NSW Rural Fire Service | X | | |
| Emma Griffen | Northern Beaches Council | X | | |
| Wayne Reeve | NSW Rural Fire Service | | X | |
| Judy Lambert | | | | |
| Sue Heins | Northern Beaches Council | X | | |
| Bryan Germain | NSW Rural Fire Service | X | | |

Table 2: Documents Referred to in the Meeting

| Document title | Author | Date |
|-------------------------------------|--------|----------|
| Agenda | J Cree | 26-11-21 |
| Northern Beaches Draft BFRMP v0.4 | J Cree | 7-12-21N |
| Northern Beaches HR Program 2021-22 | J Cree | 7-12-21 |
| | | |
| | | |

Minutes

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| Item 1 | Welcome/Acknowledgement to Country | Chair |
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Scott Crosweller

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| Item 2 | Apologies | Chair |
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As outlined above

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| Item 3 | Acceptance of Minutes | Chair |
|--------|-----------------------|-------|

- Minutes of BFMC Meeting – 2 March 2021
- Minutes of BFMC Meeting – 7 September 2021
 - Minor amendments from NB Council
 - Judy Lambert attended

Moved: Chris Munro (NBC) Seconded: Judy Lambert (NCC) Carried

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| Item 4 | Matters Arising | Chair |
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None

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| Item 5 | Correspondence In | Chair |
|--------|-------------------|-------|

- 26/9 – Minor amendments to Draft Minutes BFMC 7 September
- 29/10 – Trail Upgrade (The Chase) – Lovett Bay
- 7/12 - Revised Northern Beaches BFRMP v0.4

No questions

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|--------|--------------------|-------|
| Item 6 | Correspondence Out | Chair |
|--------|--------------------|-------|

- 14/9 – Draft Minutes – BFMC – 7 September 2021
- 8/10 – Postponement of Bangaroo HR – Manly Dam South
- 11/10 – Notification of HR's being conducted
- 3/11 – Invitation – BFRMP Workshop #3
- 4/11 – BFRMP Workshop #3 – GIS Files
- 9/11 – Northern Beaches S52 Operations Plan for endorsement

No questions

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| Item 7 | BFM Meeting Dates for 2022 | NSW RFS |
|--------|----------------------------|---------|

- 1 March 2022 at 1000hrs
- 7 June 2022 at 1000hrs
- 6 September 2022 at 1000hrs
- 6 December 2022 at 1100hrs

Moved: NPWS Second: Archie Broadley (Crown Lands) Carried

Item 8 2021-22 Hazard Reduction Program Each Agency

- Update provided by George Sheppard NSW RFS (document attached)
- Future burning – autumn season hopefully.

FRNSW – Provided an update to the committee regarding HRs during the period.

NBC – Provide an update to the coming regarding how HRs are progressing. Advised they have a few more ready to go.

NPWS – Provided advised that they are in planning mode at the moment.

Item 9 Mitigation Strategies for Fire Season

- Community Engagement – Updated provided by George Sheppard
 - o FRNSW – Relevant ground truthing currently in progress.
 - o NBC – Are available to provide assistance.
- Manual HR
 - o NBC continuing APZ works
- Other

Item 10 2021/22 Manual (APZ) Hazard Reductions

- Summary reports by land managers
- Funding

Item 11 Fire Trails / FAFT Plan

- Update – Final Draft of FAFT Plan for BFMC endorsement
 - o Gary Hansen asked if NBC continuing to look into this.

Item 12 Bush Fire Risk Management Plan (BFRMP)

- Plan to be endorsed for public exhibition
- Revised Northern Beaches BFRMP v0.4
 - i) Add Trust Fuel management strategies plan
 - ii) Add NB RFS HR handbook data to plan
 - iii) Change NBC data APZ some removed/added and from numbered APZ's to named APZ's in tables and focus area's
 - iv) Removed standalone Bayview FA and amended table numbers
 - v) Change Focus area "Cromer to Collaroy Plateau" to "Beacon Hill to Collaroy Plateau"
 - vi) Revised fire history for Belrose, removed 2014
 - vii) removed number of HRB's throughout document
 - viii) Include Telco & Power infrastructure to Belrose to Davidson FA
 - ix) Changed "reserve" to "area" in Cottage point FA
 - x) Changed "National Park" to "bushland areas " in Beacon Hill to Collaroy Plateau FA

- xi) Include "the extraction of large animals from the area and limited narrow roads" and Garigal NP to Duffys Forest FA
- xii) removed "may/may not" throughout document
- xiii) Include Fire history for North Head

George Sheppard - Provided and update (documents were attached).

Gary Hansen – Provided an update to the meeting regarding BFMP subcommittee meetings.

- IMZ meeting Item 16. Provided and update regarding the subcommittee meeting.
- Anything to be put forward for Public consultation? (6-week period). Seeking approval from BFMC to progress.

Motion: Todd Dickinson (NBC) Seconded by: Pat Sharkey (NSW Police) Carried

Item 13 Section 52 Operations Plan

- Signed plan has been submitted for endorsement by BFCC
- George asked for it to be updated if there are any changes.

Item 14 EOC & FCC

- Update on the current status of upgrade to the Northern Beaches Emergency Operations Centre (EOC) and Fire Control Centre (FCC)

Updated provided by NBC:

- Grant funding for kitchen and additional furniture. NBN connection. 4g 5g redundancy.

Item 15 Ignition Management Zone (IMZ)

- Seek endorsement from the BFMC to continue to investigate IMZ's
 - I) Sub-committee meeting held on 30-11-21
 - II) Concerns regarding environmental impact
 - III) Need to review fire history, fire runs and also current burnt areas
 - IV) NPWS looking at a fact sheet on IMZs
 - V) In principal the sub-committee recognises potential for IMZs but we require direction from BFCC
 - VI) IMZs burn intervals may need to be driven by fuel structure/load more the time
 - VII) The HR code needs to be updated to accommodate IMZs

Item 16 Mr Greg Jacobs

FCO – Provided an update to the meeting regarding Mr Greg Jacobs and his current issues as a resident of Ingleside.

RFS will continue to manage the issues raised by him. Once resolved, will advise the BFMC.

Item 17 General Business

Scott Crosweller (NSW RFS) – Asked NPWS regarding trail repair down the cascades.

Gary Hansen (NSW RFS) – Guardian Training, training (self-paced) package has been done and is available.

Guy Baddock (FCO) – Thanked the BFMC for their support during the year and wished everyone a safe and relaxed Christmas.

Meeting Closed: 1136hrs

Next Meeting: 1 March 2022 commencing at 1000hrs

12.0 PLANNING AND PLACE DIVISION REPORTS

| | |
|-------------------|--|
| ITEM 12.1 | PUBLIC EXHIBITION OF THE DRAFT PLANNING AGREEMENT POLICY |
| REPORTING MANAGER | EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING |
| TRIM FILE REF | 2022/087861 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒ Draft Council Planning Agreement Policy 2022 (Changes Shown in Red) (Included In Attachments Booklet) 2 ⇒ Guide for Developers on Planning Agreements (Included In Attachments Booklet) 3 ⇒ Planning Agreements Practice Note, NSW Government, February 2021 (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To seek Council endorsement to place on public exhibition the Draft Planning Agreement Policy 2022. This draft Policy was prepared following a review of the Northern Beaches Voluntary Planning Agreement Policy as adopted by Council on 15 December 2019.

EXECUTIVE SUMMARY

The Northern Beaches Voluntary Planning Agreement Policy (Council's VPA Policy 2019), adopted on 17 December 2019, guides Council's assessment and management of planning agreements. This policy requires all parties to a Planning Agreement to decide whether a Planning Agreement is appropriate in the circumstances.

Section 7.4 of the *Environmental Planning and Assessment Act 1979* specifies that a "...*planning agreement is a voluntary agreement or other arrangement between a planning authority (or 2 or more planning authorities) and a person (the developer):*

- a) *Who has sought a change to an environmental planning instrument, or*
- b) *Who has made, or proposes to make, a development application or application for a complying development certificate, or*
- c) *Who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,*

under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose."

Following recent legislative reforms, a review of Council's VPA Policy 2019 has been completed. A track changes version of the draft Planning Agreement Policy is included at Attachment 1.

In summary, the key differences between the current VPA Policy and the draft Planning Agreement Policy are:

- a) Removal of value capture in accordance with the Practice Note on Planning Agreements.
- b) Inclusion of a Flowchart of the process.

- c) Removal of Council's internal procedures and Templates as these are documented in Council's systems.
- d) Reference to the need to pay a fee to cover the assessment and administrative costs.
- e) Minor administrative changes

In addition to the preparation of the draft Policy, a 'Guide for Developers on Planning Agreements' (Attachment 2) has been prepared to assist Developers in understanding Council's processes if they are contemplating entering into a planning agreement with Council, including what is to accompany an Offer to Enter into a Planning Agreement. It is a companion guide to be read in conjunction with Council's Planning Agreement Policy.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That:

1. Council place the draft Planning Agreement Policy on public exhibition for 28 days in accordance with Council's Community Participation Plan.
 2. The outcome of the public exhibition of the draft Planning Agreement Policy be reported to Council.
-

REPORT

BACKGROUND

At the Council meeting of 15 December 2019, Northern Beaches Voluntary Planning Agreements Policy was adopted. This Policy is scheduled for review in 2023.

The VPA Policy was prepared under the:

- legal and procedural framework set out in Division 7.1 of Part 7 of the Environmental Planning & Assessment Act and Division 1A of Part 4 of the *Environmental Planning and Assessment Regulation 2000*; and
- a Practice Note *Planning Agreements* (July 2005) issued by the then Department of Infrastructure Planning and Natural Resources.

Legislative Reforms Introduced in 2021

In February 2021, legislative changes to Planning Agreements were introduced including an updated Practice Note on Planning Agreements (published by the NSW Government in February 2021) (the new Practice Note) (Attachment 3) replacing the 2005 Practice Note. The new Practice Note has informed Council's updated business processes and systems procedures for planning agreements (now published in ProMapp and TechOne Application module, implemented by Council staff), and the review of Council's adopted VPA Policy.

Legislative changes to planning agreements are specified in the *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021* (the Bill) and the recently exhibited *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Regulations 2021*. The exhibited legislative changes and the Practice Notes issued by NSW Government have informed the Policy review.

Key Changes Between the Existing Voluntary Planning Agreement Policy 2019 and Draft Planning Agreement Policy 2022

In summary, the key differences between the current VPA Policy and the draft Planning Agreement Policy are:

- f) Removal of value capture in accordance with the Practice Note on Planning Agreements.
- g) Inclusion of a Flowchart of the process.
- h) Removal of Council's internal procedures and Templates as these are documented in Council's systems.
- i) Reference to the need to pay a fee to cover the assessment and administrative costs.
- j) Minor administrative changes

The draft Planning Agreement Policy 2022 (Attachment 1) shows the changes to the previous VPA Policy.

In addition, a 'Guide for Developers on Planning Agreements' (Attachment 2) has been prepared to assist Developers in understanding Council process if they are contemplating entering into a planning agreement with Council including what is to accompany an Offer to Enter into a Planning Agreement. It is a companion guide to be read in conjunction with Council's Planning Agreement Policy.

CONSULTATION

The draft Planning Agreement Policy is to be exhibited for 28 days in accordance with Council's Community Participation Policy.

TIMING

If agreed to by Council, the draft Planning Agreement Policy will be placed on public exhibition shortly. The Guide for Developers on Planning Agreements, which has been prepared to assist developers, will be in the exhibition package for information purposes only.

At conclusion of the exhibition, the outcomes of the exhibition of the draft Planning Agreement Policy will be reported to Council.

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 22: Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community.

FINANCIAL CONSIDERATIONS

There will be no additional burden to Council in the implementation of the draft Planning Agreement Policy.

SOCIAL CONSIDERATIONS

The draft Planning Agreement Policy sets out the criteria that Council will use to assess the offer and a draft Planning Agreement including what, if any, public benefits are offered.

The Guide for Developers on Planning Agreements has been prepared as an information and procedural document to guide developers through this process. The Guide demonstrates Council's commitment to being transparent and trusted to make decisions as well as to actively engage the community in decision making processes.

ENVIRONMENTAL CONSIDERATIONS

There will be no adverse environmental impacts with the implementation of the draft Planning Agreement Policy.

GOVERNANCE AND RISK CONSIDERATIONS

Ensuring a robust, complete, and up to date policy environment is key to Council's governance framework.

| | |
|--------------------------|--|
| ITEM 12.2 | PUBLIC EXHIBITION OF THE DRAFT WARRIEWOOD VALLEY DEVELOPMENT CONTRIBUTIONS PLAN AMENDMENT 16 REVISION 4 2022 |
| REPORTING MANAGER | EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING |
| TRIM FILE REF | 2022/167592 |
| ATTACHMENTS | 1 ⇒ Draft Warriewood Valley Development Contributions Plan Amendment 16, Revision 4, 2022 (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To inform the Council of the review of the Warriewood Valley Development Contributions Plan and to seek Council's endorsement to publicly exhibit the proposed changes to the Plan by way of the Draft Warriewood Valley Development Contributions Plan Amendment 16, Revision 4, 2022.

EXECUTIVE SUMMARY

The Warriewood Valley Development Contributions Plan Amendment 16, Revision 3, 2018 (the 'Contributions Plan 2018') was adopted by Council on 28 August 2018 and applies to land within the Warriewood Valley Release Area.

The Contributions Plan 2018 provides the funding mechanism for local infrastructure required to meet the needs of the current and future residents and workers within Warriewood Valley. The Contributions Plan 2018 is a ten-year plan and is in its final year. This plan is due to expire on 30 June 2022.

Council regularly reviews its contribution plans to ensure compliance with relevant legislation and best practice principles for managing development contributions. A review of the Contributions Plan 2018 has been completed to ensure it accurately reflects anticipated development outcomes and community needs in Warriewood Valley through to 2030/31. This review has included:

- Extension of the plan to 30 June 2031
- Updated income and expenditure assumptions which underpin the plan
- Changes to acknowledge repayment from the Contributions Plan to Council in relation to Upper Fern Creek creekline corridor
- Inclusion of secondary dwellings
- Revised open space strategy
- Review of infrastructure items including updated infrastructure costings and land valuations including future phasing/prioritisation
- Change to an administrative provision to remove the ability to make a delayed or periodic payment
- Typographical amendments

These changes are presented to the Council for consideration in the Draft Warriewood Valley Development Contributions Plan Amendment 16 Revision 4 (the 'Draft Plan 2022'). A track changed document (Attachment 1) is provided to easily identify proposed amendments.

If supported by Council, the Draft Plan 2022 will be placed on public exhibition. The outcomes of the public exhibition will be reported back to Council for its consideration.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Council place the draft Warriewood Valley Contributions Plan Amendment 16, Revision 4, 2022 on public exhibition for 28 days in accordance with Council's Community Participation Plan.
 2. The outcome of the public exhibition of the draft Warriewood Valley Contributions Plan Amendment 16, Revision 4, 2022 be reported to Council
-

REPORT

BACKGROUND

Development contributions are a levy imposed on development by councils to fund the delivery of essential infrastructure.

The *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021* set the framework for how development contributions can be levied and spent. Councils can levy development contributions under two types of adopted contribution plans:

- Section 7.11 contribution plans – Must demonstrate a clear nexus between the anticipated development and the infrastructure required to address this demand. Section 7.11 plans are commonly prepared for areas with higher anticipated growth to address greater infrastructure demands. These plans are generally complex and resource intensive to prepare/administer.
- Section 7.12 contribution plans – These are a simple and easy to administer plan which imposes a fixed levy on development, up to 1% of the cost of works. Section 7.12 plans are often applied to developed areas (known as infill areas) where growth is sporadic or harder to predict. Councils do not need to demonstrate a nexus between growth and infrastructure needs under a section 7.12 plan which provides more flexibility in the infrastructure to be funded.

Northern Beaches Council has a number of adopted section 7.11 and 7.12 contribution plans that have helped to fund infrastructure works such as parks, community facilities, local roads, footpaths, stormwater drainage and traffic management.

The Contributions Plan for Warriewood Valley

In 1998, the then Pittwater Council adopted the Warriewood Valley Section 94 Contributions Plan as the mechanism to fund infrastructure to support anticipated population in the Warriewood Valley Release Area.

Since its adoption, this Plan has been reviewed and amended 20 times. These amendments have addressed the changing planning framework and the community's infrastructure demands over the years.

On 28 August 2018, Council adopted the Warriewood Valley Development Contributions Plan Amendment 16, Revision 3, 2018 (the 'Contributions Plan 2018'). The Contributions Plan 2018:

- Applies to all residential, commercial and industrial developments that would result in an increase in demand for local infrastructure and services in Warriewood Valley.
- Anticipates income and expenditure up to 30 June 2022.
- Anticipated an additional 629 dwellings in Warriewood Valley, to be completed by 2021/22
- Planned to spend \$58 million in infrastructure delivery.

Given that there are still several land parcels with Warriewood Valley Release Area that remain undeveloped and that, as a consequence, cash flow into the Plan is slower than previously anticipated, it is clear that this Plan will not receive sufficient income to deliver the required range of essential infrastructure within the current period identified in the Plan.

Accordingly, a review of the Contributions Plan 2018 has been undertaken to extend the life of the Plan and ensure that the assumptions and costings which underpin the Plan are contemporary and in accordance with legislative requirements.

At its meeting of 15 March 2022, Council's Development Infrastructure Contributions Panel was presented with the outcome of the review of the Contributions Plan 2018. At that meeting, the Panel endorsed the following:

That:

1. *The Development Infrastructure Contributions Panel support the exhibition of the Draft Warriewood Valley Contributions Plan Amendment 16 Revision 4, including:*
 - A. *Extending the life of the Contributions Plan to 2030/31.*
 - B. *Updated income assumptions including changes to indexation.*
 - C. *Updated expenditure assumptions including revised cost estimates and land valuations.*
 - D. *The removal of creek land at 122 Mona Vale Road and 6 Jacksons Road from the works schedule.*
 - E. *The removal of exemptions for secondary dwellings and the application of the full residential rate to this type of development.*
2. *The Draft Warriewood Valley Contributions Plan Amendment 16 Revision 4 retain the following creek land and creek works items:*

Creek land

 - *Item 2a (4 Macpherson Street),*
 - *206 Garden Street*
 - *120 Mona Vale Road.*

Creek works

 - *Item 2.73 (at 4 Macpherson Street)*
 - *Part Item 2.9 (at 206 Garden Street)*
3. *If Recommendations 1 and 2 are agreed, the updated Draft Warriewood Valley Contributions Plan Amendment 16 Revision 4 is to be reported to Council to seek resolution to place the Plan on public exhibition.*
4. *With regard to the Upper Fern Creek section abutting Mater Maria school, in lieu of the Plan transferring \$200,758 (\$225,944 indexed) back into Council's operations this financial year (21/22) that the money be used to subsidize the working capital contribution towards the Warriewood Valley community facility which totals \$1,785,308."*

Key Changes to the Contributions Plan 2018

The following key changes are proposed within the Draft Warriewood Valley Contributions Plan Amendment 16 Revision 4 (the 'Draft Plan 2022'):

1. Extending the life of the Plan

The Contributions Plan 2018 is a ten-year plan and is in its final year, currently due to expire on 30 June 2022.

Council's ability to deliver the range of local infrastructure identified in a contributions plan is dependent on development take-up and subsequent cash contributions from development in

the Plan. It is clear that this Plan will not receive sufficient income to deliver the required range of essential infrastructure within this period. As such, the Draft Plan 2022 has been amended to identify a ten-year program to 2030/31, consistent with Council's Long Term Financial Plan.

2. Updated income and expenditure assumptions

In theory, 692 dwellings remain to be delivered in Warriewood Valley by the Contributions Plan 2018. This is generally based on the maximum permitted dwelling yield within the Pittwater Local Environmental Plan 2014 for each undeveloped land parcel.

However, in reality, landowners are developing towards the lower end of the permitted dwelling range. As such, a conservative approach is now applied to the expected yield on the remaining undeveloped land parcels.

The Draft Plan 2022 now anticipates 441 dwellings to be delivered in the remaining undeveloped land by 2030/31. This reduction reflects the dwellings delivered since the adoption of the Contributions Plan 2018 and a reduced yield on several sites impacted by significant environmental constraints. This assumption does not preclude the future development of any constrained properties and no changes are proposed to existing planning controls or land zones.

The indexation of future income has been updated to be consistent with Council's Long Term Financial Plan. Forecast consumer price index figures are now sourced from Deloitte financial projections.

Expenditure has been revised to reflect the amended income assumptions and to ensure a positive cash flow position for the life of the Plan. This has also been balanced with the community's anticipated infrastructure priorities.

Indexation of future expenditure in the Draft Plan 2022 has been updated to ensure consistency with the Independent Pricing and Regulatory Tribunal's (IPART) recommendations for preparation of section 7.11 contribution plans. Expenditure is now indexed by the Producer Price Index (Road and Bridge Construction NSW), prepared by the Australian Bureau of Statistics.

3. Upper Fern Creek

An explanation regarding how 'Upper Fern Creek (within Ingleside Chase Escarpment)' came into Council ownership is provided in the existing Contributions Plan as a note accompanying Table 4, as follows:

"The purchase of the Upper Fern Creek Corridor was forward funded by Council. Contributions are still to be sought to compensate Council through funds collected under this Plan."

The property is shown on the aerial photo below.



Figure 1 – Aerial showing Upper Fern Creek Corridor

The Note to Table 4 in the Draft Contributions Plan is reworded as follows:

“The purchase of the Upper Fern Creek Corridor was forward funded by Council. Contributions collected under this plan have now been received and are planned to be repaid back to Council (in 2021/2022). ~~are still to be sought to compensate Council through funds collected under this Plan.~~” The 2022 land valuation has not been applied to this creek line corridor land as the property was already in Council ownership. The repayment is the original purchase price of the land, indexed to the year of the anticipated repayment.

4. Secondary dwellings

The Contributions Plan 2018 exempts secondary dwellings from paying development contributions based on the former Pittwater Council decision of 20 October 2008. At the time, not imposing development contribution on secondary dwelling was seen as a way to encourage the take-up of this residential typology.

At its meeting of 25 June 2019, Council in considering the Northern Beaches Section 7.12 Contributions Plan 2019, revoked the former Pittwater Council decision exempting secondary dwellings from paying development contributions.

The Draft Contributions Plan 2022 is seeking consistency with Council’s decision of 25 June 2019, by removing the exemption for secondary dwellings.

Additionally, a secondary dwelling is counted as a dwelling under the applicable dwelling range in the undeveloped land in Warriewood Valley. A secondary dwelling may also be equivalent in size and infrastructure demands to other units in Warriewood Valley.

In these circumstances, this form of dwelling is to be levied at the full residential rate. Levying a development contribution on secondary dwellings is consistent with Council's approach in all other areas of the Northern Beaches.

5. Revised open space strategy

Since its inception in 1998, the Contributions Plan has included a Public Recreation & Open Space Strategy. This Strategy has employed a standards-based approach of 2.83 hectares of open space per 1,000 people. The open space demands for Warriewood Valley in the Contributions Plan 2018 are based on *"a total of 2,394 residential dwellings which will house 6,464 persons, the quantum of open space to be provided is 18.3 hectares."*

The required open space quantum has been updated to reflect the revised dwelling assumptions in the Draft Plan 2018. The revised quantum of open space to be delivered is shown in Table 1.

| | Contributions Plan 2018 | Draft Plan 2022 |
|--|--|--|
| | Open Space for 6,464 persons (based on total 2,394 dwellings) | Open Space for 5,611 persons (based on total 2,078 dwellings) |
| Required Open Space Quantum | 18.29ha | 15.88ha |
| Already delivered Sub-Total | 12.86ha | 13.90ha* |
| Open space still to be delivered comprising: | 5.43ha | 1.98ha |
| Linear open space along creek corridors (only 30% of total counted towards open space) | 1.69ha | 0.67ha |
| Active open space | 3.74ha | 1.31ha |

Table 1 – Quantum of Open Space to Be Delivered

* includes purchase of 3 Boondah Road, balance of land subject of Fern Creek Planning Agreement (approximately 613m²), and dedication of creekline corridor since August 2018 (adoption date of the Contribution Plan 2018).

To address open space demands, the Contributions Plan 2018 advises:

Land located in the Southern Buffer area comprising approximately 4.7 hectares has been identified as potentially suitable to meet the forecast demand for open space. Figure 1 [as it appears on the Contributions Plan], shows this land.

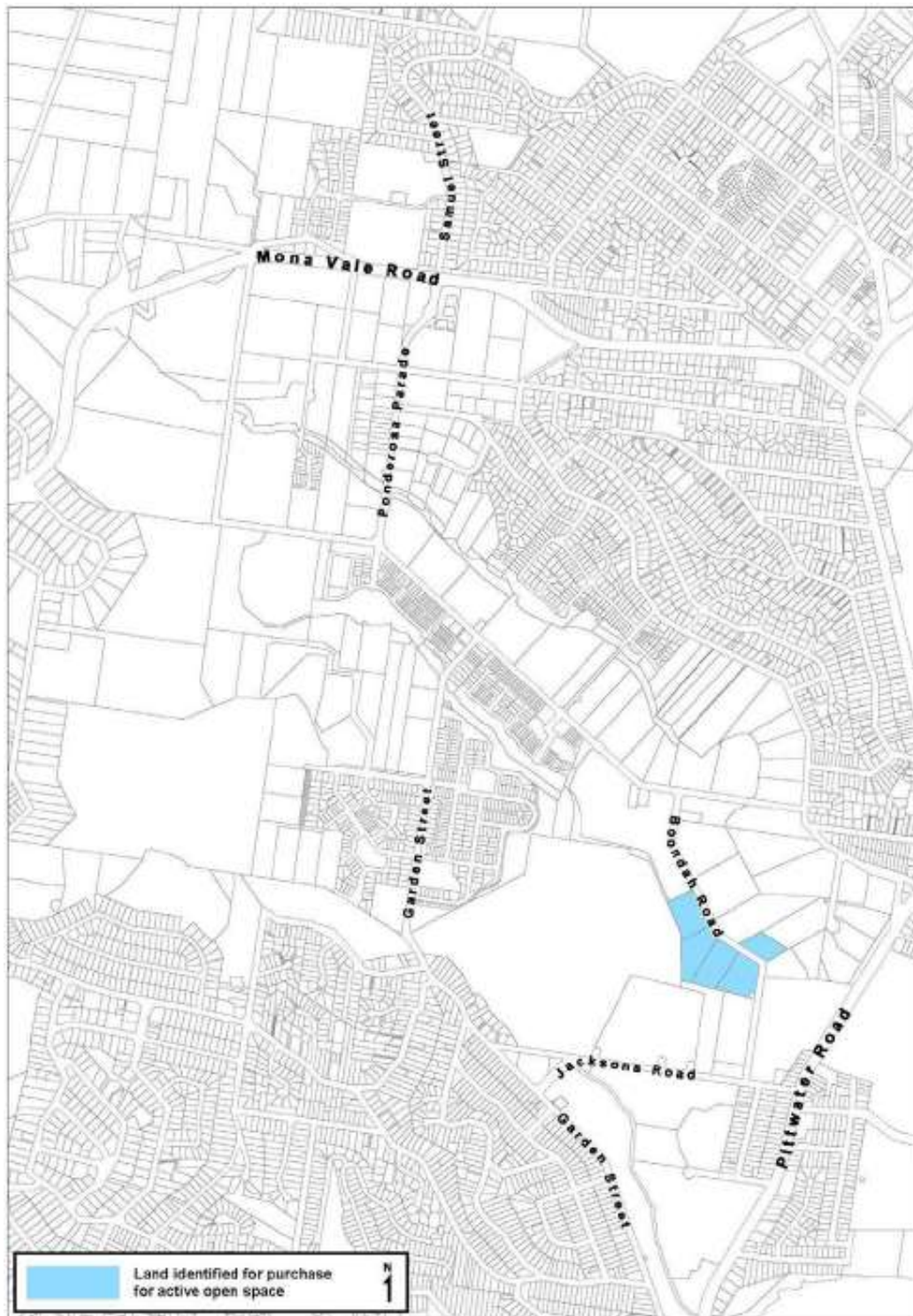


Figure 2 – Land identified for purchase for active open space [known as Figure 1 in the Contributions Plan 2018]

The Contributions Plan 2018 allocated approximately \$23 million to the purchase and embellishment of these properties in the Southern Buffer.

Council has attempted to purchase these properties in Southern Buffer via commercial negotiations to meet this demand. Council has successfully purchased 3 Boondah Road, Warriewood and has now delivered new hardcourts on this property. Council has been unsuccessful in purchasing further properties.

Opportunities for future land purchase for active open space, including suitability for such purposes, in and adjoining Warriewood Valley is limited. This is recognised in the Contributions Plan 2018 which envisages a number of alternatives:

In the event that Council is unsuccessful in purchasing the total 3.74 hectares required or there are insufficient funds for the embellishment of the land to sufficiently meet the objectives of this Plan, the following options will be considered:

- *Delay embellishment until funds become available through other future opportunities*
- *Further embellish existing active recreation areas with the view to upgrading the playing surfaces to a higher standard to facilitate more intense usage (for example, replacing a turf playing surface with a synthetic surface to allow 7 days per week continued usage regardless of weather conditions and in turn, facilitate increase in number of users).*

It is clear that current land owners do not wish to sell their properties to Council. There is also a high degree of financial uncertainty for Council if it were to try and pursue a compulsory acquisition process.

The Draft Plan 2022 proposes a change to the open space strategy and infrastructure works. The revised strategy seeks to replace the purchase of additional land for open space in the Southern Buffer with the embellishment of existing active open space to increase the available hours of use.

This will be achieved through upgrading existing turf surfaces, improving drainage and providing lighting. The Plan will also fund the provision of a new synthetic field at Narrabeen Sports High School providing access for residents outside of school hours.

The following new items have been included in the Draft Plan 2022:

- 1C - Embellishment of 3 Boondah Road, Warriewood
- 1D - Construction of new synthetic field at Narrabeen Sports High School
- 1E - Lighting on Boondah Reserve (fields 2, 3 & 4)
- 1F - Conversion of existing turf field at Pittwater Rugby Park to synthetic
- 1I - Embellishment of turf field at Boondah 5
- 1J - Embellishment of existing turf fields at Boondah 6 and 7 to provide hard courts.

The option to meet remaining open space demand through embellishment rather than pursuing the purchase or acquisition of additional land is considered a financially sustainable approach supported by the Development Infrastructure Contributions Panel (the 'Panel'). This approach is consistent with the open space strategy in the Contributions Plan 2018 where suitable land or funds are not available.

6. Review of infrastructure items

Appendix B of the Draft Plan 2022 contains a works schedule of the infrastructure to be delivered by 30 June 2031. This schedule has been updated to remove all completed works. The completed items are in Appendix A of the Draft Plan.

Infrastructure delivery/prioritisation has been revised consistent with the amended income assumptions and anticipated demand for these items. All cost estimates and land valuations for the still-to-be delivered infrastructure have also been updated.

Several items in the works schedule of the Contributions Plan 2018 are proposed to be removed in the Draft Plan 2022. These items are contained in Table 2. In recommending

infrastructure items to be removed from the works schedule, the Panel considered the following:

- Is the infrastructure still required in its current proposed form?
- Is there a better way of delivering the infrastructure or satisfying the demand generated by future residents?
- Where infrastructure delivery is dependent on the development of private properties, are these properties likely to develop within the anticipated timeframe for remaining infrastructure delivery?
- Is there nexus between the development and infrastructure such that it can be directly provided by the development via consent conditions?

| | Description | Justification | Cost (2018/19 dollars) |
|---------------------|---|---|------------------------|
| Traffic & Transport | Item 28E - Path (Foley Street, Jubilee to Mona Vale Rd) | This item will be delivered through Council's adopted Walking Plan program. | \$60,766 |
| Creek Land | 6 Jacksons Road | <p>This property is zoned RU2 Rural Landscape. A section of Narrabeen Creek bisects the property.</p> <p>Development of this property is unlikely to occur due to the zoning, site configuration and environmental constraints on the property so this item has been removed from the Draft Plan 2022.</p> | \$163,596 |
| | 122 Mona Vale Road | <p>122 Mona Vale Road was rezoned by the Joint Regional Planning Panel (the 'JRPP') in 2014; and included in the Warriewood Valley Urban Release Area Map in Pittwater LEP 2014.</p> <p>122 Mona Vale Road is zoned C2 Environmental Conservation with Council as the nominated acquisition authority. This property is also identified as a future wildlife corridor connection between the Ingleside Chase Reserve and Katandra Bushland Sanctuary albeit separated by Mona Vale Road (an underground wildlife crossing exists at/near this property as part of the RMS's Mona Vale Road (East section) Upgrade).</p> <p>The Contributions Plan 2018 lists creek corridor land on 122 Mona Vale Road for acquisition (not the whole parcel zoned C2 Environmental Conservation). As residential development is prohibited under this zone and the creek line land</p> | \$74,921 |

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| | | <p>will not come into Council ownership through a development occurring on this property.</p> <p>A funding source for the acquisition of 122 Mona Vale Road is still to be identified, however this is a liability for Council in general not specific to the Warriewood Valley Contributions Plan.</p> | |
| Creek Works | Item 3.01 – Narrabeen Creek at 6 Jacksons Road | <p>This property is zoned RU2 Rural Landscape. A section of Narrabeen Creek bisects the property.</p> <p>Development of this property is unlikely to occur due to the zoning, site configuration and environmental constraints on the property so this item has been removed from the Draft Plan 2022.</p> | \$283,294 |
| Cycleway | Item 1 – Shared path along Narrabeen Creek at Sectors 5/6 | To be located at the top of the Narrabeen Creek catchment. This section of cycleway is adjacent to an already developed non-residential sector. The provision of this section of cycleway is considered to provide little benefit to residents and workers. | \$202,707 |
| | Item 3 – Shared path along Fern Creek Sector 8/9 | This section of cycleway will be provided as part of the Sector 9 park embellishment (Item 10 in the Draft Plan 2022) and has been included in cost estimates for that item. | \$143,052 |
| | Item 6.1 – Shared path Sector 10.B | Located on the western boundary of the Release Area. It is considered that this section of shared path will provide little benefit to residents. Footpaths will be required as conditions of consent when the property is developed. | \$110,789 |
| | Item 18 – Shared path connection Vuko Place to Pittwater Road | This section of shared path is not required. It is across private land and there is already planned to be a shared path connection adjacent to the new community facility. | \$236,187 |
| | Item 32 – Shared path connection Jacksons Rd to Warriewood Wetlands | The provision of this section of shared path will cause significant environmental impacts if delivered. The existing path is considered appropriate. | \$21,071 |
| | Item 33 – Shared Path connection from Fern | This section of cycleway will be provided as part of the Sector 9 park | \$31,654 |

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|----------------------|--|---|--------------------|
| | Creek to Fern Creek Road | embellishment (Item 10 in the Draft Plan 2022) and has been included in cost estimates for that item. | |
| Bushfire | Item 3 – Connection between Sectors 5 and 8 | These items are connections between private fire trails and the local road network. They can only be delivered if/when the adjacent properties develop. The delivery of these works will be imposed on landowners via conditions of consent if/when properties develop. The removal of these two items from the Draft Contributions Plan 2022 has been undertaken with consultation and support from the NSW Rural Fire Service. | \$39,802 |
| | Item 4 – Connection between Sectors 9 and 10 | | \$42,143 |
| Community Facilities | Embellishment of Community Facility (equipment and fitout) | Reallocation of funds previously allocated for the fit-out of the community facility to reflect approved budget expenditure for construction of the community facility, endorsed by Council. The total expenditure on the community facility under the Draft Contribution Plan 2022 is not changing. | \$234,127 |
| | | Total | \$1,644,109 |

Table 2 – Infrastructure proposed to be removed from the Contributions Plan 2018

7. Change to Part 2.8 of the Plan – deferral or periodic payment

A change is proposed to Part 2.8 of the Contributions Plan 2018, titled 'Can a deferred or periodic payment be made?' The amendment seeks to make it clear that Council will not accept deferred or periodic payments of monetary contributions.

The Contributions Plan 2018 identified that a deferred payment request would be considered by Council, subject to a formal written agreement. This has been interpreted by staff as requiring a formal planning agreement that would need to demonstrate a reasonable public benefit to justify the deferral of monetary contributions. No record of previously agreed deferred payments can be found.

This change to Part 2.8 seeks to clearly clarify Council's position that deferred payment of monetary contributions will not be accepted. This is consistent with the approach in Council's Section 7.12 Contributions Plan.

8. Other administrative changes

Administrative and typographical amendments have also been made to the Draft Plan 2022, considered minor in nature to improve readability and in some instances, update references to legislation.

CONSULTATION

The Draft Plan 2022 is provided to the Council for consideration. If supported, the Draft Plan 2022 will be placed on public exhibition in accordance with legislative requirements.

The outcomes of the public exhibition will be reported back to Council for consideration.

TIMING

It is important that the Draft Plan 2022 be publicly exhibited and subsequently reported to Council for adoption prior to 30 June 2022 to allow the life of the plan to be extended to 30 June 2031. This will ensure future contribution rates are provided to facilitate the collection of adequate funds for the provision of local infrastructure in Warriewood Valley.

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.
- Transport and Infrastructure - Goal 16: Our integrated transport networks meet the needs of our community.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.

FINANCIAL CONSIDERATIONS

Adoption of the Draft Plan 2022 will ensure the ongoing efficient funding and delivery of infrastructure in Warriewood Valley to 30 June 2031. This will continue the financial sustainability of the Plan and ensure that the existing Northern Beaches community is not burdened by funding the provision of local infrastructure in the Release Area.

The Draft Plan 2022 achieves a positive annual cash flow position throughout the life of the Plan in order to minimise financial risk to Council.

SOCIAL CONSIDERATIONS

The Draft Plan 2022 facilitates the timely funding and provision of local infrastructure such as open space, pedestrian/cycle networks, traffic improvements and community facility which will enhance social outcomes for current and future residents and workers in the Warriewood Valley Release Area.

ENVIRONMENTAL CONSIDERATIONS

Funds levied under the Draft Plan 2022 will assist in the purchase, conservation and enhancement of the creek line corridors within the Warriewood Valley Release Area. The rehabilitation of these creeks will ensure they become important habitat areas and linkages for native flora and fauna.

GOVERNANCE AND RISK CONSIDERATIONS

The Draft Plan 2022 has been prepared to ensure that Council's mechanism for funding local infrastructure is contemporary and in accordance with all legislative requirements. To ensure a sound level of risk management, an ongoing review of the Plan with respect to cost estimates, income projections and economic factors will be undertaken.

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| ITEM 12.3 | OUTCOME OF THE PUBLIC EXHIBITION OF THE DRAFT AMENDMENT TO WARRINGAH DEVELOPMENT CONTROL PLAN 2011 – PART G9 FRENCHS FOREST TOWN CENTRE |
| REPORTING MANAGER | EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING |
| TRIM FILE REF | 2022/170696 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒Draft Amendment to Warringah Development Control Plan 2011 – Part G9 Frenchs Forest Town Centre (Included In Attachments Booklet) 2 ⇒Explanation of Changes (Included In Attachments Booklet) 3 ⇒Community Engagement Report - Frenchs Forest (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To report the outcomes of the public exhibition of the draft amendment to Warringah Development Control Plan 2011 – Part G9 Frenchs Forest Town Centre (draft DCP)(Attachment 1). The report also seeks adoption of the draft DCP and to publish the draft DCP in accordance with legislative requirements.

EXECUTIVE SUMMARY

At the Council meeting of 1 August 2017, Council resolved to prepare and exhibit draft amendments to Warringah Development Control Plan 2011. The draft DCP supports the NSW Government's Frenchs Forest 2041 Place Strategy (Place Strategy), which implements Phase One of Council's Hospital Precinct Structure Plan.

Community and stakeholder engagement was undertaken concurrently with the NSW Government's exhibition of the Place Strategy over a six-week period, from 23 July to 3 September 2021. Council's consultation included a supporting package of documents comprising the draft DCP and Northern Beaches Affordable Housing Contributions Scheme (Scheme) and Tenancy Guidelines (Guidelines). The Scheme and Guidelines were reported to a separate Council meeting and adopted on 28 September 2021.

Council received 54 submissions directly relating to the draft DCP in response to the public exhibition process. Key supportive comments included acknowledgement that the private right-of-way at Bantry Bay Track would be maintained, support for sustainability requirements and support for the delivery of a night-time economy.

Community consultation revealed concerns regarding the potential for existing land within the private right-of-way known as the Bantry Bay Track to be 'landlocked', the need for more bicycle and cycling infrastructure to be provided within the precinct, site specific requests to amend certain requirements, the impact of new development on the heritage and character of the precinct, removal of additional trees and bushland, the need for best practice sustainability requirements, suggestions on building design and other concerns such as basement design requirements, solar access to the Village Green, loading dock requirements and landscaped area requirements for residential flat buildings.

In considering the submissions, it is recommended that Council adopt the draft DCP with some changes. The changes respond to the feedback received and intend to improve the desired outcome by including more detail, clarifying wording, and addressing general amenity issues.

In summary, the proposed changes include:

1. Strengthening waste management requirements.
2. More design requirements for water management facilities and stormwater infrastructure.
3. Providing flexibility for vehicular access for lots east of the Bantry Bay Track.
4. Removing the Land Use Strategy that mandates ground floor uses in the entire precinct.
5. Aligning the Urban Design Masterplan for street wall and upper floor setbacks for Precinct 07 (Bantry Bay Neighbourhood Centre).
6. Enhancing sustainability requirements.
7. Requiring a Noise Impact Assessment and other controls for Precincts 01 to 04 (Town Centre site) to manage residential amenity and potential noise generating land uses.
8. Extending public art requirements to B4 Mixed Use zoned areas in Precinct 05 (Frenchs Forest Road West Neighbourhood) and B1 Neighbourhood Centre zoned area in Precinct 07 (Bantry Bay Neighbourhood Centre).
9. Strengthening design controls to enhance safety in the public and private domains.
10. Clarifying certain controls and requirements.
11. Removing duplicate controls and requirements.
12. Administrative changes.

The changes are not considered of significance that would require re-exhibition.

Should Council adopt the draft DCP, it will come into effect on 1 June 2022 on the same day that the NSW Government's legislative amendments begin. If Council does not adopt draft DCP, there is a risk that development applications will be assessed without detailed planning controls.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Note the outcome of the Community and Stakeholder Engagement report Frenchs Forest Precinct.
 2. Adopt the draft amendment to Warringah Development Control Plan 2011 – Part G9 Frenchs Forest Town Centre.
 3. Publish the draft amendment to Warringah development Control Plan 2011 – Part G9 Frenchs Forest Town Centre in accordance with legislative requirements, to come into effect on 1 June 2022.
 4. Notify all persons who made a submission on the draft amendment to Warringah Development Control Plan 2011 – Part G9 Frenchs Forest Town Centre of Council's decision.
-

REPORT

BACKGROUND

At the 1 August 2017 Council meeting, it was resolved to prepare and exhibit draft amendments to Warringah Development Control Plan (DCP) 2011.

On 17 December 2021, the NSW Government finalised the Place Strategy, which implements Phase One of Council's Hospital Precinct Structure Plan. The Place Strategy will deliver 2,000 new homes (1,000 of these in the town centre; 1,000 in the adjacent residential areas) with a range of new housing, shops, offices, open space, and affordable housing for essential workers such as nurses and paramedics.

The new planning controls will begin on 1 June 2022. From this time, development applications will be able to be lodged.

Draft DCP

The draft DCP identifies more detailed planning guidelines to support the NSW Government's Place Strategy. This includes controls specifying setbacks between buildings, building design, parking, and sustainability requirements.

The draft DCP proposes a new section to Warringah Development Control Plan 2011 under Part G Special Area Controls. The draft DCP is divided into seven precincts, each with their own distinct character and role. Each precinct has specific site requirements and associated planning controls placed on them.

Precincts 01 to 04 is the Town Centre. This is currently where the Forest High School is located, which will be relocated to provide a new state-of-the-art high school in Allambie Heights. Once the high school is built, the town centre can be developed. It will offer a new place on the Northern Beaches for residents and workers to live, work and visit, and will be divided into four sub-precincts.

The Town Centre precinct will have:

- New public open space and a plaza
- A community hub
- Retail shops with apartments above, up to a maximum of 12 storeys
- Commercial offices
- New streets, footpaths and active transport links.

Precinct 05 is the Frenchs Forest Road West Neighbourhood area. Frenchs Forest Road West will be activated with a range of retail, office and medical uses to support the town centre and Hospital.

This precinct will typically have development with:

- High quality apartment buildings, up to 6 storeys
- A good transition area to properties just outside the rezoning boundary by only allowing 2 storeys for land within 12 metres of these properties
- Mixed use buildings with a range of ground floor uses, located directly opposite the town centre
- The option to provide medical and health related uses along parts of Frenchs Forest Road West

- A pedestrian focused street with driveways to be located on side streets, where possible.

Precinct 06 is the Karingal Crescent Neighbourhood area. This precinct will have low-rise medium density housing, such as duplexes and terraces up to 3 storeys. Development here will need to provide landscaped setbacks, north facing rear gardens and new tree plantings.

Precinct 07 is the Bantry Bay Neighbourhood Centre. This precinct will be an important part of the local community, south of Warringah Road. New local shops will activate Bantry Bay Road and Brick Pit Reserve, while renewal of this area will provide opportunities to celebrate the area's rich history through the interpretation of the former Hews' Residence.

This precinct will typically have development with:

- Neighbourhood shops to provide for the day to day needs of residents living to the south of Warringah Road
- Special architectural or design features which recognise the social significance of the Former Hews' Residence
- Ground floor retail uses that activate Bantry Bay Road and Brick Pit Reserve
- High quality apartment buildings, up to 5 storeys that integrate with the neighbourhood shops
- Widened footpaths, street planting and great local streets that bring the community together
- New tree planting along Warringah Road to improve amenity and provide an outlook to green space.

Response to Submissions

Council received 54 submissions directly relating to the draft DCP. Key supportive comments included acknowledgement that the private right-of-way at Bantry Bay Track would be maintained, support for sustainability requirements and support for the delivery of a night-time economy.

Of the unsupportive comments, 27% of concerns related to access issues associated with the Bantry Bay Track, 19% related to the need for more bicycle and cycling infrastructure, 13% related to site specific requests, 11% related to heritage and character, 10% related to car parking rates, 5% related to trees and bushland, 5% related to sustainability, 3% related to building design and 1% related to other concerns. Figure 1 illustrates the range of issues raised.

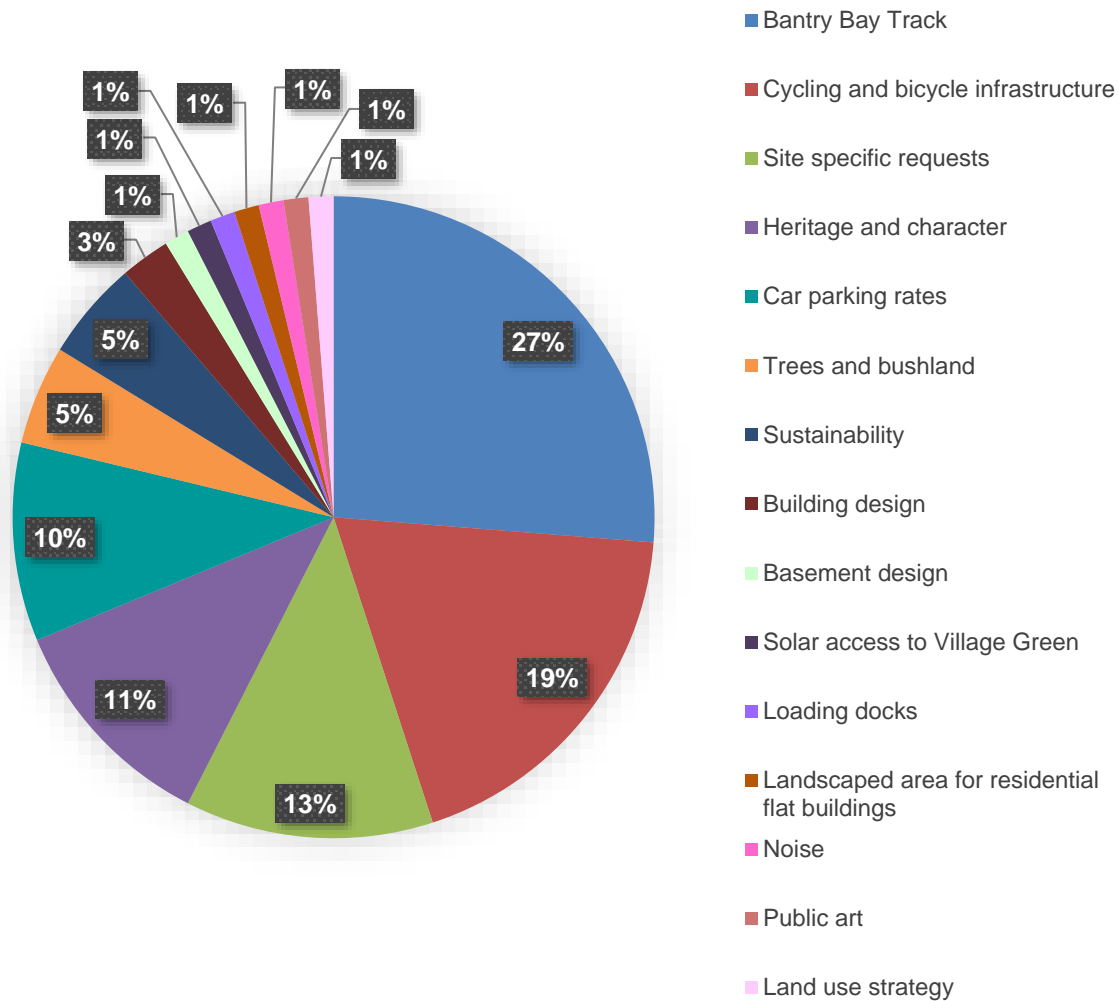


Figure 1: Issues raised in the draft DCP

| Theme | What we heard | Council's response |
|------------------|---|---|
| Bantry Bay Track | Concerns with the drafting of 'Control 5.2.10, Requirements 4 and 5' as respondents commented that this implied that lots with access to Bantry Bay Track would be landlocked as there would be no driveway access off Frenchs Forest Road West and consequently, waste collection, postal services and loading/unloading would not be permitted. | Existing access arrangements at Bantry Bay Track are a result of the original subdivision of the Bantry Bay Track between 1946 to 1954. There have been attempts in the past to rectify issues associated with waste collection, but these have not proceeded due to legal difficulties with covenants and rights of owners at the time of negotiations. |

| Theme | What we heard | Council's response |
|-------|--|--|
| | | <p>The right of way is privately owned, and many users have registered property rights to this. As the right of way is listed on the land title for certain lots, there is a legal requirement that existing access must remain as per the terms of the right of way. The proposed DCP amendment does not override the terms of the right of way.</p> <p>The draft DCP has specified that for properties located to the east of Bantry Bay Track, vehicular access off Frenchs Forest Road West may be considered.</p> |
| | Concerns about the lack of capacity of the right-of-way to handle any increase in vehicle movements, especially by allowing a hotel/motel and the impact of construction vehicles. | <p>The DPE removed the additional land use for hotel and serviced apartments.</p> <p>As the right of way is listed on the land title for certain lots, there is a legal requirement that existing access must remain as per the terms of the right of way.</p> |
| | Requests for reassurances that the right-of-way will never be blocked or used by construction workers, vehicles and other visitors. | As the right of way is listed on the land title for certain lots, there is a legal requirement that existing access must remain as per the terms of the right of way. |
| | Requests to construct a fence or barrier wall along the right-of-way to protect existing owners. | As the right of way is listed on the land title for certain lots, there is a requirement that existing access must remain as per the terms of the right of way. A fence or barrier wall to be constructed along the right of way is a matter for |

| Theme | What we heard | Council's response |
|------------------------------------|---|---|
| | | owners as the right of way is private land. |
| | Requests for the clearway at Frenchs Forest Road West to be maintained. | Frenchs Forest Road West is currently a state managed road. Council is not aware of any proposal to change clearway arrangements. |
| | Requests for the formalisation of the Bantry Bay Track into a public street with lighting, waste and postal access. The respondents suggested that the cul-de-sac at Gladys Avenue could be extended into the Council drainage reserve and connect to the right-of-way. | The proposal to extend Gladys Avenue into the existing reserve is not supported. |
| | Requests for the existing waste collection service to be improved as residents must place their bins at the entrance of 112A Frenchs Forest Road West, resulting in 52 bins on the street each week. | <p>This is an existing issue that is not changed by the current proposal.</p> <p>Council's waste collection vehicles cannot safely access the entire length of the Bantry Bay Track. Options have been explored in the past to address this however, we understand that this was not pursued due to cost and disagreement amongst all affected owners. The existing waste collection arrangements will remain in place.</p> |
| | Requests to consider bushfire evacuation. | The DPE considered bushfire evacuation and the 15m setback to Wakehurst Parkway addresses this. |
| | Requests for the stormwater pipe at Gladys Avenue to be investigated and upgraded as there are existing flooding issues affecting 16 Wakehurst Parkway. | A customer request has been raised to investigate flooding issues at Gladys Reserve and Council's Stormwater Team are progressing this matter. |
| Cycling and bicycle infrastructure | Concern that the street sections indicated in Figures 9 to 16 for the town centre site illustrate inappropriate spaces for bicycles and accompanying infrastructure, which | The DCP identifies appropriate widths to accommodate cycle paths in specific locations. The |

| Theme | What we heard | Council's response |
|------------------------|---|--|
| | <p>does not allow safe cycling. There is concern that shared paths in high pedestrian zones create conflict between cyclists and pedestrians.</p> <p>Requests for the consideration of requiring separated cycling routes in the town centre.</p> | <p>town centre does not include dedicated cycle paths due to safety concerns and high pedestrian volumes, particularly in the piazza area.</p> |
| | <p>Requests for the provision of bicycle storage for all developments and that 'Control 6, Requirement 14' is amended so that all mixed use buildings (not commercial only buildings) provide end-of-trip facilities.</p> | <p>Bicycle storage for all developments is to be provided in accordance with Part C3(A), Requirement 4. This is calculated by land use and includes residential and non-residential uses.</p> |
| | <p>Requests to refer to the Cycleway Design Toolkit by Transport for NSW, to ensure that bicycle paths are constructed to current best practice.</p> | <p>The detailed planning stage will refer to current best practice guidelines.</p> |
| | <p>Requests that the draft DCP does not emphasise car use to reduce car dependency.</p> | <p>The draft DCP has carefully considered a range of initiatives to manage car dependency and promotion of active travel.</p> |
| Heritage and character | <p>Requests for the Hews House to be kept intact as a culturally and historically significant site and retained due to its historical significance.</p> | <p>The heritage assessment acknowledges that the Hews house was not considered to be of local significance for its aesthetic values. Therefore, adaptive reuse of the house could be explored to assist with the social significance of the house. Council's draft DCP includes provisions which require a Heritage Interpretation Strategy to be prepared and implemented as part of any redevelopment.</p> |
| | <p>Concerns that new development will result in the loss of a leafy, green, natural bushland character and family-oriented suburb.</p> | <p>Frenchs Forest will continue to evolve and change to accommodate future growth.</p> <p>Local character and heritage have been</p> |

| Theme | What we heard | Council's response |
|------------------------|---|--|
| | | important considerations throughout the precinct planning process. DPE commissioned a Heritage Assessment, which identified several recommendations. These have been included in the Place Strategy. |
| | Requests to retain the Forest Markets. | The Forest Markets are outside of the area subject to this draft DCP. |
| Site specific requests | <p><u>122-126A & 126B Frenchs Forest Road West</u></p> <p>Requests amending the references to building heights in 'Control 5.2 Precinct 05 – Frenchs Forest Road West Neighbourhood' to reflect their request to DPE to increase the maximum building height from 17.5m to 22.5m.</p> | DPE did not support this request. |
| | <p><u>2 & 4 Gladys Avenue</u></p> <p>Concerns with the combination of the 1:1 floor space ratio, 45% landscaped area requirement ('Control 5.2.8, Requirement 1'), and setbacks ('Control 5.2.3') as the respondent believes that these controls can only achieve a part 3 and part 2 storey building, which is inconsistent with the 13m building height.</p> <p>Requests that 'Control 5.2.3, Requirement 3' is amended to ensure that all side and rear setbacks are to be consistent with Part 2F of the Apartment Design Guide.</p> <p>Requests to delete 'Control 5.2.4, Requirement 4' which requires any portion of a building within 12m of R2 Low Density Residential zoned land to be no more than 2 storeys.</p> <p>Requests to amend 'Control 5.2.2' so that the Character Statement refers to the future investigation area as having a potential 3 to 4 storey height limit.</p> | <p><u>Combination of controls cannot achieve maximum height</u></p> <p>Page 8 of the draft DCP provides an explanation on how the planning controls are to be interpreted. Point 2 states that the masterplan seeks design excellence and that the application of both building height and floor space ratio controls, in conjunction with each other, will mean that maximum building height will not always be achievable across the whole of a development site. Rather, these controls are designed to apply together to achieve buildings that exhibit varied building heights and forms.</p> <p><u>Control 5.2.3 side and rear setbacks to be consistent</u></p> |

| Theme | What we heard | Council's response |
|-------|--|--|
| | | <p><u>with the Apartment Design Guide</u></p> <p>The setbacks identified in Control 5.2.3 ensure an appropriate transition is provided to adjoining low density residential dwellings, bushfire asset protection zones and the activation of Frenchs Forest Road West.</p> <p><u>Control 5.2.4, Requirement 4 request deletion of storey requirement adjoining R2 Low Density zoned land</u></p> <p>A 2 storey building height limit within 12m of R2 Low Density Residential zoned land aims to reduce bulk and scale and provide an appropriate scale transition to adjoining low density residential development.</p> <p><u>Future investigation area</u></p> <p>It is premature to identify a building height or number of storeys for this area and reference this in the Desired Future Character of relevant precincts.</p> |
| | <p><u>Precinct 06 (Karingal Crescent Neighbourhood)</u></p> <p>Concerns with 'Control 5.3.10, Requirement 1', which specifies a maximum of 2 car spaces (1 per dwelling) for dual occupancy (attached), attached dwellings and/or semi-attached dwellings, due to the impact on on-street parking. Requests that this is amended to a minimum of 2 car spaces per dwelling.</p> <p>Requests to amend 'Control 5.3.3' so that front setbacks are increased from 5m to 6.5m and rear setbacks are decreased from 8m to 6m.</p> | <p><u>Impact of maximum parking rates with on-street parking</u></p> <p>We are working towards shifting travel demand and reducing dependence on private vehicles. Setting maximum parking rates is one approach to managing travel behaviour.</p> <p><u>Request for an increase in front setback and decrease in rear setback</u></p> <p>The proposed front and rear setbacks implement</p> |

| Theme | What we heard | Council's response |
|--------------------|---|--|
| | | the recommendations from the Urban Design Masterplan. |
| | <p><u>64 Karingal Crescent</u></p> <p>Concerns with 'Control 5.3.4, Requirements 1, 2 and 3', which require all dwellings to have a street frontage, dual occupancies to be attached side by side and site layouts to not result in a 'gun barrel' form, as the respondent believes that this is not feasible. This was supported by two development concepts showing attached dwellings with a non-compliant street frontage (gun barrel form) and a boarding house development.</p> | <p>We understand that DPE's feasibility studies indicate it is feasible to require all dwellings to address the street frontage. The purpose of this control is to avoid long narrow driveways to the rear of sites, which create a 'gun barrel' corridor. This is considered a poor urban design outcome and creates problems with vehicle circulation.</p> |
| Car parking rates | <p>Concerns with 'Control 6, Requirement 1', which identifies a maximum parking rate for residential uses, as respondents were unclear with how many car parking spaces would be mandatory, existing issues with on-street parking, and a lack of visitor parking. Some respondents requested a minimum of 2 spaces per dwelling be provided instead of a maximum rate.</p> | <p>We are working towards shifting travel demand and reducing dependence on private vehicles to encourage the use of sustainable transport choices. This is consistent with the priorities and actions adopted by Council in its strategic policy documents including the Local Strategic Planning Statement and Transport Strategy.</p> <p>Frenchs Forest is a Strategic Centre that will be well serviced by public transport including a future east-west bus rapid transit system. A new town centre will also be in walking distance to new homes.</p> <p>Setting maximum parking rates is one approach to managing travel behaviour and choices.</p> |
| Trees and bushland | <p>Concerns with 'Control 5.2.8, Requirement 2', 'Control 5.3.5, Requirement 2', and 'Control 5.4.5, Requirement 2', which</p> | <p>The balance between environmental values and accommodating growth has been carefully considered. The draft DCP</p> |

| Theme | What we heard | Council's response |
|-----------------|---|--|
| | <p>require offset planting at a ratio of 2 to 1 for any tree removal.</p> <p>Concerns with further loss of bushland.</p> | <p>includes requirements to retain mature trees (particularly in public areas) and offset planting at a ratio of 2:1.</p> |
| | <p>Requests to include edible street trees in the town centre site to create vibrancy.</p> | <p>This is noted. Further opportunities for consultation will be available when detailed landscape planning commences.</p> |
| Sustainability | <p>Requests for the photomontages to include roof top solar panels.</p> | <p>The photomontages have been produced by DPE.</p> |
| | <p>Requests to amend 'Control 8' on Sustainability to ensure that development achieves the highest sustainability ratings, carbon neutral certifications and provides a community garden.</p> | <p>The proposed planning controls in the LEP and DCP incorporate several sustainability measures.</p> <p>This includes the requirement for green star rated buildings, NABERS scores, passive design, energy efficient appliances, space to accommodate solar panels, maximum parking rates, bicycle parking requirements, EV charging and car share requirements.</p> |
| | <p>Requests for the consideration of increased basement floor to ceiling heights to enable adaptive reuse and the consideration of controls to allow drone delivery for roof tops.</p> | <p>Controls don't limit basement floor to ceiling heights.</p> <p>The proposed planning controls do not prohibit the potential for drone delivery on roof tops.</p> |
| Basement design | <p>Requests to include vehicle clearance heights to cater for trade vehicles.</p> | <p>Appropriate clearance heights will be considered during the pre-lodgement stage, with requirements to accommodate waste collection vehicles. The Northern Beaches Council Waste Management Guideline identifies that a 4.5m clearance height is</p> |

| Theme | What we heard | Council's response |
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| | | <p>generally required for waste collection vehicles.</p> <p>For other sites, existing requirements for vehicle clearance heights will apply. We note that mandating high vehicle clearance heights for basements may have a negative impact on the streetscape.</p> |
| Building design | Concerns with 'Control 5.1.8, Requirement 7', 'Control 5.2.5, Requirement 4', 'Control 5.2.7', 'Control 5.3.7' on design quality, with requests to ensure high standards of building to avoid constant repairs and maintenance as well as the requirement for a neutral colour scheme. | <p>The draft DCP amendment requires the colour selection should appear to be natural, with subdued natural and dark coastal colours.</p> <p>Further, it is likely that new development will require review by Council's Design and Sustainability Advisory Panel, which reviews design quality and urban design.</p> |
| Solar access to Village Green | Concerns with 'Control 5.1.12, Requirement 1' requiring solar access to 20% of the Piazza between 8.30am and 10.30am on 21 June, as this is considered too low. A minimum of 50 to 80% is suggested. | <p>The 20% solar access requirement applies only to the Piazza area between 8.30am and 10.30am on 21 June, which will allow for an appropriate level of morning sun during the shortest day of the year.</p> <p>Greater solar access requirements have been imposed for the public areas known as the Village Green, Forest Parkland and Piazza between 9am to 3pm on 21 June.</p> |
| Loading docks | Concerns with 'Control 5.1.14' as there are no specifications for a minimum vehicle clearance height in basements to accommodate loading docks. | Appropriate clearance heights will be considered during the pre-lodgement stage, with requirements to accommodate waste collection vehicles. The Northern Beaches Council Waste Management |

| Theme | What we heard | Council's response |
|--|--|--|
| | | <p>Guideline identifies that a 4.5m clearance height is generally required for waste collection vehicles.</p> <p>The draft DCP also requires a Loading Dock Management Plan to be submitted for the town centre site, which will consider space for trucks and holding areas.</p> |
| | Requests for the inclusion of electric charging stations within loading docks to facilitate for electric last mile delivery vehicles. | The draft DCP has included a requirement to include electric charging stations within loading docks to facilitate the potential for electric and last mile delivery vehicles. |
| Landscaped area for residential flat buildings | Concerns with 'Control 5.2.8, Requirement 1', requiring a minimum landscaped area of 45% for residential flat buildings as the respondents are of the view that this will create skinny looking buildings in combination with the restrictive floor space ratio control. | A 45% landscaping requirement currently applies to all residential flat building developments under Warringah DCP 2011 and is considered an appropriate requirement for Frenchs Forest. |
| | Requests to utilise a minimum landscaped area width approach instead of a percentage of site area, as the respondents are of the view that this will create more common open space. | <p>The definition of landscaped area in the Warringah DCP 2011 has been retained for Frenchs Forest:</p> <p><i>To measure the area of landscaped area:</i></p> <p><i>a) Driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks etc. and any open space areas with a dimension of less than 2m are excluded from the calculation;</i></p> <p><i>b) The water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops</i></p> |

| Theme | What we heard | Council's response |
|-------------------|---|---|
| | | <p><i>are included in the calculation;</i></p> <p><i>c) Landscaped areas must be at ground level (finished); and</i></p> <p><i>d) The minimum soil depth of land that can be included as landscaped area is 1m.</i></p> |
| Noise | Requests to include controls which address noise amenity associated with the supermarket in the town centre and the Hospital cooling towers. | Additional controls in the draft DCP relating to noise and vibration mitigation measures for the town centre site have been included. |
| Public art | Requests to include public art and for the value of the artwork to be 1% of the capital investment value. | The draft DCP identifies the requirement for a Public Art Strategy for the town centre site. The Strategy is to include a sustainability education awareness focus. Requirements for the provision of public art are also identified for the other precincts, where the estimated construction cost is greater than or equal to \$10 million. |
| Land use strategy | Concerns with 'Control 4' which requires the delivery of specific land uses on the ground level of all developments, as the respondents are of the view that this could result in unoccupied tenancies due to supply and demand issues. | <p>DPE's feasibility analysis confirms that non-residential land uses are feasible at the ground level. It is important that a variety of commercial floorspace types are provided allowing the market to determine the rents/values for individual spaces. It is important that a variety of spaces are provided to meet the diverse needs of the French's Forest community.</p> <p>The LEP prescribes a variety of non-residential land uses permitted in the</p> |

| Theme | What we heard | Council's response |
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| | | zone which can be delivered at the ground floor. The draft DCP control 4.1 Land Use Strategy control has been removed, acknowledging that specifying land uses at the ground floor is too prescriptive. Existing provisions requiring non-residential floorspace within Warringah Local Environment Plan 2011 will apply. |

Table 1 identifies the issues raised in the submissions and Council's response

Note: References to DCP control numbers are as per the exhibited draft

During the exhibition there were other issues raised that didn't relate specifically to matters associated with the DCP. These issues were considered by the DPE as part of their Place Strategy and associated legislative changes and/or have been considered in the preparation of the Frenchs Forest Contributions Plan currently on exhibition.

Proposed changes to the draft DCP

Several changes are proposed to the draft DCP which respond to community feedback. The specific changes are detailed in the Explanation of Changes (Attachment 2). Table 2 outlines the proposed changes and why they have been made. The changes respond to the feedback received and intend to improve the desired outcome by including more detail, clarifying wording, and addressing general amenity issues. The changes are not considered of significance that would require re-exhibition.

| No | Proposed change | Reason |
|----|--|--|
| 1 | Strengthening waste management requirements | To improve waste collection, mitigate the visual impact of waste and recycling bins on the streetscape, and ensure that innovative waste collection methods are considered during the preliminary design stage. Also, to promote the delivery of a circular economy to ensure sustainable waste collection, reuse, and recycling. |
| 2 | More design requirements for water management facilities and stormwater infrastructure | To improve water quantity and quality on the downstream catchments of Bantry Bay, Manly Dam and Narrabeen Lagoon. Also, to ensure that the town centre site sets an example for best practice stormwater management and reuse. |
| 3 | Providing flexibility for vehicular access for lots east of the Bantry Bay Track | To address resident concerns regarding access to Bantry Bay Track. |

| No | Proposed change | Reason |
|----|--|---|
| | | Also, to facilitate alternative vehicular access points that are safe and do not rely on the existing right-of-way at Bantry Bay Track. |
| 4 | Removing the Land Use Strategy that mandates ground floor uses in the entire precinct | To provide a more flexible approach as part of the Concept Development Application for the town centre site. |
| 5 | Aligning the Urban Design Masterplan for street wall and upper floor setbacks for Precinct 07 (Bantry Bay Neighbourhood Centre) | To ensure consistency with the Urban Design Masterplan by DPE's consultants. |
| 6 | Enhancing sustainability requirements | To improve requirements on electric vehicles, bicycles, waste and recycling, circular economy, biodiversity and water management. |
| 7 | Requiring a Noise Impact Assessment and other controls for Precincts 01 to 04 (Town Centre site) to manage residential amenity and potential noise generating land uses | To protect residential uses from future noise as the precinct grows with more residents, visitors, workers and to support the emergence of a night-time economy. |
| 8 | Extending public art requirements to B4 Mixed Use zoned areas in Precinct 05 (Frenchs Forest Road West Neighbourhood) and B1 Neighbourhood Centre zoned area (Bantry Bay Neighbourhood Centre) | To promote street activation and align with the anticipated requirements for public art in the new Northern Beaches Development Control Plan. |
| 9 | Strengthening design controls to enhance safety in the public and private domains | To enhance safety and incorporate principles of Crime Prevention Through Environmental Design. Requirements have addressed landscaping design, mail and storage cage theft. |
| 10 | Clarifying certain controls and requirements | To clarify requirements on maintenance responsibilities and other minor matters. |
| 11 | Removing duplicate controls and requirements | To remove duplicate controls contained in the Local Environmental Plan and throughout the Development Control Plan. |
| 12 | Administrative changes | To update references, names, figures and improve readability. |

Table 1: Proposed changes to the draft DCP

CONSULTATION

Community and stakeholder engagement (Attachment3) was undertaken concurrently with the NSW Government's exhibition of the Place Strategy over a six-week period, from 23 July to 3 September 2021. Council's consultation included a supporting package of documents comprising

the draft DCP and Affordable Housing Contributions Scheme and Tenancy Guidelines. The Scheme and Guidelines were reported to a separate Council meeting and adopted on 28 September 2021.

The engagement approach recognised the broader consultation being led by the NSW Government and Council's role as a secondary, supporting government agency. Council's consultation included:

- A Your Say project page with 7,412 visits
- Two webinar videos, totalling 1,917 views
- 9 x electronic direct mails reaching a total of 172,736 subscribers
- Attendance at the NSW Government's two live webinars.

A full Community and Stakeholder Engagement Report (Attachment 3) has been completed for the project.

TIMING

If Council agrees to adopt the draft DCP, the draft DCP will come into effect on 1 June 2022 on the same day that the NSW Government's legislative amendments begin.

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.
- 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 preparation of the draft DCP is funded through Council's Operational budget.

SOCIAL CONSIDERATIONS

The draft DCP incorporates several social considerations. This includes design requirements to deliver new public domain improvements including new streets, improved pedestrian and cycling connections and public open space. The open space and public domain areas will improve social connections by increasing social interactions and building a sense of community with residents, workers, and visitors.

The draft DCP also considers opportunities to incorporate a community hub within the town centre site. The community hub will create an innovative social and cultural destination for people to gather and interact.

Aboriginal and non-Aboriginal heritage have also been considered. The draft DCP includes requirements for the town centre site to be accompanied by a Heritage Interpretation Strategy. In relation to the Hews House, adaptive re-use or interpretation has been included as a requirement. These controls will ensure that social significance is celebrated and recognised.

ENVIRONMENTAL CONSIDERATIONS

The draft DCP considers a range of environmental matters to ensure that the precinct is a clear exemplar for the integration and delivery of sustainability at a precinct level. The planning controls have been designed to improve liveability by identifying requirements for green infrastructure, green spaces, and streetscapes. These controls will provide visual amenity, reduce the heat island effect, reduce the environmental footprint, enhance ecosystems, and create passive recreation opportunities.

Other environmental matters that the draft DCP considers are building setbacks to minimise the risk of bushfire, managing water quantity and quality on downstream catchments, compliance with contaminated land guidelines, and requirements to ensure that buildings are built to withstand potential noise from evening or night-time activities.

Examples of planning controls include:

- Building setbacks to align with bushfire asset protection zone requirements
- Targets for landscaping, which is specific to the precinct and type of development
- Protection of significant trees
- Offset tree planting
- Provision of canopy trees with minimum maturity heights
- Design requirements for water management facilities which considers any impacts on downstream catchment areas
- Consideration of potential contamination risks
- Careful design requirements to ensure that the town centre open space minimises impacts to biodiversity
- Encouraging passive building design and energy efficient systems
- Encouraging energy, waste, water efficiency and water recycling.

GOVERNANCE AND RISK CONSIDERATIONS

The draft DCP was placed on public exhibition in line with legislative requirements set out under the Environmental Planning and Assessment Regulation 2000 (now Environmental Planning and Assessment Regulation 2021).

If the draft DCP is not adopted by 1 June 2022, there is a risk that development applications will be assessed without detailed planning controls.

| | |
|--------------------------|---|
| ITEM 12.4 | OUTCOME OF PUBLIC EXHIBITION OF THE PLANNING PROPOSAL PEX2020/0008 TO REZONE THE REAR OF 88 BOWER STREET, MANLY |
| REPORTING MANAGER | EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING |
| TRIM FILE REF | 2022/175298 |
| ATTACHMENTS | 1 ⇒Planning Proposal Post Gateway (Included In Attachments Booklet) 2 ⇒Gateway Determination (Included In Attachments Booklet) 3 ⇒Alteration of Gateway Determination (Included In Attachments Booklet) 4 ⇒Evidence of Consolidation (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To seek Council's endorsement for a Planning Proposal Post Gateway (Attachment 1) to amend Manly Local Environmental Plan (LEP) 2013 by rezoning land at the rear of 88 Bower St, Manly from RE1 Public Recreation to E4 Environmental Living; to apply a minimum lot size of 500m²; a maximum building height of 8.5m; and a maximum floor space ratio of 0.45:1 to the site; and to make associated map amendments.

EXECUTIVE SUMMARY

In August 2020, Council received a Planning Proposal to amend Manly Local Environmental Plan 2013 by rezoning land at the rear of 88 Bower St, Manly from RE1 Public Recreation to E4 Environmental Living; and to apply a minimum lot size of 500m²; a maximum building height of 8.5m; and a maximum floor space ratio of 0.45:1 to the site; and to make associated map amendments.

It should be noted that the Department of Planning has recently renamed "Environmental" Zones as "Conservation" Zones in all LEPs across the state. This change needs to be reflected in any resolution of Council.

The Planning Proposal was reviewed and updated and Council at its meeting on 15 December 2020, resolved to:

- 1. Adopt the Planning Proposal for the rear of 88 Bower St, Manly and forward it to the NSW Department of Planning, Industry and Environment to seek a Gateway Determination.*
- 2. Undertake public exhibition of the Planning Proposal in accordance with the requirements of any Gateway Determination.*
- 3. That prior to any post-Gateway Planning Proposal being formally exhibited, Council require evidence that the site has been consolidated with 88 Bower St, Manly (Lot 3 DP 8075).*

The Department of Planning and Environment (DPE) issued a Gateway Determination on 1 June 2021 (Attachment 2) including a condition requiring evidence to be provided that the site had been consolidated with 88 Bower Street before statutory public exhibition of the Planning Proposal.

On 6 December 2021, DPE issued an amended Gateway Determination (Attachment 3) which extended the period for completing the LEP amendment by six months and amended the timeframe for the submission of evidence of consolidation of the allotments to “prior to finalisation the planning proposal”.

The Planning Proposal was subsequently publicly exhibited from 17 January to 20 February 2022 during which time two submissions were received objecting the proposal on grounds that the current RE1 Public Recreation zoning should remain and that the rezoning would place pressure on existing resources.

Council received evidence of the consolidation (Attachment 4) of the site with 88 Bower St, Manly (Lot 3 DP8075) on 2 February 2022.

It is recommended that the rezoning be supported by Council on grounds that it does not increase development potential for the site and allows for its orderly and economic use for residential purposes, consistent with the site’s private ownership, current use and adjoining uses.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council:

1. Endorse the Planning Proposal for the land as exhibited (subject to amendments to change references from E4 Environmental Living zone to a C4 Environmental Living zone) and submit it to the Department of Planning and Environment for finalisation to amend the Manly Local Environment Plan 2013 to:
 - A. Amend the land zoning map (LZN_006) from RE1 Public Recreation to C4 Environmental Living.
 - B. Amend the lot size map (LSZ_006) to apply a minimum lot size of 500m².
 - C. Amend the height of building map (HOB_006) to apply a maximum height of 8.5m.
 - D. Amend the floor space ratio map (FSR_006) to apply a maximum floor space ratio of 0.45:1.
 - E. Write to all persons who made a submission during the public exhibition period advising them of Council’s decision.
-

REPORT

BACKGROUND

On 18 August 2020, Northern Beaches Council (Council) received a Planning Proposal (PEX2020/0008), for 88 Bower St, Manly (Lot 1 DP 1244511) (the subject site), lodged by Robinson Urban Planning Pty Ltd on behalf of the Trustees of the Roman Catholic Church for the Archdiocese of Sydney (the proponent).

The Planning Proposal sought to amend Manly Local Environmental Plan 2013 by rezoning the rear of 88 Bower St, Manly from RE1 Public Recreation to E4 Environmental Living, applying a 500m² minimum lot size, and to update associated map amendments.

The site (Figure 1) has an area of 56.8m² and is currently used as private open space for 88 Bower St, Manly. It provides pedestrian access from Marine Parade to 88 Bower St (Figure 2). Shelley Beach is approximately 400m to the east of the site. Fairy Bower Beach and ocean pool and Cabbage Tree Aquatic Reserve are to the north of the site, beyond the pedestrian walkway.

The site is reclaimed foreshore land and was originally below the mean high-water mark before associated works on surrounding residential development and public foreshore improvements were made.

88 Bower St, Manly immediately to the south of the site, contains a two/three storey house. On the opposite side of Bower Street is a row of dwelling houses. The site has a frontage to Marine Parade to the north and adjoins 92 Bower St, Manly to the west, which contains a three-storey residential flat building; to the east of the site is 86 Bower St, Manly with a three-storey dwelling.

The Crown has previously leased the site to various occupants of 88 Bower St, Manly under a Permissive Occupancy License for the purposes of lawn area, footpath, and natural landscape since 1964.

The site is currently owned by the proponent who purchased it from the Department of Industry – Lands (DoI – Lands) on 28 August 2018. The proponent also owns the adjoining property at 88 Bower St, Manly.



Figure 1. Site location



Figure 2. The site from Marine Parade (left) and the site and Northern façade of house at 88 Bower Street, Manly.

In 2011, the Archdiocese Trustees approached Dol – Lands to purchase the site with the intention to consolidate the subject site with 88 Bower St, Manly. Dol – Lands agreed to investigate a potential direct private sale.

Dol - Lands wrote to Manly Council in January 2016 to seek Council's view to establish 'whether Council may have any interests and/or objections to the sale of the subject area'. No objection to the sale was received by Dol – Lands from Manly Council and Dol – Lands agreed to the direct sale of the site and waived the need for a land assessment for the following reasons:

- The site is considered surplus to public and government requirements.
- The site as a standalone lot is severely constrained due to its small size and location and is only considered of value to the landowner of the adjoining property at 88 Bower St.
- The site has no significant public recreation or environmental attributes.
- There are no Aboriginal Land Claims registered
- The sale of the site would not restrict public access to the remainder of the Crown Land contained within Reserve 31732 for Public Recreation and Reserve 1028748 for surfing recreation.
- The site has been used as private open space and a fenced in backyard lawn since 1964 and is unlikely to be perceived as public land use.
- Even if ungated, the land being a small area mostly enclosed within adjoining private uses, does not offer much public amenity or value.
- The sale of the land would not impact on the public use of adjoining Crown Land and reserves and is not required for access to waterways, recreation, scenic protection, re-vegetation, or soil conservation purposes.

The subject site previously formed parts of two larger lots (Lot 7338 DP 1154560 and Lot 7336 DP 1153371) and two land reservations (Shelley Beach Reserve and Manly Freshwater National Surfing Reserve). A new lot was registered to reflect the boundaries of the site on 13 July 2018 and the land reservations were revoked after the sale of the site was approved on 29 June 2018.

At its meeting on 15 December 2020, Council resolved to:

1. *Adopt the Planning Proposal for the rear of 88 Bower St, Manly and forward it to the NSW Department of Planning, Industry and Environment to seek a Gateway Determination.*
2. *Undertake public exhibition of the Planning Proposal in accordance with the requirements of any Gateway Determination.*
3. *That prior to any post-Gateway Planning Proposal being formally exhibited, Council require evidence that the site has been consolidated with 88 Bower St, Manly (Lot 3 DP 8075).*

The Department of Planning and Environment (DPE) issued a Gateway Determination on 1 June 2021 including a condition requiring evidence to be provided that the site had been consolidated with 88 Bower St, Manly before statutory public exhibition of the Planning Proposal.

On 6 December 2021, DPE issued an amended Gateway Determination (Attachment 3) which extended the period for completing the LEP amendment by 6 months and amended the timeframe for the submission of evidence of consolidation of the allotments to "Prior to finalisation the planning proposal".

CONSULTATION

The Planning Proposal was subsequently placed on statutory public exhibition in accordance with the Northern Beaches Community Participation Plan from 17 January to 20 February 2022. During this time property owners and occupiers in adjacent properties were notified via post, a project page on Council's YourSay webpage, and a notification sign was placed on the main frontage of the site.

During the statutory exhibition, two submissions were received, raising the following issues:

- Identifying the site does not have potential for development
- Requesting the sites planning status should not be modified
- Request that any areas zoned recreation should remain recreation
- The potential for rezoning to increase pressure on existing resources.

The issues raised are not supported by evidence, the submissions stating only that the current zoning should remain public recreation due to pressure on the surrounding lands for recreational space.

The submissions do not acknowledge current private ownership of the site, and that the proposal is for a change in zoning, not for a change from public to private ownership. One submission acknowledges the site has no further potential for development under the proposed C4 Environmental Living zone.

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

Council received evidence of the consolidation of the site with 88 Bower St, Manly (Lot 3 DP8075) on 2 February 2022 (Attachment 4), thereby meeting the DPE Gateway Determination condition.

It is recommended that the rezoning is supported by Council on grounds that it does not increase development potential for the site and allows for its orderly and economic use for residential purposes, consistent with the site's private ownership, current use, and adjoining uses.

TIMING

If Council resolves to support the Planning Proposal, it is anticipated that the LEP amendment would be made in May/ June 2022.

LINK TO STRATEGY

The planning proposal generally aligns with goals outlined in Shape 2028, the Northern Beaches Community Strategic Plan and Towards 2040 - Northern Beaches Local Strategic Planning Statement. It also aligns with Council's adopted Local Housing Strategy.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

The proposed LEP amendments will allow for the site to align with surrounding residential uses and will have no social impacts given it is already privately owned and used for private residential purposes.

ENVIRONMENTAL CONSIDERATIONS

The proposed amendments will have minimal environmental impact on surrounding areas. The planning proposal is supported by coastal engineering advice which found that risks and impacts associated with coastal processes can be mitigated to allow for residential uses to continue with an acceptable level of risk. No building works are currently proposed for the site.

GOVERNANCE AND RISK CONSIDERATIONS

The Planning Proposal is unlikely to generate significant risk or governance issues.

| | |
|--------------------------|--|
| ITEM 12.5 | NORTH DISTRICT PLAN DWELLING TARGETS |
| REPORTING MANAGER | EXECUTIVE MANAGER STRATEGIC AND PLACE PLANNING |
| TRIM FILE REF | 2022/207853 |
| ATTACHMENTS | 1 Letter to Minister Stokes - North District Plan Dwelling House Targets |
| | 2 Letter to Minister Roberts - North District Plan Dwelling House Targets |

BRIEF REPORT

PURPOSE

To seek Council approval to write to the Minister for Infrastructure, Cities, and Active Transport and the Minister for Planning and Homes regarding Council's concerns about recent amendments to the *Environmental Planning and Assessment Act, 1979*, mandating five, ten, and twenty year housing supply targets in the North District Plan (which includes the Northern Beaches local government area).

REPORT

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 local government area).

Council was required to prepare a Local Strategic Planning Statement (LSPS), review its Local Environmental Plans (LEPs) to ensure they aligned with the planning priorities identified in these plans, and prepare a Local Housing Strategy (LHS) for the period 2016-2036.

The North District Plan housing planning priority N5 is to provide housing supply, choice, and affordability, with access to jobs, services, and public transport. The Plan assigns a twenty year (2016-2036) strategic combined housing target of 92,000 dwellings across the North District's nine council areas.

The Plan also:

- Stipulates the zero to five year housing target for each council area, with the Northern Beaches required to deliver 3,400 dwellings by 2021
- Requires each council to develop six to ten year (2021-2026) dwelling targets specific to the local area through an LHS
- Expects each Council to identify capacity to contribute to the longer term twenty year strategic dwelling target for the district to 2036.

Council's LHS was developed over a two-year period, inclusive of extensive community consultation and taking into consideration the directions and actions of the District Plan and LHS Guideline prepared by NSW Department of Planning, Industry & Environment (DPI&E). This includes a template prescribing how councils must undertake the housing analysis and develop the local housing targets to guide growth to 2036.

The LHS amongst other things includes:

- How it meets the District Plans zero to five year dwelling target (2016-2021)

- A six to ten year dwelling target of 3,582 (2021-2026)
- A ten to twenty year dwelling target of 8,949 (2026-2036)
- Establishes Council's long-term housing vision for meeting these dwelling targets.

On 16 December 2021 the LHS was approved by DPI&E, subject to requirements. The approval did not require amendments to Council's proposed dwelling targets.

On 29 March 2022, the Minister for Infrastructure, Cities and Active Transport, The Hon Rob Stokes MP, introduced the Greater Cities Commission Bill 2022 to NSW Parliament. The Bill was passed in Parliament on 29 March 2022 and is awaiting assent.

The object of the Bill is to repeal and re-enact the *Greater Sydney Commission Act 2015*, in substantially the same form, for the following purposes:

- To reconstitute the Greater Sydney Commission as the Greater Cities Commission (the Commission)
- To replace the Greater Sydney Region with the Six Cities Region (the Six Cities Region) and define its boundaries and the boundaries of the 6 cities within it.

The Bill also amends the *Environmental Planning and Assessment Act 1979* to include a requirement for District Plans to include five, ten and twenty year dwelling targets for each local government area.

Council does not oppose housing targets in principle. Council has undertaken planning through its LHS over the last two years to establish these targets and the LHS has been endorsed by the Department of Planning & Environment (formerly DPI&E).

There is concern however that the changes will allow the GSC to set targets in addition to those established via the LHS process and potentially without Council or community involvement or endorsement.

It is therefore recommended that Council write to the Minister for Infrastructure, Cities and Active Transport and the Minister for Planning and Homes expressing these concerns and seeking assurances that any dwelling targets stipulated within the North District Plan are to be subject to Council endorsement and/or are consistent with Council's approved Local Housing Strategy.

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

FINANCIAL CONSIDERATIONS

The short-term actions identified in the approved LHS are funded within existing budgets and the delivery program. Medium and long-term actions, including master-planning around "Centre Investigation Areas" to meet long term dwelling targets, will require consideration of funding in future budgets. Any amendments to the long-term dwelling targets have the potential to impact on future budgets.

ENVIRONMENTAL CONSIDERATIONS

The approved LHS, and dwelling targets, support the sustainability objectives of Council's Local Strategic Planning Statement by including actions on sustainable development in conjunction with detailed planning of housing growth in centres.

SOCIAL CONSIDERATIONS

The approved LHS outlines Council's approach to managing the location, type, and amount of new housing to meet the needs of the community to 2036. It includes consideration of housing diversity and social and affordable housing issues. Future targets should be consistent with the approved LHS and community expectations regarding future development.

GOVERNANCE AND RISK CONSIDERATIONS

Should Council not write to the Ministers raising concern with the District Plan identifying any additional dwelling targets outside of the existing LHS process, then Council could be subject to additional dwelling targets and requirements to amend its recently approved LHS.

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council write to the Minister for Infrastructure, Cities, and Active Transport and the Minister for Planning and Homes:

1. Expressing concerns about recent amendments to the *Environmental Planning and Assessment Act, 1979*, mandating five, ten and twenty year housing supply targets in the North District Plan apparently outside of the existing local Housing Strategy Process, particularly given Council has a recently approved local housing strategy based on a robust evidence base and extensive consultation with the community.
 2. Requesting that any dwelling targets stipulated within the North District Plan are to be subject to Council endorsement and/or are consistent with Councils approved Local Housing Strategy.
-



The Hon. Rob Stokes MP
Minister for Infrastructure, Minister for Cities, and Minister for
Active Transport
GPO Box 5341
SYDNEY NSW 2001

Our Ref: 2022/219506

Dear Minister

North District Plan Dwelling House Targets

Northern Beaches Council at its meeting on 26 April 2022 resolved to write to you:

- A. expressing concerns about recent amendments to the the *Environmental Planning and Assessment Act, 1979*, mandating 5-, 10- and 20-year housing supply targets in the North District Plan apparently outside of the existing Local Housing Strategy Process, particularly given Council has a recently approved local housing strategy based on a robust evidence base and extensive consultation with the community.
- B. requesting that any dwelling targets stipulated within the North District Plan are to be subject to Council endorsement and/or are consistent with Councils approved Local Housing Strategy.

Please find attached a copy of the Council report and a copy of the Council resolution on this matter.

Should you require any additional information or wish to discuss this further, please do not hesitate to contact my office or Andrew Pigott, Executive Manager, Strategic and Place Planning on 8495 6273.

Yours faithfully

Michael Regan
Mayor

Attach.



The Hon. Anthony Roberts MP
Member for Lane Cove
Minister for Planning, Minister for Homes
Parliament House
Macquarie Street
SYDNEY NSW 2000
Email – lanecove@parliament.nsw.gov.au

Our Ref: 2022/219513

Dear Minister

North District Plan Dwelling Targets

Northern Beaches Council at its meeting on 26 April 2022 resolved to write to you:

- A. expressing concerns about recent amendments to the the *Environmental Planning and Assessment Act, 1979*, mandating 5-, 10- and 20-year housing supply targets in the North District Plan apparently outside of the existing Local Housing Strategy Process, particularly given Council has a recently approved local housing strategy based on a robust evidence base and extensive consultation with the community.
- B. requesting that any dwelling targets stipulated within the North District Plan are to be subject to Council endorsement and/or are consistent with Councils approved Local Housing Strategy.

Please find attached a copy of the Council report and a copy of the Council resolution on this matter.

Should you require any additional information or wish to discuss this further, please do not hesitate to contact my office or Andrew Pigott, Executive Manager, Strategic and Place Planning on 8495 6273.

Yours faithfully

Michael Regan
Mayor

Attach.

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|--------------------------|--|
| ITEM 12.6 | VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF LOCAL ENVIRONMENTAL PLANS |
| REPORTING MANAGER | EXECUTIVE MANAGER DEVELOPMENT ASSESSMENT |
| TRIM FILE REF | 2022/212829 |
| 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), Warringah Local Environmental Plan (WLEP 2011), as required by the NSW Department of Planning and Environment. It is noted that this quarterly report also includes variations under Clause 20 of Warringah Local Environmental Plan 2000 (WLEP 2000)

EXECUTIVE SUMMARY

During the period 1 January 2022 to 31 March 2022, the following variations were granted:

- 9 variations under Clause 4.6 of Pittwater Local Environmental Plan 2014.
- 15 variations under Clause 4.6 of Manly Local Environmental Plan 2013.
- 8 variations under Clause 4.6 of Warringah Local Environmental Plan 2011.
- 3 variations under Clause 20 of Warringah Local Environmental Plan 2000 (determined in December 2021).

RECOMMENDATION OF DIRECTOR PLANNING AND PLACE

That Council note the Development Applications approved with variations to development standards during the period 1 January 2022 to 31 March 2022, including an additional determination under Warringah Local Environmental Plan 2000 in December 2021.

REPORT

BACKGROUND

The following tables show all variations to development standards approved during the period 1 January 2022 to 31 March 2022 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.

A total of 32 Development Applications were approved with a clause 4.6 variation during the quarter. During the quarter a total of 339 Development Applications were approved – noting that the total number of applications (including Modification and Review Applications) approved in the quarter totalled 485.

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 consider the extent and circumstances in which the existing development standards have been varied by the use of clause 4.6

In March 2022 the Department of Planning and Environment clarified that the 'Built Form Controls' within the Warringah Local Environmental Plan 2000 were 'development standards'. As a result of this, a variation under clause 20 of this instrument is equivalent to a variation under clause 4.6 in a template LEP and should be included in the quarterly reporting. A single application was determined in early December 2021 under the Warringah LEP 2000 which has been included in this report.

The following applications had a Clause 4.6 variation request granted during the period of 1 January 2022 to 31 March 2022 and clause 20 of Warringah LEP 2000 in December 2021.

Pittwater LEP2014

| App No. | Address | Category of Development | Development Standard Varied | Variation, Control & Approval | Determined By |
|-------------|---|---|-----------------------------|---|---------------|
| DA2021/1286 | 54 Wandeen Road CLAREVILLE NSW 2107 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 27.1% Control: 8.5m Proposal: 10.81m (Small portion of garage extends above 8.5m height on a sloping/steep site) | DDP |
| DA2021/1783 | 23 Baroona Road CHURCH POINT NSW 2105 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 29.4% Control: 8.5m Proposal: 11.0m (Small portion of roof extends above the 8.5m height on a sloping/steep site) | DDP |

| | | | | | |
|-------------|--|---|--|---|------------------------|
| DA2020/1756 | 351 - 353 Barrenjoey Road NEWPORT NSW 2106 | Mixed use - shop top housing | 4.3 Height of buildings 4.3 Height of buildings | Area 1 Variation: 9.7% Control: 11.5m Proposal: 12.6m Area 3 Variation: 37.6% Control: 8.5m Proposal: 11.7m (areas which encroach the building height are considered to be relatively minor proportion of the site) | NBLPP |
| DA2021/1450 | 117 Hudson Parade CLAREVILLE NSW 2107 | Residential - New second occupancy | 4.3 Height of buildings | Variation: 11.41% Control: 8.5m Proposal: 9.47m | DDP |
| DA2021/2067 | 70 Attunga Road NEWPORT NSW 2106 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 24.25% Control: 8.0m Proposal: 9.94m (Small portion of roof extends above the 8.5m height on a sloping/steep site) | DDP |
| DA2021/1691 | 22 Amaroo Avenue ELANORA HEIGHTS NSW 2101 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 9.6% Control: 8.5m Proposal: 9.32m | Delegated Authority |
| DA2021/1980 | 55 Grandview Drive NEWPORT NSW 2106 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 22.4% Control: 8.5m Proposal: 10.4m (Small portion of roof extends above the 8.5m height on a sloping/steep site) | DDP |
| DA2021/2267 | 42 Hillcrest Avenue MONA VALE NSW 2103 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 11.76% Control: 8.5m Proposal: 9.5m | DDP |

Manly LEP 2013

| App No. | Address | Category of Development | Development Standard Varied | Variation, Control & Approval | Determined By |
|-------------|--|---|-----------------------------------|--|------------------------|
| DA2021/2166 | 23 Dobroyd Road BALGOWLAH HEIGHTS NSW 2093 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 6.47% Control: 8.5m Proposal: 9.05m | Delegated Authority |

| | | | | | |
|--------------|---|---|--|--|------------------------|
| DA2021/1355 | 143 Balgowlah Road BALGOWLAH NSW 2093 | Residential - New multi unit | 4.1 Minimum subdivision lot size | Variation: 1.9% Control: 250m ² Proposal: Lot 1: 254.3m ² Lot 2: 254.2m ² | Delegated Authority |
| DA2021/2024 | 38 Frenchs Forest Road SEAFORTH NSW 2092 | Mixed use – shop top housing | 4.4 Floor space ratio | Variation: 1.85% Control: 1:1 (655m ²) Proposal: 1.02:1 (667.1m ²) | Delegated Authority |
| DA2021/1730 | 2A Battle Boulevard SEAFORTH NSW 2092 | Residential - Single new detached dwelling | 4.3 Height of buildings 4.4 Floor space ratio | Variation: 8.2% Control: 8.5m Proposal: 9.2m Variation: 9.4% Control: 0.4:1 (242.4m ²) Proposal: 0.44:1 (265.2m ²) | Delegated Authority |
| REV2021/0030 | 55 Bower Street MANLY NSW 2095 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 11.7% Control: 8.5m Proposal: 9.5m | DDP |
| DA2021/2623 | 47 Griffiths Street FAIRLIGHT NSW 2094 | Residential - Alterations and additions | 4.4 Floor space ratio | Variation: 1.22% Control: 0.6:1 (147.6m ²) Proposal: 0.607:1 (149.4m ²) | Delegated Authority |
| DA2021/0656 | 87 Gurney Crescent SEAFORTH NSW 2092 | Residential - Alterations and additions | 4.3 Height of buildings 4.4 Floor space ratio | Variation: 45.1% Control: 8.5m Proposal: 12.34m (Steeply sloping site) Variation: 42.8% Control: 0.4:1 (209.9m ²) Proposal: 0.55:1 (299.98m ²) (no adverse amenity impacts arise from exceedance in FSR control) | DDP |
| DA2021/2417 | 15 Peronne Avenue CLONTARF NSW 2093 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 2.35% Control: 8.5m Proposal: 8.7m | Delegated Authority |
| DA2021/2104 | 62 Griffiths Street FAIRLIGHT NSW 2094 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 5.8% Control: 8.5m Proposal: 9m | Delegated Authority |
| DA2021/1127 | 69 Castle Circuit SEAFORTH NSW 2092 | Residential - Single new detached dwelling | 4.4 Floor space ratio | Variation: 18.64% Control: 0.4:1 (244.52m ²) Proposal: 0.475:1 (290.1m ²) | DDP |

| | | | | | |
|-------------|---|---|--------------------------|---|------------------------|
| | | | | (no adverse amenity impacts arise from exceedance in FSR control) | |
| DA2021/2073 | 96 Darley Road MANLY NSW 2095 | Residential - Alterations and additions | 4.4 Floor space ratio | Variation: 7.39% Control: 0.6:1 (159.9m ²) Proposal: 0.64:1 (171.73m ²) | Delegated Authority |
| DA2021/1812 | 4 Munoorra Street SEAFORTH NSW 2092 | Residential - Single new detached dwelling | 4.4 Floor space ratio | Variation: 4.4% Control: 0.45:1 (274.73m ²) Proposal: 0.47:1 (287.76m ²) | Delegated Authority |
| DA2021/2055 | 32 Griffiths Street FAIRLIGHT NSW 2094 | Residential - Alterations and additions | 4.4 Floor space ratio | Variation: 26.25% Control: 0.6:1 (99.96m ²) Proposal: 0.76:1 (126.2m ²) (existing dwelling dis not comply with FSR control and 24m ² additional proposed) | NBLPP |

Warringah LEP 2011

| App No. | Address | Category of Development | Development Standard Varied | Variation, Control & Approval | Determined By |
|-------------|--|---|-----------------------------------|--|------------------------|
| DA2021/2320 | 34 Mary Street BEACON HILL NSW 2100 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 6.24% Control: 8.5m Proposal: 9.03m | Delegated Authority |
| DA2021/2093 | 20/31 - 35 Delmar Parade DEE WHY NSW 2099 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 24.7% Control: 8.5m Proposal: 10.6m (proposed vergola and existing building exceeds height control) | NBLPP |
| DA2021/2148 | 73 Hay Street COLLARROY NSW 2097 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 4.35% Control: 8.5m Proposal: 8.87m | Delegated Authority |
| DA2021/1511 | 33 Beach Road COLLARROY NSW 2097 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 2.7% Control: 8.5m Proposal: 8.73m | Delegated Authority |
| DA2021/2053 | 52 Burchmore Road MANLY VALE NSW 2093 | Residential - Alterations and additions | 4.3 Height of buildings | Variation: 4.5% Control: 8.5m Proposal: 8.8m | Delegated Authority |
| DA2021/2461 | 152 Bantry Bay Road FRENCHS FOREST NSW 2086 | Residential - Single new detached dwelling | 4.3 Height of buildings | Variation: 1.17% Control: 8.5m Proposal: 8.6m | Delegated Authority |

| | | | | | |
|-------------|--|--|----------------------------|--|------------------------|
| DA2021/1766 | 18 Alexander Street COLLARROY NSW 2097 | Residential - Seniors Living | 4.3 Height of buildings | Variation: 5.8% Control: 8.5m Proposal: 9.0m | NBLPP |
| DA2021/2592 | 88/0 Eurabba Road DUFFYS FOREST NSW 2084 | Residential - Single new detached dwelling | 4.3 Height of buildings | Variation: 7.4% Control: 8.5m Proposal: 9.1m | Delegated Authority |

Warringah LEP 2000

| App No. | Address | Category of Development | Development Standard Varied | Variation, Control & Approval | Determined By |
|-------------|-------------------------|--|--|---|---------------|
| DA2021/1533 | 15 Morgan Rd Belrose | Residential - Alterations and additions | Height of buildings Wall height Rear Setback | Variation: 30.6% Control: 8.5m Proposal: 11.1m Variation: 18.1% Control: 7.2m Proposal: 8.5m Variation: 34% Control: 10m Proposal: 6.6m (no environmental or amenity impacts arising from the departures to the standards given the large allotment size)) | NBLPP |

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.

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.

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

| | |
|--------------------------|---|
| ITEM 13.1 | PUBLIC EXHIBITION OF THE PROPOSAL TO NAME THE ENCLOSED DOG OFF-LEASH AREA AT THE FORESTVILLE WAR MEMORIAL PLAYING FIELDS THE PURPLE POPPY DOG PARK |
| REPORTING MANAGER | EXECUTIVE MANAGER PARKS AND RECREATION |
| TRIM FILE REF | 2022/129673 |
| ATTACHMENTS | NIL |

SUMMARY

PURPOSE

To consider the public exhibition of a proposal to name the enclosed dog off-leash area at the Forestville War Memorial Playing Fields the Purple Poppy Dog Park.

EXECUTIVE SUMMARY

Council has received an application from the Forestville RSL sub-Branch to name the enclosed dog off-leash area at the northern end of the Forestville War Memorial Playing Fields, the Purple Poppy Dog Park. This off-leash area is informally referred to as the Forestville Dog Off-Leash Area.

The purple poppy signifies recognition of the deeds and sacrifices animals have made and continue to make during wartime. The purple poppy was introduced to Australia by the Australian War Animal Memorial Organisation in 2013.

The Forestville RSL sub-Branch suggests that naming this dog off-leash area as the Purple Poppy Dog Park would be an appropriate recognition of the deeds and sacrifice dogs have made during Australian military service. This name is in keeping with the war Memorial theme of the reserve as it is located within the Forestville War Memorial Playing Fields.

This naming proposal is aligned with Council's Naming our Reserves, Facilities and Roads Policy.

It is recommended that the proposal to rename the enclosed dog off-leash area at the northern end of the Forestville War Memorial Playing Fields the Purple Poppy Dog Park is placed on public exhibition for at least 28 days. Also, that a report on the outcome of the public exhibition is reported back to Council.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council place the proposal to rename the enclosed dog off-leash area at the northern end of the Forestville War Memorial Playing Fields the Purple Poppy Dog Park on public exhibition for a minimum of 28 days.
 2. The outcome of the public exhibition of the proposal to rename the enclosed dog off-leash area at the northern end of the Forestville War Memorial Playing Fields the Purple Poppy Dog Park be reported to Council.
-

REPORT

BACKGROUND

Council has received an application from the Forestville RSL sub-Branch to name the enclosed dog off-leash area at the northern end of the Forestville War Memorial Playing Fields (the reserve) the Purple Poppy Dog Park (the naming proposal). This off-leash area is informally referred to as the Forestville Dog Off-Leash Area.

The purple poppy signifies recognition of the deeds and sacrifices animals have made and continue to make during wartime. The purple poppy was introduced to Australia by the Australian War Animal Memorial Organisation in 2013. This non-profit organisation aims to recognise the deeds of animals during Australian military service.

February 24 is purple poppy day and the National Day for War Animals in Australia where the deeds and sacrifices of animals in war are commemorated.

In the past animals such as horses, dogs and carrier pigeons supported military operations, these days it is primarily dogs. Dogs are deployed in a variety of roles including as guard dogs and explosive detection dogs. In a post operational role some serve as assistance dogs. In these roles they have been responsible for saving lives most recently in Iraq and Afghanistan.

The Forestville RSL sub-Branch suggests that naming this off-leash area as the Purple Poppy Dog Park would be an appropriate recognition of the deeds and sacrifice dogs have made during Australian military service. This name is in keeping with the war Memorial theme of the reserve as it is located within the Forestville War Memorial Playing Fields. The playground is also known as Poppy Park.

This naming proposal is aligned with Council's Naming our Reserves, Facilities and Roads Policy (the Policy) which applies to naming of facilities on Council managed land. The off-leash area proposed to be named is considered to be a facility and is located on Crown land managed by Council.

CONSULTATION

Should the recommendation in this report be supported the naming proposal would be placed on public exhibition for a minimum of 28 days, during which community feedback will be sought. The opportunity to provide feedback would be promoted via; a temporary sign on-site, letters to nearby homes and Council's social media. Feedback would be collected through Council's Have Your Say hub.

TIMING

The outcomes of the public exhibition of this naming proposal would be reported to a Council meeting following a review of community feedback received.

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

There are funds available in the 2021/2022 Parks and Recreation operational budget to meet the costs of public exhibition including a temporary sign - which would cost approximately \$200.

Should the naming proposal be approved by Council, permanent signage would be installed – which would cost approximately \$2,000. There are funds available in the Parks & Recreation 2021/2022 operational budget to meet this cost.

SOCIAL CONSIDERATIONS

The naming proposal is considered an appropriate way to recognise the sacrifice that dogs have made in supporting Australia's military operations. Also, formally naming this off-leash area will make it easier to locate when using online maps.

ENVIRONMENTAL CONSIDERATIONS

The recommendation in this report poses no environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

The naming proposal and recommendation in this report are aligned with Council's Naming our Reserves, Facilities and Roads Policy. If approved by Council, the implementation of a new name will involve updates to Council's webpage, spatial information systems and new signage on-site.

| | |
|--------------------------|--|
| ITEM 13.2 | OUTCOME OF PUBLIC EXHIBITION OF NAMING PROPOSAL, ERIC GALLOWAY CLUBHOUSE, LIONEL WATTS RESERVE, FRENCHS FOREST |
| REPORTING MANAGER | EXECUTIVE MANAGER PARKS AND RECREATION |
| TRIM FILE REF | 2022/036376 |
| ATTACHMENTS | 1 Community Engagement Report - Naming Proposal - Eric Galloway Clubhouse, Frenchs Forest (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To report on the outcomes of the public exhibition of the proposal to name the clubhouse at the eastern end of Lionel Watts Reserve, Frenchs Forest, the Eric Galloway Clubhouse and to seek Council adoption of the name.

EXECUTIVE SUMMARY

On 28 September 2021, Council resolved (resolution 268/21) that:

- Council place the proposal to name the clubhouse building at the eastern end of Lionel Watts Oval on Blackbutts Road, Frenchs Forest, 'The Eric Galloway Clubhouse' after community member Eric Galloway in acknowledgement of his long term contributions to the community, on public exhibition for 42 days inviting comment.*
- A report on the outcome of the public exhibition of the proposal to name the clubhouse building at the eastern end of Lionel Watts Oval on Blackbutts Road, Frenchs Forest, 'The Eric Galloway Clubhouse' be provided to Council.*

In respect of Item 1 of resolution 268/21 the naming proposal was publicly exhibited between 1 October and 14 November 2021. During the exhibition period 223 submissions were received and 159 people provided comments – a large majority of submissions were supportive. Submissions supporting the proposal recognised the significant contributions made by Mr Galloway over many years to the Northern Beaches community, particularly sport, and the Belrose 'Eagles' Rugby League Football Club.

The naming proposal is consistent with Council's Naming our Reserves, Facilities and Roads Policy.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

- Note the outcome of public exhibition of the proposal to name the clubhouse building at the eastern end of Lionel Watts Reserve, Frenchs Forest as the Eric Galloway Clubhouse.
- Adopt the proposal to name the clubhouse building at the eastern end of Lionel Watts Reserve, Frenchs Forest as the Eric Galloway Clubhouse.
- Staff liaise with Eric Galloway and the Belrose Rugby League Football Club regarding the design of signage and arrange installation this financial year.

REPORT

BACKGROUND

On 28 September 2021, Council resolved (resolution 268/21) that:

1. *Council place the proposal to name the clubhouse building at the eastern end of Lionel Watts Oval on Blackbutts Road, Frenchs Forest, 'The Eric Galloway Clubhouse' after community member Eric Galloway in acknowledgement of his long term contributions to the community, on public exhibition for 42 days inviting comment.*
2. *A report on the outcome of the public exhibition of the proposal to name the clubhouse building at the eastern end of Lionel Watts Oval on Blackbutts Road, Frenchs Forest, 'The Eric Galloway Clubhouse' be provided to Council.*

In respect of Item 1 of resolution 268/21 the proposal to name the clubhouse building at the eastern end of Lionel Watts Oval on Blackbutts Road, Frenchs Forest, the Eric Galloway Clubhouse (the naming proposal) was publicly exhibited between 1 October and 14 November 2021. During the exhibition period 223 submissions were received and 159 people provided comments – a large majority of submissions were supportive. Submissions supporting the proposal recognised the contributions made by Mr. Galloway to the Northern Beaches community particularly sport and the Belrose 'Eagles' Rugby League Football Club (the Belrose RLFC).

Mr Galloway is a Life Member and stalwart of the Belrose RLFC where he has served as a board member since 1985 and recently as Treasurer in 2021. Mr. Galloway is also a life member and ex-board member of the Manly Warringah Junior Rugby League. In January 2001 Mr. Galloway was awarded a Centenary Medal for services to sport and in 2017 he was awarded the Ray Stellar Memorial Award by the New South Wales Rugby League for his contribution to rugby league.

Mr Galloway has been heavily involved with both rugby league and cricket for many years, including as: Sydney Shield (Rugby League) team manager since 2010; Belrose RLFC delegate to Manly Warringah Junior Rugby League 1990 to present; Team Manager A grade Belrose RLFC; Canteen manager and gear steward Belrose RLFC; Senior Touch Football Coordinator since 1980 Belrose RLFC; and Wakehurst Redbacks Cricket Club President and Secretary.

In addition, Mr. Galloway was the President of the Manly Warringah Pittwater Sporting Union for many years, where he was directly involved in the development and upgrade of sporting facilities and the management of use of sports fields across the Northern Beaches, with the former Manly, Pittwater and Warringah Councils.

The clubhouse building proposed to be named is the home of the Belrose RLFC. Currently the clubhouse is informally referred to as the Belrose Rugby League Clubhouse. This building is also used by cricket, little athletics and equestrian groups. Belrose RLFC members and the other groups that use this building supported the naming proposal.

This naming proposal is consistent with Council's Naming our Reserves, Facilities and Roads Policy (the Policy) which applies to naming of facilities on Council managed land. The clubhouse building is a facility located on Council managed land.

CONSULTATION

This naming proposal was exhibited between 1 October and 14 November 2021. During the exhibition period 223 submissions were received and 159 people provided comments. The community was informed of the proposal through site signs, a Your Say project page, letterbox drop, Council weekly e-News, stakeholder emails and stakeholder meetings.

A large majority of submissions received were supportive. Objections to the proposal were generally based on a preference for other names as outlined in table 1. Council's response to

these objections is also provided in Table 1. The full engagement report can be found at Attachment 1.

Table 1: Summary of Themes and Council's Responses to the Proposal to name the clubhouse building at the eastern end of Lionel Watts Oval on Blackbutts Road, Frenchs Forest, the Eric Galloway Clubhouse.

| Key theme | What we heard | Council's response |
|---|---|--|
| More meaningful, broader name. Preference for a broader, more generic name. | Places should not be named after people because there are many worthy people. Consideration should be made to using names that reflect native plants. Belrose Rugby League Clubhouse is more relevant. Building is shared by groups other than rugby league. | This naming proposal is consistent with Council's Naming our Reserves, Facilities and Roads Policy. Mr. Galloway has been involved with and made significant contributions to the Belrose RLFC and the management and development of Lionel Watts Reserve for more than 30 years. He has also contributed to the broader development of sport across the Northern Beaches over many years. |
| Preference for an Indigenous name. | Recognition for the First Nations land it sits on, Indigenous relevance, choose name in consultation with local Indigenous people, more timeless, recognises their heritage, shows commitment. | This naming proposal is consistent with Council's Naming our Reserves, Facilities and Roads Policy. In this instance it is considered that the naming proposal is appropriate given the significant contributions by Mr. Galloway to the Northern Beaches community particularly sport over many years. The Policy provides guidance about and preference to the use of Aboriginal names particularly for parks and natural areas. |
| More gender equity in place names. | Place names are disproportionately skewed towards (white) men. Need gender balance, inspire girls and women. | Gender equity is a consideration in assessing naming proposals. In this instance it is considered that the naming proposal is appropriate given the significant contributions by Mr. Galloway to the Northern Beaches community particularly sport over many years. |

The comments received indicate that the community and key stakeholders largely support the naming proposal given Mr. Galloway's significant contribution to the Belrose RLFC and the broader Northern Beaches sporting community over many years.

TIMING

Should Council approve the naming proposal - signage will be designed and installed this financial year 2021/2022 in consultation with Mr. Galloway and the Belrose RLFC.

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

Should Council approve the naming proposal, permanent signage will be installed which will cost approximately \$2,000. There are funds available in the Parks & Recreation 2021/2022 operational budget to meet this cost.

SOCIAL CONSIDERATIONS

The naming proposal is an appropriate way to recognise Mr Galloway's many years of voluntary contribution to the Northern Beaches community, particularly sport, as well as the Belrose RLFC and Lionel Watts Reserve.

ENVIRONMENTAL CONSIDERATIONS

The recommendation in this report poses no environmental impact on Council.

GOVERNANCE AND RISK CONSIDERATIONS

The naming proposal and the recommendation in this report are aligned with Council's Naming our Reserves, Facilities and Roads Policy. If approved by Council, the implementation of a new name will involve updates to Council's webpage, spatial information systems and signage on-site.

| | |
|--------------------------|---|
| ITEM 13.3 | OUTCOME OF PUBLIC EXHIBITION OF THE DRAFT PROPERTY MANAGEMENT FRAMEWORK |
| REPORTING MANAGER | EXECUTIVE MANAGER PROPERTY |
| TRIM FILE REF | 2021/288096 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒Community and Stakeholder Engagement Report - Northern Beaches Property Framework (Included In Attachments Booklet) 2 ⇒Draft Terms of Reference - Property Steering Committee (Included In Attachments Booklet) 3 ⇒Draft Property Management Framework (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To report on the submissions received from the public exhibition of the draft Northern Beaches Property Management Framework (the Framework) and to seek Council endorsement to adopt the amended Property Management Framework.

EXECUTIVE SUMMARY

On 22 February 2022 Council endorsed the public exhibition of the draft Property Management Framework for a minimum of 28 days. The Framework was placed on public exhibition from 28 February 2022 to 30 March 2022.

A total of 18 submissions were received. Overall, the feedback from the community was supportive of the framework and its objectives. There are no material amendments recommended to the draft Property Management Framework.

The feedback collected during consultation that was relevant to the Property Management Framework generally indicated support for the proposed document with comments noting that the framework is clear, concise and easy to understand. Many of the submissions were not related specifically to the framework or covered topics that were not within the scope of this framework.

There were no submissions that directly objected to the exhibited draft Property Management Framework. Some general concerns were raised relating to protection of community interests in Council owned and managed property, adequate opportunity for community feedback and the opportunity to object to proposed outcomes.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note the outcome of the public exhibition of the draft Property Management Framework.
 2. Adopt the Northern Beaches Property Management Framework.
 3. Adopt the draft Property Steering Committee Terms of Reference, April 2022.
 4. Determine Councillor representation on the Property Steering Committee as per the draft Terms of Reference, to include the Mayor (Chair) and two Councillors.
 5. Establish a new internally restricted reserve named 'Property Improvement Reserve' for the purpose of the delivery of community infrastructure, environmental land acquisitions and commercial development.
-

REPORT

BACKGROUND

Given the importance the large Council portfolio of land and buildings plays in serving a range of community, administrative and commercial uses, Council engaged a specialist consultant (HillPDA) via a formal request for tender process to undertake a Strategic Property Review and to provide a long-term Property Management Framework that assesses key property portfolio decisions.

HillPDA worked with internal stakeholders and Councillors to develop principles for property decision making that provide a clear framework which addresses how Council will make decisions around its property portfolio. The Framework is supported by three detailed process maps for Hold/Repurpose, Divestment and Acquisition of Property.

The (draft) Framework now provides a consistent Northern Beaches Council approach in the management of Council's extensive property portfolio.

Principles for property decision making within the draft Framework include:

1. Be strategic in managing the land and property portfolio to optimise community benefit and financial sustainability.
2. Be transparent and responsive in administering the property portfolio to satisfy full accountability to the community.
3. Be active in the protection and enhancement of the environment.
4. Be creative and adaptable to meet the future needs of the community.
5. Be protective of heritage, considerate in its adaptive reuse and accountable for its cultural significance to the community.
6. Invest in property to foster improved environmental, social, cultural and economic outcomes in accord with Council's Strategic Planning Framework and objectives.
7. Leverage the property portfolio to achieve a commercially sustainable return on assets where appropriate.
8. Explore and foster new and ongoing partnerships to maximise the community benefit arising from shared facility use and digital connectivity.

To inform the Property Framework, HillPDA undertook the following actions:

- Comprehensive desktop review of all the properties (land and buildings).
- Review of existing strategies, management plans and other relevant documents.
- On-site review for property/land with opportunities identified (where required).
- Workshops with managers in each of Council's diverse business units.
- Engagement with Councillors over a series of workshops to identify the guiding principles for land ownership, acquisition and property asset management strategies.
- Research and literature review of other property strategies.
- A review of a sample of Council properties using the principles and assessment framework.

The Property Management Framework identifies 7 focuses supported by 18 actions to deliver the goal of *ensuring the most effective provision and utilisation of the community's property assets to meet the needs of the community, the protection of the environment and our heritage.*

These seven focuses and 18 actions are as follows:

1. Establishing the strategic property baseline
 - A. Prepare, consult on and finalise the Property Management Framework
 - B. Align property policies with the Property Management Framework
 - C. Perform a baseline review of Council's Property Register
 - D. Update the Land Register
2. Strengthen Council's strategic property relationships
 - A. Strengthen relationships with the Metropolitan Local Aboriginal Land Council
 - B. Continue to work with Crown Lands on the implementation of the new Crown Lands Act and Land Negotiation Program
 - C. Strengthen relationships with State and Federal Government bodies
3. Evaluation of Leases and Licences
 - A. Evaluate existing and expired leases and licences against the policy framework
 - B. Establish lease and licence templates for community tenure arrangements
4. Reviewing current provision and utilisation of property
 - A. Review the use of all Council owned and utilised property
 - B. Prepare a Property Action Plan for the Property Steering Committee Review
5. Determining future property needs
 - A. Conduct an annual needs assessment of potential gaps in the Property Portfolio
 - B. Incorporate the needs assessment in the draft Property Action Plan
6. Implementation and Governance
 - A. Establish the governance framework to monitor the Property Action Plan
 - B. Establish and maintain a financial reserve to support the Framework
 - C. Implement the approved list of property proposals in the Property Action Plan
7. Performance and Reporting
 - A. Establish property performance metrics
 - B. Annually report to Council on property performance metrics.

CONSULTATION

The (draft) Framework was developed in consultation with key Council stakeholders including Environment & Climate Change, Community Services, Parks and Recreation, Transport and Civil Infrastructure, Strategic & Place Planning and Councillors. The guiding principles were developed through consultation with Councillors at several Councillor Workshops and with the assistance of Property Advisory Consultants Hill, PDA whom Council engaged to work on a Property Management Framework and review of Council's property portfolio.

Additionally, policies, strategies and guidelines from other councils were also considered as part of the investigation process.

The draft Property Management Framework was made available for public comment from 28 February to 30 March, as outlined in the Community and Stakeholder Engagement Plan, via Council's Your Say project page. A thematic summary of feedback received is presented below.

| Key Themes and Comments | Response and proposed Amendments |
|---|--|
| Misunderstanding the intent of the draft Property Management Framework. | <p>Aspects of Council's operation in relation to planning controls, capital expenditure planning, asset management, child safety, provision of public infrastructure and services (e.g. public transit, sewer, footpaths) bushfire management / safety and procurement of services do not fall within the scope of the Property Management Framework and are addressed in other Council planning and policy documents.</p> <p>Review of the range of services offered by Council is also beyond the scope of the Property Management Framework.</p> |
| Metropolitan Local Aboriginal Land Council (MLALC) relationship. | <p>Strengthening relationships with MLALC and other major landholders will not exclude or be at the detriment to other parts of the community. Council aims to strengthen relationships with and seek feedback from major landholders in the area which includes the MLALC among a range of other major landholders such as Crown Lands and other State and Federal Government bodies.</p> <p>The draft Northern Beaches Property Management Framework does not propose that Council dedicate or transfer title of any Council owned parcel of land to MLALC or any other party specifically. Transfer of Crown Land under Aboriginal Land Claims is carried out under the <i>Aboriginal Land Rights Act 1983</i> and is not a Council function.</p> |
| Financial considerations - Property sales, leasing, valuation and return metrics. | <p>A listing of Council owned and managed properties as well as details of any current agreements (e.g. leases or licenses) can be viewed as part of the Council Land Register found on Council's website. Specific details relating to property income, value and return are confidential as releasing these details could have negative commercial outcomes for the community.</p> <p>Under the draft Framework, Council will regularly review the utilisation of land and buildings in the property portfolio to determine whether they are being effectively utilised. Co-location of community services and uses may be considered.</p> |

| Key Themes and Comments | Response and proposed Amendments |
|--|---|
| | <p>Under current practice, Council takes into account the revenue generating ability of tenants and licensees and their role in delivering community outcomes when negotiating rents and lease terms.</p> <p>Sale or redevelopment of Council property would only be considered if it is determined to be underutilised and/or surplus to requirements. These properties are prioritised as part of a Property Action Plan for consideration by the Property Steering Committee.</p> <p>Council will continue to actively seek grant funding from State and Federal Government and has had funding support for many community facilities (including Long Reef Surf Club, Mona Vale Surf Club and Currawong).</p> |
| Environmental conservation. | <p>Active protection and enhancement of the environment is one of the principles guiding the implementation of the Framework. In line with the principles, Council allows various community groups, and other users, where appropriate, to access and use land under its control.</p> <p>Should the Framework be adopted, specific environmental corridors for habitat conservation can be put forward to the Steering Committee for potential acquisition. These potential acquisitions will be assessed by the committee against other proposed acquisitions.</p> |
| Protection of community interests and community input into property outcomes | <p>The draft Property Management Framework requires an annual needs assessment to be carried out to review unmet property needs and user requirement from the community.</p> <p>Consideration will be given to existing arrangements with Council tenants/licensees, future agreements will endeavour to maximise community benefit from Council facilities and provide fair and equitable use amongst community users.</p> <p>Community interests will be represented on the Property Steering Committee by the Mayor and Councillors (as elected representatives of their community) and considered by all members of the committee.</p> <p>The draft Framework does not seek to alter existing legislative requirements or practices relating to community notification with regards to Property Dealings.</p> |

| Key Themes and Comments | Response and proposed Amendments |
|--|--|
| Buildings should be grouped according to their function and category – e.g. leases of Surf Life Saving Clubs | <p>Under current practice, use of a building is considered when drafting the terms of a lease or license.</p> <p>Council is in the process of reviewing and negotiating the leasing arrangements with the majority of Surf Life Saving Clubs located on the Northern Beaches. Members of the community will have the opportunity to make a submission on the leasing proposals in coming months.</p> |

Property Steering Committee

The proposed Property Steering Committee Terms of Reference outline that membership “shall consist of:

Voting members:

- the Mayor (as the Chairperson)
- two nominated Councillors
- the Chair of Council’s Audit Risk and Improvement Committee
- an independent property specialist to be appointed via an EOI process.

Non-voting members:

- Chief Executive Officer
- Director, Corporate and Legal
- Director, Transport and Assets
- Executive Manager, Property
- Manager, Property Commercial and Tourist Assets.

Councillor members are appointed by Council resolution. Accordingly, Council is requested to appoint two Councillors to the Property Steering Committee for the remainder of the current Council term.

The draft Terms of Reference require meetings to be held at a minimum twice a year. The first meeting is proposed to be held in July 2022 and the following in October 2022.

Meetings are likely to be for a duration of four hours, incorporating a bus tour of properties to be considered from the Property Action Plan.

TIMING

The Property Management Framework Actions will be implemented in line with the timeline outlined in Appendix A of the Framework.

LINK TO STRATEGY

The Property Management Framework is led by Council’s Community Strategic Planning Framework which consists of Shape 2028 – the Community Strategic Plan (CSP) and Towards 2040 – the Local Strategic Planning Statement (LSPS).

The priorities identified in the LSPS are considered when reviewing unmet property needs. These priorities cover needs around biodiversity, open space, community facilities, affordable housing, heritage and transport corridors.

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.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Participation and Partnership - Goal 21: Our community is actively engaged in decision making processes.

FINANCIAL CONSIDERATIONS

The Framework does not carry specific financial impact; however, the principles ensure that financial impact is one of the considerations when making decisions around Council's property portfolio.

Implementing the Property Management Framework may result in financial benefits, be it ongoing benefit through a commercial development or a one-off through the sale of property. To reduce reliance on rates, these funds will be placed in a financial reserve to support the delivery of Council's objectives. This reserve will be a new internally restricted reserve named the 'Property Improvement Reserve' for the purpose of the delivery of community infrastructure, environmental land acquisitions and commercial development.

The administration of the proposed Property Steering Committee and the expenses related to the appointment of an independent property specialist are provided for within current operational budgets.

SOCIAL CONSIDERATIONS

The principles of the Property Management Framework have a focus on effective management of Council's property portfolio taking into account community and environmental outcomes. Considerations about land and property use raised in the Local Strategic Planning Statement have been reflected in the development of the Property Management Framework and will form part of the Land Dealings and Leasing and Licensing Policies yet to be finalised. Of particular note were the land use needs identified in the "Northern Beaches Social Infrastructure Study - Issues and Opportunities Background Paper" and the "Northern Beaches Council Background Paper – Planning for our Environment".

ENVIRONMENTAL CONSIDERATIONS

The Framework identifies the importance of the natural environment to the community. One of the 8 principles for property decision making is to "Be active in the protection and the enhancement of the environment".

GOVERNANCE AND RISK CONSIDERATIONS

One of the focus areas of the Property Management Framework is to establish a sound governance framework to oversee the development and implementation of the Property Action Plan. This includes the establishment of a Property Steering Committee to oversee the Property Action Plan.

This report proposes the draft Terms of Reference for the Property Steering Committee, as attached to this report, and seeks adoption of these Terms of Reference along with membership appointments to the Property Steering Committee.

| | |
|--------------------------|---|
| ITEM 13.4 | OUTCOME OF PUBLIC EXHIBITION OF WYATT AVENUE BIKE PARK PLAN OF MANAGEMENT |
| REPORTING MANAGER | EXECUTIVE MANAGER PARKS AND RECREATION |
| TRIM FILE REF | 2022/081220 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒ Wyatt Avenue Bike Park, Belrose - Plan of Management - Community Engagement Report (Included In Attachments Booklet) 2 ⇒ Wyatt Avenue Bike Park, Belrose - Proposed Bike Skills Park REF (Included In Attachments Booklet) 3 ⇒ Wyatt Avenue Bike Park, Belrose - Draft Plan of Management - April 2022 for Adoption (Included In Attachments Booklet) 4 ⇒ Wyatt Avenue Bike Park, Belrose - Proposed Categorisation Public Hearing Report - Final 10 February 2022 (Included In Attachments Booklet) 5 ⇒ Wyatt Avenue Bike Park, Belrose - Concept Plan (Included In Attachments Booklet) 6 ⇒ Wyatt Avenue Bike Park, Belrose - Public Hearing Report Independent Review (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To report the outcome of:

1. The public notice of the Draft Wyatt Avenue Bike Park Plan of Management.
2. The public hearing into the land categorisation of Wyatt Avenue Bike Park, Belrose (which is comprised of Lot 102 DP1244381 and Lot 2620 DP752038) as Park.

To recommend that Council, subject to the environmental assessment required by Part 5 of the *Environmental Planning and Assessment Act 1979*:

1. Adopt the Draft Wyatt Avenue Bike Park Plan of Management.
2. Categorise Wyatt Avenue Bike Park, Belrose as Park.

EXECUTIVE SUMMARY

Council resolved (Resolution 297/21) on 26 October 2021 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.*

In order to give effect to the above resolution and in accordance with section 38 of the Local Government Act 1993, Council has given public notice of a draft plan of management for Wyatt Avenue Bike Park, Belrose (which is comprised of Lot 102 DP1244381 and Lot 2620 DP752038) and has given public notice of its intention to categorise Wyatt Avenue Bike Park, Belrose as Park.

The public exhibition period ran from 29 October 2021 until 12 December 2021. During this time Council received 173 submissions on the proposals and 90% of these were supportive of the proposals. The bulk of the submissions that did not support the proposals were concerned with parking and traffic congestion and protection of the environment. These issues are addressed in the report below.

It is recommended that Council adopt the Draft Wyatt Avenue Bike Park Plan of Management and categorise Wyatt Avenue Bike Park, Belrose as Park.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note its consideration of the submissions received in respect of the draft Wyatt Avenue Bike Park Plan of Management.
 2. Note its consideration of the report on the public hearing into the categorisation of Wyatt Avenue Bike Park, Belrose, which is comprised of Lot 102 DP1244381 and Lot 2620 DP752038 as Park.
 3. In relation to the requirements of Part 5 of the *Environmental Planning and Assessment Act 1979*:
 - A. Note its consideration of the Review of Environmental Factors at Attachment 2 of the report for this item in relation to the activity contemplated in the amended Draft Plan of Management, being landscaping works for recreational purposes at Wyatt Avenue Bike Park, Belrose as set out in and incorporating the mitigation measures and conditions in Attachment 2 (Activity).
 - 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 Activity.
 - C. Determine that the Activity will not significantly affect the environment.
 4. Adopt the Draft Wyatt Avenue Bike Park Plan of Management at Attachment 3 as the plan of management for the land to which it applies, being Wyatt Avenue Bike Park, Belrose which is comprised of Lot 102 DP1244381 and Lot 2620 DP752038.
 5. Categorise Wyatt Avenue Bike Park, Belrose as Park, as shown in the Draft Wyatt Avenue Bike Park Plan of Management at Attachment 3, in accordance with section 36 of the *Local Government Act 1993*
 6. Note its opinion that the amendments to the concept plan as per Attachment 5 are not substantial.
-

REPORT

BACKGROUND

The NSW Government sold Lots 102 DP 1244381 and 2620 DP 752038, 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.

Section 35 of the Local Government Act 1993 provides that community land is required to be used and managed in accordance with the plan of management applying to the land.

Accordingly, Council is required to adopt a plan of management for and categorise the Site.

To this end, on 26 October 2021, Council resolved to place on public exhibition the draft Wyatt Ave Bike Park Plan of Management and categorise Lot 102 DP1244381, and Lot 2620 DP752038 as Park for the purpose of section 36 of the *Local Government Act 1993 (NSW)* (Act). The Plan of Management proposes 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. The draft plan of management is at Attachment 3.

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.

This site-specific plan of management sets out the management of the park with key actions covering:

- 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 northwest 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.

CONSULTATION

Council gave public notice of the proposed categorisation and plan of management on the Your Say page from 29 October 2021 to 12 December 2021. The community were alerted to the proposed changes via signs on site, mail-out, use of Council's electronic newsletter, social media platforms and the Community Engagement Register. In total, 2,785 viewed the material with 173 unique submissions received. Of the submissions received 96% and 93% respectively were supportive of the proposals. The complete Community Engagement Report can be found at Attachment 1.

Table 1: Issues raised through the online comment form.

| Theme | What we heard | Council's response |
|--|--|--|
| Support | 93% of submissions supported the draft Plan of Management and the proposed use and management of the properties. | Noted. |
| Categorisation should be sports ground | Several submissions suggested an alternative categorisation as sportsground citing that the active recreation activity proposed would be better served by that categorisation. | Park is a more suitable categorisation as it still permits the proposed use but is more sympathetic to the surrounding environment. |
| Traffic congestion and parking | There are already too many cars and buses on Wyatt Avenue and this proposal will increase traffic congestion. | It is anticipated that most people using this facility will be local children who will ride or walk to the park. |
| | A shared path connection to the facility should be provided so that people (especially children) can access the space safely. | Council has identified a shared path link from Forestway to John Colet School as a tier 3 link for construction and is subject to future funding. |
| | There is currently not enough parking on Wyatt Avenue, especially during peak school and weekend sport use, and this proposal will make matters worse. | It is not proposed to increase parking on Wyatt Avenue. There is parking available nearby, adjacent to the Wyatt sportsground. |
| Protection of the environment | The surrounding bushland and local fauna need to be protected. | Secure fencing between the bike park the school and the adjoining bushland will be established as part of the design. |
| | The removal of trees will compromise wildlife habitat. | Council will replant Eucalyptus seiberi, which is an endemic Duffys Forest Endangered Ecological Community plant species, to offset the removal of trees due to public safety concerns, low retention value or exotic species. |
| Accessibility | The facility and surrounding open space need to be accessible for everyone, including older people accompanying their grandchildren. | The area will have a natural feel with seating for the community, including the elderly. It is expected that many people will enjoy watching the activities within the park. |
| | The site should include recreation facilities for other age groups. | The size of the site is not large enough and additional facilities cannot be accommodated without |

| Theme | What we heard | Council's response |
|----------------------------|---|--|
| | | compromising the bike park or natural environment. |
| Toilets required | Public toilets will be needed in reasonably proximity to the track. | Existing public toilets are available 130 metres away in Wyatt Avenue Reserve sportsground. These are considered suitable for expected demand and within reasonable distance to the facilities. |
| Noise | Riders will have all-hours access to the facility and residents on the street will be impacted by the noise. The Plan of Management should clearly outline permissible hours of use of the bike facility. | It is not proposed to floodlight the park which should discourage after-hours use. At this point in time there are no plans to restrict access. If anti-social behaviour does develop, Council will ask the Police to include the park in its patrols. |
| Skill development | The bike facility needs elements that allow for progression and the development of skills to transition to the Bare Creek intermediate tracks. | There is a lengthy learning curve between this bike park and Bare Creek Bike Park as a hub for experienced riders. This facility will have features that are somewhat progressive regarding how to ride on dirt and jumps. |
| Alternate use for the site | The proposed site should be for passive recreation (or in other words open and green spaces where people can sit and enjoy the area) which will benefit older residents in the area. Other locations for this bike skills park should be considered. | The suburb of Belrose is well provided with several pocket parks for passive recreation. There is also open space around the sports field on Wyatt Avenue which also allows for passive recreation. Demand for bike riding facilities is very high across the Northern Beaches LGA. We have seen an increased demand for the recreational pursuit of bike riding over the last 12 months. Council is also looking at a range of other sites for bike facilities which will help provide a range of options for bike riders and not lead to overuse of this site. |

In response to community submissions, a minor change has been made to the Wyatt Avenue Bike Park Landscape Concept Plan, this is included in the plan at Attachment 5. This change includes a revised boundary fence to the John Collet School to match the height 2.1m and design of the school palisade style fence. The change is not considered to be substantial as the fence is in the same position and is consistent with other school fencing.

A public hearing chaired by an independent moderator, as required by the *Local Government Act 1993*, was held on 2 December 2021 and was attended by seven members of the community. This public hearing was held via the Microsoft Teams platform due to the restrictions on public face to face meetings at that time. Of the 175 people who attended the public hearing and/or made a written submission, 89% agreed with the proposed categorisation, 6% agreed but with changes, less than 1% were neutral, and 5% disagreed with the proposed categorisation.

The report on the public hearing is in Attachment 4 of this report. In light of correspondence received by Council regarding the public hearing and to ensure the robustness of the process, Council asked another prominent professional to review the public hearing recording, report and plan of management to ensure there were no issues with the process. This independent review can be found at Attachment 6 and found there were no issues with the process.

TIMING

If adopted, the construction works would commence in mid-2022.

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.

FINANCIAL CONSIDERATIONS

Council has approved an allocation of \$121,336 in the 2021/2022 budget to complete the works at Wyatt Avenue Bike 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. Over the past two years there has been a noticeable increase in demand for bike riding facilities for younger children.

The proposed embellishments at Wyatt Avenue Bike Park will provide a focal point for the Belrose community to come together.

ENVIRONMENTAL CONSIDERATIONS

A Review of Environmental Factors has been undertaken in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the park works and is attached to this report.

The Wyatt Avenue Bike Park Plan of Management proposes species selection for the landscaping using the Duffys Forest EEC species list. The installation of water sensitive urban design measures has been incorporated in the design, the surface water run-off is filtered through planted landscaping areas. All non-structural concrete will be made with 60% cement substitutes to reduce its carbon footprint significantly.

The associated landscaping works as contemplated by the Draft Wyatt Avenue Bike Park Plan of Management is a combination of 'Development permitted without consent' under clause 2.73(3) and 'Exempt development' under clause 2.74 *Transport and Infrastructure State Environmental Planning Policy* (T&I SEPP).

An activity carried out under clause 2.73(3) of the T&ISEPP does not require development consent but must be assessed in accordance with Part 5 of the EP&A Act.

Part 5 of the EP&A Act imposes duties on authorities to consider the environmental impact of an activity before carrying out the activity or granting an approval to the activity. Relevantly:

- I. section 5.5(1) requires an authority to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the activity. The *Environmental Planning and Assessment Regulation 2000* provide that a determining authority must prepare a review of environmental factors (or REF) for activities under Part 5 of the EP&A Act that demonstrates how environmental factors specified in the environmental factors guidelines issued by the Planning Secretary were taken into account when considering the likely impact of an activity on the environment (clause 171(3)); and
- II. section 5.7(1) contains a duty to determine whether an activity is likely to significantly affect the environment and, if so, not to carry out the activity or grant an approval to the activity unless it has obtained or been furnished with, and has examined and considered, an environmental impact statement (or EIS) in respect of the activity.

To facilitate the examination of all matters affecting or likely to affect the environment by the carrying out of the activity for the purpose of Part 5 of the EP&A Act, a Review of Environmental Factors has been prepared at Attachment 2. The Review of Environmental Factors refers to certain mitigation measures and these form part of the proposal and are proposed to be adopted. The Review of Environmental Factors concludes that the activity is not likely to significantly affect the environment.

GOVERNANCE AND RISK CONSIDERATIONS

Public notice in respect of the proposed adoption of a new Plan of Management for Wyatt Avenue Bike Park, and a public hearing process to categorise the land as Park, have been undertaken in accordance with the requirements of the *Local Government Act 1993* and Council's Community Engagement Framework.

In light of correspondence received by Council regarding the public hearing and to ensure the robustness of the process, Council asked another prominent professional to review the public hearing recording, report, and plan of management to ensure transparency with the process. This independent review, which can be found in Attachment 6, concluded that *the process, conduct and outcomes of the public hearing and the Report are compliant with the requirements of and provisions of the LG Act.*

| | |
|--------------------------|---|
| ITEM 13.5 | OUTCOME OF THE PUBLIC EXHIBITION OF PROPOSED ROAD RESERVE CLOSURE AND SALE OF COUNCIL LAND ADJOINING 32 WATKINS ROAD, AVALON BEACH |
| REPORTING MANAGER | EXECUTIVE MANAGER PROPERTY |
| TRIM FILE REF | 2022/174457 |
| ATTACHMENTS | 1 ⇒ Road Reserve Closure Plan - 32 Watkins Road Avalon Beach (Included In Attachments Booklet) 2 ⇒ Community Engagement Report (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To consider a proposal to close and sell a section of road reserve between 32 Watkins Road and 34 & 36 Watkins Road, Avalon Beach.

EXECUTIVE SUMMARY

The owners of 32 Watkins Road, Avalon Beach (the applicant) submitted a Road Reserve Closure Application to Council with the intention of purchasing and consolidating the subject land with their adjoining property to potentially construct a second dwelling at the back of the property and subdivide the land.

During the public notification period for this matter, Council received a significant number of objections to the proposed closure and subsequent sale of land. The underlying theme for most of the objections was regarding the loss of public land and how this proposal does not benefit the public.

Due to the large number of objections (79%) received by Council from the community during the public notification period and the themes that they entail, Council officers do not believe the case for progressing the road closure has been made and recommend that Council refuse this application.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note the outcome of the public exhibition of the proposed road reserve closure and sale of Council land adjoining 32 Watkins Road, Avalon beach.
 2. Refuse the application for road reserve closure for the area of road reserve between 32 Watkins Road and 34 and 36 Watkins Road, Avalon Beach.
-

REPORT

BACKGROUND

The owners of 32 Watkins Road, Avalon Beach submitted a Road Reserve Closure Application to Council to formally close and purchase a section of road reserve between 32 Watkins Road, and 34 and 36 Watkins Road in accordance with the following:

- Council's Pittwater Streetscape Management Guideline and Property Management Policy No. 193 (adopted 2 April 2012) the Policy
- Council's Property Management Policy No.200
- *Roads Act 1993*.

The subject land is approximately 347.8 square metres and is shown in Attachment 1 of this report.

The road reserve was created in 1949 with the intention to be dedicated to the public as a pathway. The western end of the road reserve has been partially cleared to remove invasive trees species. The far eastern end of the road reserve includes native vegetation which is contiguous with the native vegetation within the adjoining bushland reserve. Due to this heavy vegetation, it is currently not able to be accessed by the public.

This road reserve is considered an unformed road. Any potential sale of an unformed road requires consent from the Department of Planning and Environment (DPE) – Crown Lands before approval of a road reserve closure.

The adjoining bushland reserve features the Bangalley Head Walk with entrances at Marine Road and Whale Beach Road, Avalon Beach. The road reserve on Watkins Road is located approximately 200 metres north of the Marine Road entrance.

The application was referred to several stakeholders within Council. It was decided to place this proposal on public notification to gain a better understanding of the public's opinion about this road reserve.

CONSULTATION

In accordance with Section 38B of the *Roads Act 1993*, Council undertook public notification for this proposal. This included letters to adjoining owners, various service authorities, government agencies and a notice on Council's Your Say page. The public notification commenced on 4 February 2022 and concluded on 6 March 2022.

Council has received a total of 225 submissions from the community during this period. An analysis of the submissions indicates 79% did not support the proposal compared to 20% in support (1% neutral). A summary of submissions can be found in the Community Engagement Report, included as Attachment 2 of this report.

The submissions by themes are listed below along with Council's comments:

| Theme | Council's response |
|--|---|
| Loss of public land and retaining access | Concerns around the loss of public land have been noted. Council undertakes community engagement to ascertain the views of the community on various issues. In this instance, the community has made it clear that they consider this land to be a valuable public asset that should be retained in public ownership. |

| | |
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| | <p>There were mixed opinions on the usability of the land in question. Those who indicated it was too steep and unusable had no issues with the proposed road reserve closure and sale of the land. Others indicated it was usable and opposed the proposed road reserve closure and loss of public land. Some indicated Council should maintain the land to allow better public access. Access issues could be resolved by Council retaining a public right of way over the land, although the competing uses of vehicles and pedestrians may not be compatible.</p> |
| Impact on wildlife corridor and vegetation | <p>The far eastern end of the road reserve includes native vegetation which is contiguous with native vegetation within the adjoining bushland reserve. Establishment of a public accessway may require additional clearing to connect to the existing trail in the reserve as well as the construction of stairways given the steep terrain. Sale of the road reserve may inhibit Council's capacity to retain this area of native vegetation, and also result in the loss of vegetation to the rear of 32 Watkins Road. Native vegetation within and adjoining the reserve currently provides connectivity as part of a coastal biodiversity corridor.</p> |
| Access required for emergency services | <p>Access for emergency services to Bangalley Head Reserve, in particular for the fire agencies to combat wildfire or implement prescribed burning programs, is and will continue to be limited.</p> <p>It would be prudent to seek comments from the emergency services, in particular Fire & Rescue NSW as the relevant combat agency for bush fires in the reserve, regarding their views on the road/pathway and if it would contribute to accessibility to the reserve.</p> <p>Council has attempted to contact NSW Fire & Rescue for a comment in relation to this matter. No response has been received to date.</p> |

Council is required to receive consent for any potential sale of the unformed Council road from DPE - Crown Lands. DPE has provided the following response:

"NSW Department of Planning & Environment – Crown Lands (the department) does not object to:

- *the closure of the council public road*
- *the proposed vesting in Council upon closure."*

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

FINANCIAL CONSIDERATIONS

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

However, if the option to close and sell the land was to proceed, there is a possibility for Council to utilise the funds from the sales proceeds. Any sale would be subject to independent expert valuation advice.

Section 43(4) of the *Roads Act 1993* states that:

Money received by a council from the proceeds of the sale of land is not be used for Council except for acquiring land for public roads or for carrying out road work on public roads." Such road works may vary including pavement strengthening, retaining structures, footpaths, or streetscape improvements.

Any sales proceeds would provide funds for continued maintenance and improvement of road infrastructure and footpaths in the local area and to fund high priority core road asset improvements that can significantly improve safety and amenity for the community.

SOCIAL CONSIDERATIONS

Any sale of the subject land will potentially allow an additional dwelling/lot to be created behind 32 Watkins Road (subject to Development Consent) which will increase housing supply in this area.

ENVIRONMENTAL CONSIDERATIONS

Native vegetation within and adjoining the road reserve currently provides connectivity as part of a coastal biodiversity corridor. Any sale of the road reserve may inhibit Council's capacity to retain this area of native vegetation.

Establishment of a public accessway may require additional clearing to connect to the existing trail in the bushland reserve.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed road reserve closure and sale has been considered in accordance with Council's Streetscape Management Guidelines and Policy No 193, "Road Reserve & Streetscape Management" and Property Management Policy No. 200. However, Council has received a significant number of general objections against the proposal.

During the public notification, Council also received an objection for another adjoining owner of subject land. This owner has stated that they have the right to appeal any decision of Council in accordance with Section 38F (1) of the *Roads Act 1993*, which states:

"A person referred to in section 38B (1) (b) may appeal to the Land and Environment Court against the closure of a council public road by a council".

Therefore, if Council does resolve to close the subject road reserve, it is possible that such a decision will be appealed in the Land & Environment Court.

| | |
|--------------------------|--|
| ITEM 13.6 | THE STRAND DEE WHY - STREETS AS SHARED SPACES TRIAL FEEDBACK |
| REPORTING MANAGER | EXECUTIVE MANAGER TRANSPORT AND CIVIL INFRASTRUCTURE |
| TRIM FILE REF | 2022/129127 |
| ATTACHMENTS | <ol style="list-style-type: none"> 1 ⇒ The Strand Dee Why - Human Movement Data and Traffic Analysis - Final (Included In Attachments Booklet) 2 ⇒ SaSS The Strand - Business Survey Analysis (Included In Attachments Booklet) 3 ⇒ SaSS The Strand -Community Survey Analysis (Included In Attachments Booklet) 4 ⇒ Clyde Road Traffic Count Summary (Included In Attachments Booklet) 5 ⇒ Oaks Avenue Traffic Count Summary (Included In Attachments Booklet) 6 ⇒ The Strand Traffic Count Summary (Included In Attachments Booklet) 7 ⇒ Pacific Parade Traffic Count Summary (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To report back to Council on the Streets as Shared Spaces trial project along The Strand, Dee Why, including the broad range of data and community feedback collected and make a recommendation to Council on how to proceed based on the overall feedback.

EXECUTIVE SUMMARY

Council, at its meeting in May 2021, adopted a trial to allow the implementation of a northbound one-way traffic flow and two way separated cycleway, with the addition of a boardwalk footway and other measures to enhance the amenity along the beachfront restaurant precinct at The Strand, Dee Why.

The trial has operated since the completion of works in August 2021.

In assessing the trial against the outcomes of supporting business, enhancing pedestrian activity and access, and prioritising space for people, it is largely considered to have been successful.

Overall, the feedback from both businesses and the community was positive, however, there were divided opinions regarding the traffic and parking arrangements. The trial resulted in reduced vehicle traffic, improved pedestrian and visitor experiences. Restaurants were able to expand their outdoor dining areas whilst providing additional space on the boardwalk area for pedestrians and areas for consumption of take away meals.

Given the feedback regarding the improvements in The Strand, Council should investigate options to progress improvements, including funding, and in consultation with the community consider solutions to address the negative impacts associated with traffic flow.

The reallocation of traffic routes to the adjoining road corridors, mainly Clyde Road, Oaks Avenue, Pacific Parade and Avon Road was one of the key concerns raised along with the increased traffic affecting pedestrian safety at the key intersection of the roads listed above.

Key Findings - Traffic

- Vehicle usage along The Strand has dropped with the one-way conversion.
- Higher vehicle volumes were observed in nearby streets on Clyde Road, Avon Road, Oaks Ave and Pacific Parade as vehicles diverted away from The Strand.
- Decreased vehicle volumes on Dee Why's local roads are consistent with the heightened Covid restrictions experienced in the second half of 2021.

Key Findings – Visitation

- The one-way conversion has a minimal impact on the draw of visitors to The Strand.
- Most visitors to The Strand live within the Northern Beaches LGA.
- The one-way conversion has resulted in an increase in pedestrian visitation to The Strand.
- Most visitors were observed to be travelling home after their visit to The Strand.

Along with the traffic concerns raised, the ongoing desire for the increase in on-street parking for the benefit of residents in the surrounding streets. There was also strong support from the community for a full closure. However this is not supported by the businesses that rely on passing trade.

Pedestrian safety was also a key issue with several issues raised regarding the walkability of the overall Dee Why area and the need for additional safe pedestrian crossings at key intersections in the high-density area of Dee Why. Three key locations were considered initially, and proposals approved at the March meeting of the Northern Beaches Local Traffic Committee.

Additional investigation of other locations that have been raised by the community during the trial is currently underway with options being prepared for the future works program to assist in improving the overall walkability of Dee Why.

As part of the initial traffic modelling work undertaken, various future road network layouts in the Dee Why area were modelled, staff looked at providing a clearly defined one-way road network that allowed for additional parking, and to further reduce the traffic conflict and rat running and provided additional active transport options to enhance connectivity between the town centre and the beachfront.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note the feedback provided during the trial from the community, business, and visitors to the area.
 2. Note the additional pedestrian safety works recently approved by the Northern Beaches Council Local Traffic Committee, to be implemented in May 2022.
 3. Extend the implementation of the trial to allow the ongoing use of the areas by the community with the view to formalising the installation.
 4. Write to the Hon. Rob Stokes, Minister for Infrastructure, Cities, Active Transport seeking funding to formalise and implement the trial works as an ongoing improvement to the Dee Why area.
 5. Staff commence the design and consultation on parking and access improvements to address the issues that have been raised during the trial to benefit residents and visitors to Dee Why Beach.
-

REPORT

BACKGROUND

In May 2020, Council was given the opportunity to apply for funding from the Department of Planning, Industry and Environment (DPIE) Streets as Shared Spaces program. Several projects were proposed under Category 1 and 2, namely:

Category 1 rapid deployment activations: Tania Park car free trial; The Strand, Dee Why closure and dining activation; Robertson Road, Newport closure and dining activation and Waratah Street, Mona Vale partial closure and outdoor dining activation, and;

Category 2 semi-permanent pilot projects: Activate Manly and Activate Bilgola, projects which were evaluated by a panel containing members from various NSW Government Departments, including TfNSW, DPIE, NSW Health, and the Government Architect NSW.

Whilst the Activate Manly project was progressed in December 2020, the Activate Bilgola project was not progressed due to considerable community feedback and the need to undertake further design and consultation. The delays resulting from the feedback meant that Council would not have met the timeline in the grant funding deed. The beachfront location on The Strand Dee Why was identified as an alternate location and met DPIE's grant funding conditions and was subsequently approved.

The DPIE Streets as Shared Spaces program is designed to allow Council to gauge the community's response to changes to the road environment before considering longer term changes or future activations. The program benefits to the community are to encourage physical activity and wellbeing, whilst providing opportunities to improve social distancing in high pedestrian activity areas.

Reclaiming space for pedestrians aligns with Council's strategic vision for a green and connected city and the focus on creating walkable neighbourhoods with accessible local centres and village streets and prioritising space for people on streets to enable easy movement.

Council, at its meeting in May 2021, adopted a trial to allow the implementation of a northbound one-way traffic flow and two way separated cycleway, with the addition of a boardwalk footway and other measures to enhance the amenity along the beachfront restaurant precinct at The Strand, Dee Why. Funding was provided by the DPIE's Streets as Shared Spaces (SaSS) program.

The project was the subject of significant community consultation prior to being reported to Council and some further changes were made to the design based on the feedback and resolution of Council. The changes addressed some of the concerns of the businesses and adjoining residents.

The implementation was completed in August 2021 during COVID restrictions and was in place for the lifting of restrictions and for the peak summer period. The implementation involved full closures to ensure staff and public safety during the construction works. Some further modifications were made during the implementation to address concerns raised by businesses at the time, including lowering planter units to improve the view from the seating areas.

Once implementation was complete, restaurants were able to expand their outdoor dining areas. The works also provided additional space on the boardwalk area for pedestrians as well as space for the consumption of take away meals.

DISCUSSION

In approving the SASS trial in The Strand, Council resolved to receive an evaluation of the trial.

In order to complete the evaluation, Council undertook several data and feedback collection methods to assess the outcome of the trial and the realisation of the benefits to business, the local

community and visitors. Council staff also met with individual businesses to discuss benefits and issues raised by the trial.

In assessing the trial against the outcomes of supporting business, enhancing pedestrian activity and access, and prioritising space for people, it is largely considered to have been successful.

Overall, the feedback from both businesses and the community was positive, however, there were divided opinions regarding the traffic and parking arrangements.

The traffic and parking changes that were installed as part of the trial included speed limit changes, pedestrian safety measures and parking changes. Traffic speed surveys and counts were conducted to assess speed and volume of traffic. The traffic data from these counters was used in conjunction with the Human Movement Data (HMD) to determine changes in vehicle trip behaviours on the streets of Dee Why before and after the implementation of one one-way northbound traffic conditions along The Strand in Dee Why.

Businesses that were surveyed strongly supported the additional space for pedestrians, customers waiting for take-away and outdoor dining but felt changes have not impacted customer behaviour or spend, positively or negatively. Several businesses acknowledged ongoing Covid restrictions, staff shortages, and wet weather may have impacted their ability to fully utilise the space available. The majority of business respondents (76%) supported the changes becoming permanent.

Surveys completed by residents and visitors to The Strand indicates

- 62% of respondents reported that overall the trial had enhanced their enjoyment of the area, with 46% reporting a large positive effect mostly due to the increased pedestrian space.
- 30% of those respondents also attributing the improvement to the changed traffic and parking conditions.
- 37% felt that the changes have a negative effect on their experience with 25% reporting a large negative effect. Conversely, the negative impact was mostly associated to changed traffic and parking conditions.

Traffic Impacts

Speed and volume data sets were collected regularly during the trial to determine what impact traffic was having in the local area and whether there were any measures that could be undertaken to mitigate this impact on an ongoing basis.

Human movement data surveys were also undertaken to determine whether the location was acting as a destination for local residents or was attracting people from further afield. This has been used to gauge whether the trial was improving business by attracting visitors from outside of the area. The independent The Strand Dee Why - Human Movement Data and Traffic Analysis Report is attached (Attachment 1).

Traffic counts taken during the trial at regular intervals have been compared against the pre-trial counts to determine the effect on traffic volumes, distribution and speeds. The key segments are detailed below with all summary sheets available in attachment 4 (February 2021) attachment 5 (August 2021) and attachment 6 (February 2022).

Key Findings - Traffic

- Vehicle usage along The Strand has dropped with the one-way conversion.
- Higher vehicle volumes were observed in nearby streets on Clyde Road, Avon Road, Oaks Avenue and Pacific Parade as vehicles diverted away from The Strand.

- Decreased vehicle volumes on Dee Why's local roads are consistent with the heightened Covid restrictions experienced in the second half of 2021.

Key Findings – Visitation

- The one-way conversion has a minimal impact on the draw of visitors to The Strand.
- Most visitors to The Strand live within the Northern Beaches LGA.
- The one-way conversion has resulted in an increase in pedestrian visitation to The Strand.
- Most visitors were observed to be travelling home after their visit to The Strand.

Traffic Count Summary

| Location | February 2021 | | September 2021 (post implementation) | | February 2022 | |
|---|--|--------------|--|--------------|--|--------------|
| Clyde Road Between Oaks Avenue & Howard Avenue | NB* 397 AADT* | SB 580 AADT | NB 378 AADT | SB 1630 AADT | NB 364 AADT | SB 1631 AADT |
| | 85 th Percentile speed 41km/h | | 85 th Percentile speed 43km/h | | 85 th Percentile speed 42km/h | |
| Oaks Avenue Between Clyde Road & The Strand | EB 2242 AADT | WB 1882 AADT | EB 3451 AADT | WB 1620 AADT | EB 3593 AADT | WB 1670 AADT |
| | 85 th Percentile speed 47km/h | | 85 th Percentile speed 45km/h | | 85 th Percentile speed 46km/h | |
| The Strand between Oaks Avenue and Howard Avenue | NB 6155 AADT | SB 4549 AADT | NB 4017 AADT | SB 0 | NB 4308 AADT | SB 0 |
| | 85 th Percentile speed 31km/h | | 85 th Percentile speed 28km/h | | 85 th Percentile speed 28km/h | |
| Pacific Parade between Griffin Road and Cassia Street | EB 3877 AADT | WB 4010 AADT | EB 4803 AADT | WB 3611 AADT | EB 5128 AADT | WB 3582 AADT |
| | 85 th Percentile speed 46km/h | | 85 th Percentile speed 45km/h | | 85 th Percentile speed 45km/h | |

*AADT is Annual Average Daily Traffic – NB, SB, EB, WB – direction of traffic i.e. North bound

The main issues that have been raised during the trial are the loss of parking, the change to traffic distribution creating congestion in adjoining streets, pedestrian safety in the broader Dee Why area, the lack of parking in Dee Why generally, parking along the beachfront impacting on views and safety due to the vehicles still being in the environment.

Initial traffic modelling indicates that some of these issues can be resolved with additional works to redirect traffic more efficiently through the existing road network, including signage to provide route selection and intersection reprioritisation.

The Northern Beaches Council Local Traffic Committee recently approved 3 new marked pedestrian crossings in the Dee Why area based on feedback received during the trial and increased demand with additional pedestrian traffic using the area. These locations are Clyde Road, north of Oaks Avenue; Avon Road, north of Oaks Avenue; Avon Road, south of Howard Avenue.

Additional pedestrian crossing locations are currently being investigated within the precinct and will be assessed against the community need and impact on the traffic prior to being considered by the Northern Beaches Council Local Traffic Committee at a future meeting.

Staff are currently investigating options to provide more parking within the existing road environment in the Dee Why area and looking at promoting turnover across the existing parking spaces to assist in the access to parking. This could include changes to the time restricted parking zones in the commercial areas and beach parking areas, as it has been noted that some areas are being used as long-term vehicle parking for nearby residents.

Additional traffic calming may be considered as part of the overall package of works where the average speed significantly exceeds the current posted 40km/h speed limit. This is likely outside the immediate area of The Strand project as vehicle traffic spacing increases, especially along the east-west roads towards Pittwater Road.

The parking along the shopfronts in The Strand was a consideration during the development of the initial project scope as several businesses stressed that they relied on the passing trade that these spaces allowed. As we move to a more normal (post Covid lockdowns) environment this can be reviewed in consultation with the affected businesses, along with appropriate infrastructure to allow the closure of The Strand for events and activations during the year to further enhance the local amenity.

Staff also reviewed data obtained from connected vehicles to assess driver behaviour and travel time issues raised. Dedicated cycleway counts were also undertaken to determine usage of the separated cycleway. This data was provided by a third-party survey company, recommended by TfNSW and specialising in this type of data collection and reporting.

Cycleway Count Summary

| Week closing date | South | North | Combined |
|-------------------------|-------|-------|----------|
| Mon, 13 Dec 2021, 00:00 | 613 | 357 | 970 |
| Mon, 20 Dec 2021, 00:00 | 976 | 608 | 1584 |
| Mon, 27 Dec 2021, 00:00 | 1188 | 771 | 1959 |
| Mon, 3 Jan 2022, 00:00 | 499 | 330 | 829 |
| Mon, 10 Jan 2022, 00:00 | 1165 | 700 | 1865 |
| Mon, 17 Jan 2022, 00:00 | 1021 | 679 | 1700 |
| Mon, 24 Jan 2022, 00:00 | 683 | 426 | 1109 |
| Mon, 31 Jan 2022, 00:00 | 282 | 229 | 511 |
| Mon, 7 Feb 2022, 00:00 | 1077 | 645 | 1722 |
| Mon, 14 Feb 2022, 00:00 | 1269 | 755 | 2024 |
| Mon, 21 Feb 2022, 00:00 | 353 | 259 | 612 |
| Mon, 28 Feb 2022, 00:00 | 358 | 273 | 631 |
| Mon, 7 Mar 2022, 00:00 | 775 | 483 | 1258 |

The weekly count information indicates that the cycleway is well used as part of the network and considering the alignment with the routes along the coastal fringe can be expected to increase further as other infrastructure comes online.

CONSULTATION

Staff undertook a wide-ranging consultation and feedback gathering process, including surveys of businesses, users of the space, residents and visitors generally to the Dee Why area.

Business Feedback

There are 30 business premises located on The Strand and its immediate surrounds. All businesses have been engaged with throughout the process. There are currently 3 vacant spaces.

A business survey has been available to all businesses throughout the trial with reminders to complete being given out through January and February 2022. Businesses were encouraged to complete the survey and provide feedback to Council throughout the trial to capture changing opinions.

- Council received 9 responses to the online survey
- Council received 9 responses conducting the surveys face to face
- With 55.6% of operating businesses represented
- 14 of the business responses are from food and beverage operators

Overall businesses reported positive interactions and comments from their customers with the increased space for customer waiting and outdoor dining being the biggest positive.

The traffic and parking changes were the elements that some businesses reported less positive comments from their customers.

Over 75% of business comments were supportive of the trial and the benefits that the trial has provided.

The SaSS - The Strand business survey analysis report is attached (Attachment 2) to this report.

Community Feedback

An online survey using the QuestionPro platform was available to the public between 15th August 2021 and 7th February 2022. During this time the survey was viewed 1,512 times, and we received 773 complete and 152 incomplete responses. The survey link was provided onsite via QR code signs located through the activation area.

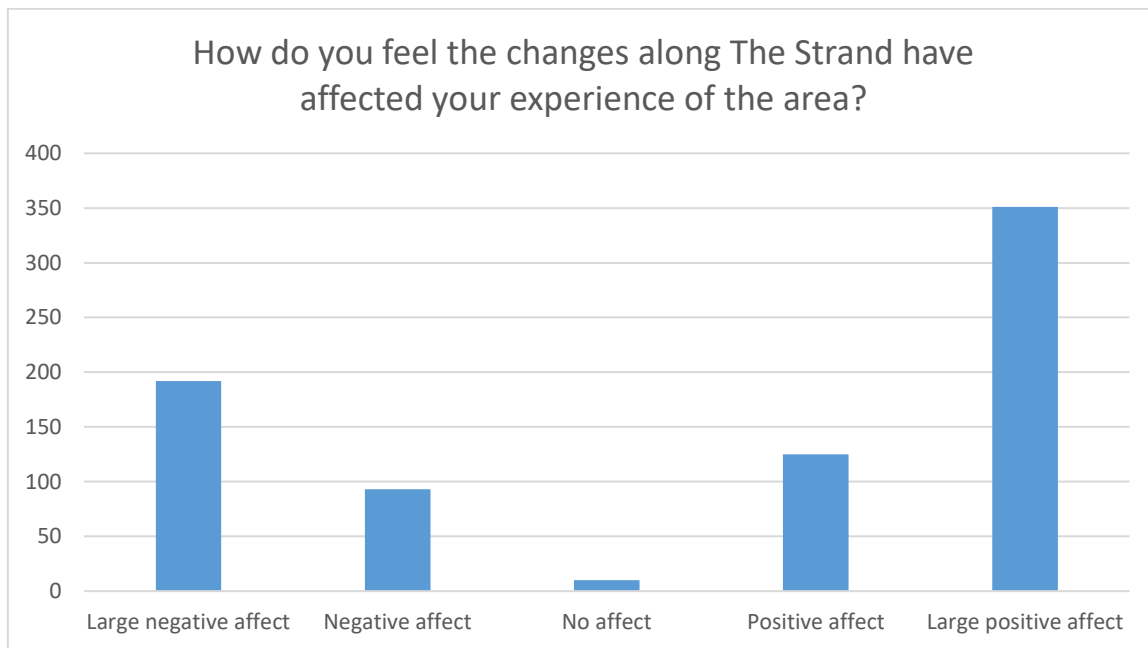
- 94.79% of responses came from people that visited the Strand at least once a week with 52.93% of respondent being daily visitors.
- 580 (76%) of respondents listed the 2099 postcode as home.

Opportunities for Improvement.

Of the 37% of respondents that felt the changes had negatively affected their experience 84% were unhappy with the changed traffic and parking conditions. Their comments related to traffic flow on the Strand and surrounding streets.

Success Factors

62% of respondents liked the trial and reported that it enhanced their Strand experience, with 30% of those respondents attributing the improvement to the changed traffic and parking conditions, but 45% also praised the increased pedestrian space that resulted.



The SaSS - The Strand Community Survey analysis report is attached (Attachment 3) to this report.

TIMING

The future formalisation of the public domain works, and addition works will be the subject of further design and consultation works, with any future works subject to the provision of grant funding. Additional approval and reporting to the Northern Beaches Council Local Traffic Committee is likely to be required well in advance of any works being undertaken.

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.
- Vibrant Local Community - Goal 15: Our centres attract a diverse range of businesses, providing opportunities for work, education, leisure and social life.
- Transport and Infrastructure - Goal 17: Our community can safely and efficiently travel within and beyond Northern Beaches.

This report also relates to MOVE – Northern Beaches Transport Strategy

- Theme 1 - Accessible and Liveable Places
 - Action 1. Create and enhance “Places for People” that are integrated with public transport, creating vibrant, connected places with wide footpaths, safe cycling options and where the car is not the first option.
- Theme 2 – Active Travel
 - Action 1. Prioritise smart, active travel network improvements (through technology, end of trip facilities, and way-finding signage). Expand footpath and shared path networks to improve connectivity and safety, making walking and cycling attractive alternatives to the car.

- Action 2. Deliver safe, active travel across all modes of transport for school aged children and young people.
- Action 3. Provide a safe environment, both on and off-road for all users and end of trip facilities to make it a realistic option for commuting.
- Action 4. Expand cycle network to reduce conflict between road users.

FINANCIAL CONSIDERATIONS

The existing implementation has an asset life of approximately 5-6 years minimum and can remain in place for at least that period of time.

Whilst a works program is yet to be included in a future Capital Works Budget, grant funding from DPIE and Transport for NSW will be investigated to assist in the implementation of the recommended options.

The overall funding required will need to be determined based on the outcome of the public consultation on the future actions to address the issues raised by the community.

SOCIAL CONSIDERATIONS

The ongoing impacts of the reallocation of the traffic across the road network, whilst now reduced during the period of the trial will need to be further addressed. Community consultation will need to be undertaken to determine what additional actions may be required to assist in managing any adverse impacts.

Typically, projects of this nature improve the social connection of the local residents as they can utilise the public space - in this case the road reserve - to gather and connect as neighbours.

The Strand project provided an improvement to the local amenity for use by adjoining businesses and residents and provides an improved connection between the Dee Why Parade end of the off-road cycleway through James Meehan Reserve and the Griffin Road on-road cycleway at Oaks Avenue.

Improvements to the Active Transport connections have the potential to further enhance the health and wellbeing of the community by providing opportunities to safely exercise, walk and ride.

ENVIRONMENTAL CONSIDERATIONS

The Strand Project provides for increased area of vegetation through the use of planter boxes as traffic calming allows for an increase in vegetation with the existing pavement space.

Formalisation of the infrastructure presents the opportunity to redeploy the existing temporary planters to other locations and provides the opportunity to improve the public domain in this location further with permanent garden construction.

The overall amenity of the precinct has been improved through the reduction of through traffic, increase in public open space, the ability for the residents to use the wider footpath area for both walking and waiting for take away meals. If approved on the continuing basis there is the potential for the area to be landscaped and provide additional environmental improvements including the use of vegetated traffic calming and wider footpath garden areas that could potentially accommodate larger trees that the existing planters whilst also being sympathetic to the views from both the business and residential properties.

Further slowing of traffic and improvements to the precinct will also improve the overall amenity of the Dee Why precinct east of Pittwater Road.

GOVERNANCE AND RISK CONSIDERATIONS

The project has been under scrutiny from sections of the community in relation to the assessment and benefit analysis. Independent review of the human movement data and the connected vehicle information was undertaken to provide an impartial review of the trial.

If grant funding cannot be sourced to install permanent infrastructure as established by the trial, the removal of the temporary infrastructure after 5-7 years will see Council lose the benefits of the trial. The result would negatively impact businesses that have leveraged off the trial, in the section of Dee Why most affected by seasonal variation.

| | |
|--------------------------|--|
| ITEM 13.7 | SPORTSGROUNDS AMENITIES AUDIT 2022 |
| REPORTING MANAGER | EXECUTIVE MANAGER PROPERTY |
| TRIM FILE REF | 2022/151482 |
| ATTACHMENTS | 1 ⇒ Sportsground Amenities Audit 2022 - Building Overview (Included In Attachments Booklet) |

SUMMARY

PURPOSE

To report back to Council on the 2022 audit of sportsground amenities.

EXECUTIVE SUMMARY

At the Council meeting held 24 August 2021 it was resolved (resolution no 239/21) that Council:

1. *Undertake an audit of existing sport ground amenities and prepare a report outlining in respect to each facility:*
 - a. *The condition of the facility.*
 - b. *Which sporting groups use the facility.*
 - c. *Whether the current facility is adequate for future needs.*
 - d. *Whether provision needs to be made for female changing rooms.*
 - e. *The current program to upgrade sporting amenities.*
2. *Staff provide a report to Council within four months.*

Sportsground amenities play a key role in encouraging and supporting sports participation, affects the experience of playing sport and impacts sports performance and club viability. These facilities, along with the sportsgrounds where they are located are part of sport clubs' and local areas' identity.

Council's Sportsgrounds Strategy 2017 identified there were over 50,000 members of 17 sports using its sportsfields and participation was increasing particularly for females and over 35s. Current data indicates that Northern Beaches sports participation continues to rise. For example football indicates a 7% increase to over 19,800 players and AFL an 8% increase to over 1,700 players with female player numbers less than males but showing higher growth.

This audit of existing sportsground amenities included a review of 54 buildings at 39 locations (Attachment 1). The asset condition ratings for these buildings' ranges from excellent to fair. Eight (8) buildings are considered to have adequate female friendly characteristics. 46 buildings are considered to have limited female friendly characteristics. 16 buildings are planned to be upgraded over the next 10 years with improvements to quality, inclusivity and capacity.

Most of these sportsground amenities were built decades ago to meet the needs of that time. Council has an integrated, systematic program of building renewal and maintenance in place to ensure these buildings are functional. Upgrades and improvements are undertaken, when funds are available, in consultation with users and in alignment with Council's strategic directions including from its Asset Management Plans and Disability Inclusion Action Plan. Notwithstanding this, many of these buildings do not meet the sport users' current expectations particularly regarding inclusivity and for female sports participants. Many sports including AFL and football have developed their own facility guidelines to assist its clubs and government to understand their

needs and expectations. These guidelines are used by Council to inform building development and design.

Given the community and sport expectations and needs and the increasing rate of participation particularly female participation it is recommended Council continues its ongoing review of design guidelines to ensure community needs and best practice are reflected in sportsground amenity upgrades particularly in regard to inclusivity and female and family friendly facilities.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council:

1. Note the audit of sportsground amenities.
 2. Continue with its financial commitment to ensure the community needs are reflected in sportsground amenity upgrades particularly in regard to inclusivity and female and family friendly facilities.
 3. Continue to seek external funding to accelerate the improvement of its sportsground amenities.
-

REPORT

BACKGROUND

At the Council meeting held 24 August 2021 it was resolved (resolution no 239/21) that Council:

1. *Undertake an audit of existing sport ground amenities and prepare a report outlining in respect to each facility:*

- a. *The condition of the facility.*
- b. *Which sporting groups use the facility.*
- c. *Whether the current facility is adequate for future needs.*
- d. *Whether provision needs to be made for female changing rooms.*
- e. *The current program to upgrade sporting amenities.*

2. *Staff provide a report to Council within four months.*

Council's Sportsgrounds Strategy 2017 (the Strategy) indicated that the Northern Beaches had

- 122 sports fields spread across 62 locations
- Over 50,000 playing members across 17 sports using these fields (including amenities)
- Participation rates growing in many sports particularly women's sport and over 35s.

Current data indicates that Northern Beaches sports participation continues to rise. For example football indicates a 7% increase to over 19,800 players and AFL an 8% increase to over 1,700 players with female player numbers less than males but higher growth. The NSW Government's COVID-19 restrictions has affected the growth of sport on the Northern Beaches though participation levels are returning.

The Strategy also confirmed these equity principles:

- Ensure infrastructure is more female-friendly and family orientated, consisting of factors and attributes such as:
 - Buildings and surrounding areas that offer supporting amenities and resources
 - Unisex change facilities
 - Inviting community spaces
 - Safety (Crime Prevention Through Environmental Design - CPTED)
 - Easily accessible facilities
 - Adequate lighting in and around the facility
 - Ensure principles from Council's Disability Inclusion Action Plan are reflected in planning
- Provide for diverse populations and lifestyles: age, ability, cultural backgrounds and demand for new sport formats and schedules (including gender diversity).

These principles along with the Council's Asset Management Plans, Disability Inclusion Action Plan and other strategic documents as well as facility guidelines from sports have informed and are informing the development of new and improvement of existing infrastructure including sportsground amenities.

This audit of existing sportsground amenities included a review of 54 buildings at 39 locations (Attachment 1). In some locations there are several buildings for example at John Fisher Park, Curl Curl. The findings include:

- The asset condition ratings of these buildings' ranges from excellent to fair.
- 46 buildings are considered to have limited female friendly characteristics, most of these buildings are many years old and built for the needs at that time.
- 37 buildings have at least 2 change rooms and do not require additional change rooms.
- 17 buildings require consideration of new or additional change rooms.
- 16 buildings are planned to be upgraded in the next 10 years (should funds be available), with improvements to quality, inclusivity and capacity, at these locations:
 - Boondah Reserve
 - Dee Why Park
 - Hitchcock Park
 - John Fisher Park (3 buildings)
 - Killarney Heights Oval
 - Kitchener Park
 - Lionel Watts Sportsground (eastern sports building)
 - Manly Oval (a major project dependent on external funding)
 - Miller Reserve
 - Nolan Reserve (commonly known as the Christian Brothers building)
 - North Narrabeen Reserve - Pittwater Rugby Park
 - Porters Reserve
 - St Matthews Farm- South (rugby) building
 - Waldon Reserve

This program is reviewed annually against current sport needs, available funding and Council's other priorities for building improvements.

More external funding from sports, other tiers of government and developer contributions would enable Council to consider undertaking more projects.

- 8 buildings are considered to have female friendly characteristics including:
 - New amenity building at Balgowlah Oval which opened in 2020. Current users are AFL, baseball, cricket and football. This modular building replaced an older, smaller amenity building.
 - New western amenity building at the Lionel Watts Sportsground which opened in 2020. Current users are AFL, football, softball and cricket.
 - New southern amenity building at Nolan Reserve which opened in 2020. Current users are cricket, rugby league, rugby union, touch and football. This building replaced two older, smaller amenity buildings.

- A new amenity building is planned to be completed at County Road Reserve by December 2022. The NSW Department of Planning and Environment are funding an upgrade of this reserve (through its Parks for People Program) which includes a new inclusive sports amenity building. Currently there is no amenity building at this sportsground.
- Most of the sportsground amenity buildings were built decades ago to meet the needs of that time. Council has an integrated, systematic program of building renewal and maintenance in place to ensure these buildings are functional. Upgrades and improvements are undertaken, when funds are available, in consultation with users and aligned with Council's strategic directions including from its Asset Management Plans and the Disability Inclusion Action Plan and Sportsgrounds Strategy. Notwithstanding this many of these buildings do not meet sports users' needs and expectations particularly regarding inclusivity and for female sports participants. Many sports including AFL and football have developed their own facility guidelines to assist its clubs and government to understand their needs and expectations. These guidelines are used by Council to inform building renewal and new building development.
- There is increasing community awareness and expectation of the need for female friendly, family friendly and inclusive sportsground amenities.
- Following consultation with local female athletes, internal teams and a review of facility guidelines from some sports and government agencies following is a list of female friendly characteristics and actions for consideration (in addition to those identified in Council's strategic documents):
 - Encourage sports involved in Council building projects to nominate female representatives to participate on working groups.
 - Consider additional change rooms at sportsgrounds where there are regular match days and men and women play on the same day. This matter has been considered for the master plan for Manly Oval and will be considered for Pittwater Rugby Park.
 - Change facilities that cater for the needs of all genders.
 - Individual and lockable showers for players and referees.
 - Conversion of open showers to lockable cubicles.
 - Inviting community spaces.
 - Clean and well-lit facilities.
 - Replacement of urinals and troughs with lockable cubicle toilets.
 - More family friendly attributes including baby change amenities.
 - Unisex design including for referees.
 - Functional improvements such as more storage for gear, hooks, shelving, mirrors with lighting.
 - Continue to consider the facility guidelines from sports where relevant.

There is a need for Council to continue to have a focus on making our sportsground amenities more inclusive and female and family friendly. Given this need and the increasing rate of sports participation particularly female participation it is recommended that Council continues its ongoing review of its designs to ensure the changing community needs and best practice are reflected in sportsground amenity upgrades particularly in regard to inclusivity and female and family friendly facilities. And that Council continue to seek external funding for sportsgrounds amenities.

CONSULTATION

Consultation was undertaken with several current local female athletes, sports agencies and relevant internal teams including the Property and Parks and Recreation Business Units and the Youth and Community Development team.

TIMING

The consideration of new and upgraded sportsground amenities is undertaken through Council's annual capital works budget planning process.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Places for People - Goal 8: Our neighbourhoods inspire social interaction, inclusion and support health and wellbeing.
- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Good Governance - Goal 20: Our Council efficiently and effectively responds to, and delivers on, the evolving needs of the community.
- Good Governance - Goal 19: Our Council is transparent and trusted to make decisions that reflect the values of the community.

FINANCIAL CONSIDERATIONS

Funding the upgrade and improvement of Council's sportsgrounds amenities is considered through Council's annual capital works budget planning process for the Property Business Unit's Sport Building Program. The current draft Sport Buildings Program budget is as follows; 2022/23 \$1.45m, 2023/24 \$1.193m, 2024/25 \$1.238m, 2025/26 \$1.325m. For planning purposes a 10 year forecast has been developed for this program which was considered for this report.

SOCIAL CONSIDERATIONS

Sportsground amenities can include facilities such as change rooms, bathrooms for players, officials and spectators, canteens, storage, meeting rooms and event spaces. These facilities play a key role in encouraging and supporting sports participation, affects the experience of playing sport, are locations for administering sport and impact sports performance and club viability. These facilities, along with the sportsgrounds where they are located, are part of a sport club's and local area's identity and where friendships and connections are made and developed.

ENVIRONMENTAL CONSIDERATIONS

The development of new and upgrade of existing sportsground amenities is undertaken with regard to all relevant environmental legislation, regulations and Councils' strategic directions and policies.

GOVERNANCE AND RISK CONSIDERATIONS

Council has capacity and funding to meet some of the communities' expectations and needs regarding sportsground amenities. Council's focus is ensuring that the prioritisation of the funds available is transparent, effective and aligned with identified current and future needs. Our practise includes an integrated approach that aligns sportsground and amenity projects.

| | |
|--------------------------|---|
| ITEM 13.8 | COUNCIL REPRESENTATION ON THE COMMITTEE OF THE FRIENDS OF THE BIBLE GARDEN MEMORIAL INC. |
| REPORTING MANAGER | EXECUTIVE MANAGER PARKS AND RECREATION |
| TRIM FILE REF | 2022/180794 |
| ATTACHMENTS | NIL |

BRIEF REPORT

PURPOSE

To consider Council's representation on the Committee of the Friends of the Bible Garden Memorial Inc.

REPORT

The Committee of the Friends of the Bible Garden Memorial Inc (the committee) has requested that Council nominate a Councillor to represent Council on this committee. The Bible Garden, Palm Beach Plan of Management (2006) states that *the Council representatives will be an elected Councillor and a Council Officer as nominated by the General Manager.*

Since 2018 the position of Councillor representative has been former Councillor Kylie Ferguson. This position is currently vacant. The Council officer representative remains the Executive Manager Parks and Recreation.

The committee is a volunteer group who successfully manages, conserves and cares for the Bible Garden on Council's behalf. The Bible Garden is in Palm Beach and features manicured lawn terraces, panoramic and iconic views of the full crescent of Palm Beach and plants referenced in the Bible. The Bible Garden is much loved as a place of contemplation, a meeting place for families and friends and is also well used for weddings and small gatherings.

The involvement of Council on the committee ensures that the Bible Garden continues to be governed in the interests of the local community and in alignment with Council's strategic goals.

A memo was sent to Councillors on 16 March 2022 seeking nominations to represent Council on the committee. Only one nomination was received - from Councillor Amon.

LINK TO COUNCIL 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 recommendation of this report poses no financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

The recommendation of this report poses no environmental impact. The committee are at times required to consider environmental impacts related to managing the Bible Garden – this matter will continue to be undertaken in consultation with Council.

SOCIAL CONSIDERATIONS

The committee plays the key role in managing, conserving and caring for the Bible Garden and also provides volunteering opportunities for our community.

GOVERNANCE AND RISK CONSIDERATIONS

The involvement of Council on the committee ensures that the Bible Garden continues to be governed in the interests of the local community and in alignment with Council's strategic goals.

Under Council's Committee Framework adopted at the February 2022 meeting, Councillor appointments to external committees require Council resolution.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That Council endorse the nomination of Councillor Amon as Council's representative on the Committee of the Friends of the Bible Garden Memorial Inc.

| | |
|--------------------------|---|
| ITEM 13.9 | ALTERNATIVE PROCUREMENT FOR CONSIDERATION OF REQUEST FOR LICENCE OF COMMUNITY LAND LOT 2 DP 827733 (WITHIN REFUGE COVE RESERVE) ADJOINING 316 HUDSON PARADE, CLAREVILLE |
| REPORTING MANAGER | EXECUTIVE MANAGER PROPERTY |
| TRIM FILE REF | 2022/189024 |
| ATTACHMENTS | 1 Location Map - Proposed Licence of Council Community Land adjoining 316 Hudson Pde Clareville 2 Email from Office of Local Government - re Proposed Licence Community Land - Rear of 316 Hudson Parade Clareville - Request for Additional Information |

SUMMARY

PURPOSE

To seek Council approval, in accordance with Section 55(3)(i) of the *Local Government Act 1993* (LG Act), to enter into a direct tenure arrangement with 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

In accordance with Council's previous resolution dated 26 October 2021 regarding this matter, Council applied to the Minister for Local Government (OLG) for consent to grant the proposed 20 year licence.

OLG has now requested a specific resolution by Council approving the direct tenure arrangement rather than awarding the licence under a tender process as outlined in Section 55 of the LG Act.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Further to Council's resolution dated 26 October 2021 regarding this matter and in accordance with Section 55(3)(i) of the *Local Government Act 1993*, Council enter into a direct arrangement with the owner of 316 Hudson Parade, Clareville for the licence of Council Community Land Lot 2 DP 827733 adjoining 316 Hudson Parade, Clareville, as a satisfactory result would not be achieved by inviting tenders because of extenuating circumstances given:
 - A. It would be inappropriate to licence the subject land to anyone other than the adjoining owner at 316 Hudson Parade Clareville as access by land can only be easily obtained from 316 Hudson Parade.
 - B. The property has an existing licence for the waterfront facilities below the Mean High Water Mark from NSW Department of Planning & Environment – Crown Lands which forms part of these facilities.
 2. Council delegate authority to the Chief Executive Officer to do all things necessary in order to give effect to this resolution.
-

REPORT

BACKGROUND

This is a historical matter relating to an application to licence Council Community Land Lot 2 DP 827733 (with an area of approximately 58 sqm) within Refuge Cove (the subject land) by the owner of 316 Hudson Parade, Clareville (the applicant) to facilitate the construction of a boatshed and associated access stairs.

On 26 October 2021, Council resolved as follows:

"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."*

Council subsequently wrote to the Minister for Local Government via the Office of Local Government (OLG) requesting consent for the proposed licence.

OLG is currently processing Council's request and has now requested that Council provide a specific resolution (in accordance with Section 55(3)(i) of the *Local Government Act 1993*) on the reasons why it did not seek tenders for such a proposed licence.

Section 55(3)(i) of the *Local Government Act 1993* states:

"(3) This section does not apply to the following contracts:

- (i) a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders."*

Council has not sought tenders for the proposed licence in this extenuating circumstance for following reasons:

1. The proposed licence area is located directly adjacent to the applicant's land. Therefore, it would be impractical, unsuitable and inappropriate to potentially have a third party occupy this site, especially as access via land can only be easily obtained through the applicant's adjoining property and;

2. The proposed licence area also connects to the applicant's waterfront facilities, below the Mean High Water Mark, which is licensed directly from NSW Department of Planning & Environment - Crown Lands to the applicant.

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 proposed licence agreement will provide insurance and indemnity clauses to protect Council and clearly define the licence area.

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

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From: Julia Robles <julia.robles@olg.nsw.gov.au> **On Behalf Of** OLG Office of Local Government Mailbox
Sent: Tuesday, 22 March 2022 12:12 PM
To: Council Northernbeaches Mailbox <Council.Northernbeaches@northernbeaches.nsw.gov.au>
Subject: Correspondence from the Office of Local Government (Our Ref: A805167) JR

Doc ID: A805167
Ref: 2021/753001

Contact: Janelle Waterson
Phone: 02 4428 4164

Property Officer
Northern Beaches Council
council@northernbeaches.nsw.gov.au

Dear [REDACTED]

I am writing about Northern Beaches Council's application for the Minister for Local Government's consent to grant Mr Tony Walls a 20 year licence over Lot 2 DP827733, located within the Refuge Cove Reserve and adjoining 316 Hudson Parade, Clareville, for the purpose of a boatshed and access structures, and the additional information Council provided on 2 March 2022.

The Office of Local Government (OLG) has reviewed Council's application and the additional information provided and has determined it does not contain all of the required information. In order for OLG to continue its assessment of this application, the following information must be provided.

Council must address the tendering provisions applicable to the proposed licence

As you are aware, section 46A(3) of the *Local Government Act 1993* (Act) states that, given the proposed licensee is not a non-profit organisation, Council is to tender the proposed licence. I note that Council has stated that it has not complied with the requirement to tender the proposed licence because it believes it is exempt under the provisions of section 55(3)(i) of the Act.

Council must submit to OLG its case that section 55(3)(i) of the Act is applicable in this instance for review. In doing so, Council must fully detail the extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers that would prevent a satisfactory result being achieved by inviting tenders. Council must also provide a copy of the resolution of Council deciding that a satisfactory result would not be achieved by inviting tenders, which includes the reasons for that decision, as is required by section 55(3)(i) of the Act.

Identification of the express authorisation to grant the licence in the plan of management

Thank you for providing a copy of Council's legal advice regarding the Pittwater Natural Areas Plan of Management, dated 18 June 2015. The plan of management page and paragraph references included in the advice (at page 3) do not appear to correspond to the copy of the plan of management provided – the *Pittwater Council Urban Bushland Inventory and Action Plan Volume 2 North Ward Reserves*.

Please identify where the express authorisation to grant the licence can be found in the applicable plan of management.

Please send the required information and documentation to olg@olg.nsw.gov.au.

Early attention to the above issues will allow OLG to continue with its assessment of this application.

Yours sincerely

Stepanka Halik
Manager, Performance

Office of Local Government | Department of Planning and Environment
T 02 4428 4100 | E olg@olg.nsw.gov.au
5 O'Keeffe Ave, NOWRA NSW 2541
www.olg.nsw.gov.au



The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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15.0 NOTICES OF MOTION

| | |
|----------------------|--|
| ITEM 15.1 | NOTICE OF MOTION NO 11/2022 - MILLER RESERVE, MANLY VALE - REVIEW OF ENVIRONMENTAL ISSUES |
| TRIM FILE REF | 2022/195344 |
| ATTACHMENTS | NIL |

Submitted by: Councillor Candy Bingham, and Councillor Kristyn Glanville

MOTION

1. That Council notes that the NSW Government 'Synthetic Turf Study in Public Open Space Report' identified a number of management approaches and best practice solutions that should be implemented by the NSW Government and Local Councils in relation to development of synthetic playing fields.
2. That Council put on hold approving the construction of any additional synthetic sports fields that incorporate crumbed rubber infill material until the NSW Minister for Planning and NSW Chief Scientist and Engineer have completed preparation of guidelines on the use of synthetic surfaces in public open space.
3. That staff, prior to making a decision regarding the installation of synthetic surfaces at Millers Reserve, provide a report to Council on the above NSW Government guidelines and any environmental assessments undertaken by Council regarding synthetic playing fields at this location.

BACKGROUND

In a major Sportsground Strategy undertaken in 2017, Northern Beaches Council identified there was a shortfall of 24 hectares of playing area, equivalent to over 24 sportsfields, based on using all fields at sustainable capacity. This increased to 41 hectares by 2031.

One of the solutions considered to overcome this shortfall, was the replacement of some existing sportsfields with synthetic surfaces, which would provide additional playing hours and more flexibility.

Miller Reserve at Manly Vale has been identified for this purpose. However, recent excessive rainfall has highlighted the environmental sensitivity of this location which is prone to flooding and is close to Manly Creek, which also floods, and flows to Manly Lagoon and into the ocean at Queenscliff.

The NSW Government commissioned a 'Synthetic Turf Study in Public Open Space Report'¹ which identified:

- A number of management approaches and best practice solutions that should be implemented by the NSW Government and Local Councils in relation to development of synthetic playing fields

¹ <https://www.planning.nsw.gov.au/Policy-and-Legislation/Open-space-and-parklands/Synthetic-Turf-Study>

- A number of amenity concerns associated with use of artificial turf, such as creating ambient heat during hot weather, and visual impact
- A number of environmental concerns associated with use of artificial turf, such as chemical use, pollution and waste.

The NSW Government is preparing guidelines on the use of synthetic surfaces in public open space during the first half of 2022.

It is also acknowledged that artificial turf may be suited for conversion of brownfield sites or required under the standards of particular sporting codes. The WA Government commissioned a 'Natural Grass vs Synthetic Turf Study Report'² which detailed at length the use, benefits, and potential costs/impacts of natural vs artificial turf for different sporting codes, as well as other considerations for the environment.

² <https://www.dlgsc.wa.gov.au/departments/publications/publication/natural-grass-vs-synthetic-turf-study-report>

| | |
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| ITEM 15.2 | NOTICE OF MOTION NO 12/2022 - REPORT ON ENVIRONMENTAL PROTECTION AND DEVELOPMENT APPLICATION PROCESSING IN PITTWATER WARD |
| TRIM FILE REF | 2022/225689 |
| ATTACHMENTS | NIL |

Submitted by: Councillor Miranda Korzy

MOTION

That Councillors be provided with a briefing within 2 months on:

1. The process Council uses for assessing development applications and applying conditions of consent on sites with environmental/conservation (E4/C4) zonings in the former Pittwater LGA, including reference to excavation, tree removal/retention, protection of endangered ecological communities, hard surface to landscape ratios, and other relevant matters.
2. How compliance with conditions of consent and relevant legislation is assessed and enforced in these zones.
3. Options for protecting the environment in E4/C4 zones as part of the new LEP and DCP for the Northern Beaches.

BACKGROUND FROM COUNCILLOR MIRANDA KORZY

One of the most frequent communications I receive from residents is concerning development in Pittwater that involves large amounts of excavation and removal of bushland. The purpose of this motion is to establish why this is occurring and how we can ensure the new Northern Beaches LEP conserves and enhances the environmental integrity of the area.

The current Pittwater Local Environment Plan and Development Control Plan place a great emphasis on the protection of the area's natural environment.

The LEP states that its particular aims include:

"to promote development in Pittwater that is economically, environmentally and socially sustainable ... (and)

"to protect and enhance Pittwater's natural environment and recreation areas".

Objectives of the E4/C4 Environmental Living Zone are then defined as:

- *"To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*
- *To provide for residential development of a low density and scale integrated with the landform and landscape.*
- *To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors."*

The DCP then provides detail on how these objectives should be achieved. It includes extensive controls related to the natural environment, including for specific ecological communities and 16 locality specific controls.

Its key objectives include the following environmental concerns:

“(To) conserve and enhance the ecological integrity, biodiversity, wildlife corridors, aquatic habitats, water quality, environmental heritage and environmental significance of Pittwater; maintain the natural beauty of the area by retaining natural landforms, minimising land excavation and fill, and by minimising erosion, pollution and other forces that may impact on the landscape; prescribe limits to urban development having regard to the potential impacts of development on the natural environment, natural hazards, and the provision, capacity and management of infrastructure; and plan, design and site development to achieve the principles of ecologically sustainable development.”

Social objectives include:

“(To) identify and conserve the heritage of the built forms and landscapes of Pittwater.”

As a result, the DCP includes numerous controls on development in environmentally sensitive sites, such as: *“Development shall not have an adverse impact on Pittwater Spotted Gum Endangered Ecological Community.”* For land adjoining bushland reserves it states that: *“Development shall not result in a significant loss of canopy cover or a net loss in native canopy trees.”* And for heathland/woodland vegetation: *“Development shall not reduce or degrade habitat for locally native species, threatened species, endangered populations or endangered ecological communities.”*

It explicitly lays out Pittwater’s well-known 60:40 ratio for the building envelope on Pittwater’s C4/E4 zones, stating for a number of suburbs that: *“The total landscaped area on land zoned R2 Low Density Residential or E4 Environmental Living shall be 60% of the site area.”*

The intention of these controls is very clear and consistent. Building lightly on the land, maintaining the bushland in our backyards which host endangered ecological communities and species, minimising excavation of the rocky landscape which is as much a feature of Pittwater as its beautiful beaches and tree canopy. Generations of residents have chosen to live in the area because of this unique environment.

However, in recent years, the community has been shocked and dismayed to see development applications approved that are resulting in a new generation of dwellings that appear inconsistent with the Pittwater LEP and DCP’s focus on environmental protection. We therefore would like to understand how the plans for enormous homes, the construction of which is having such a great impact on the local environment and even the contours of the land, are gaining approvals, as well as to what extent this is a compliance problem.

The council will then be able to use this information to ensure the new NBC LEP and DCP prevent what I believe many regard as the environmental destruction that is currently occurring.

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| ITEM 15.3 | NOTICE OF MOTION NO 13/2022 - ACKNOWLEDGEMENT OF RAINBOW BEACH EVENTS |
| TRIM FILE REF | 2022/234336 |
| ATTACHMENTS | NIL |

Submitted by: Councillor Kristyn Glanville

MOTION

That Council formally acknowledge and extend thanks to Lifesavers with Pride and local Surf Life Saving Clubs for running "Rainbow Beach" activities on 27 February 2022.

BACKGROUND FROM COUNCILLOR KRISTYN GLANVILLE

In 2020/21 Lifesavers with Pride trialled their first "Rainbow Beach" events with the theme that "everyone is welcome at the beach". Now in its second year, many SLSCs from across NSW have joined these activities, with local clubs including Freshwater, Dee Why, Long Reef, North Steyne, Avalon, Warriewood, and Manly SLSC holding local events. These activities are run to promote the message that beaches, and participating in surf life saving activities, are welcoming and inclusive to all members of the community, including LGBTIQ members.

| | |
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| ITEM 15.4 | NOTICE OF MOTION NO 14/2022 - VALE TOM KIRSOP, AM/OAM |
| TRIM FILE REF | 2022/234860 |
| ATTACHMENTS | NIL |

Submitted by: Councillor Miranda Korzy

MOTION

That Council:

1. Acknowledge the enormous contribution the late Tom Kirsop made to the environment and surfing community.
2. Send our condolences to Mr Kirsop's family, friends and the Surfrider Foundation Australia of which he was a founder.

BACKGROUND FROM COUNCILLOR MIRANDA KORZY

It was with great sadness that the Northern Beaches community learnt of the passing of former Surfrider Foundation Australia chair Tom Kirsop on Easter Sunday, aged 92.

Mr Kirsop was a longtime environmentalist and loved water sports all his life - including springboard diving, water polo and whitewater canoeing. A latecomer to surfing at the age of 45, he became a passionate advocate for the protection of our oceans and beaches.

After completing a chemistry degree, he worked in the chemical and pharmaceutical industries, ending up managing director of pharmaceutical company Upjohn Australia for 14 years.

He found an adventurous companion in his wife Margaret, with whom he had three sons. She was the first white woman to canoe the length of the Snowy River and its gorges - in the days before it was dammed at Jindabyne.

One of his first campaigns was to save the massive dunes of the Myall Lakes area from sand mining for rutile in the 1970s. As chairman of the Myall Lakes Committee, a pioneer amongst environmental groups, he led an eight year fight which eventually stopped the devastation. The declaration of the area as a national park created one of the first major coastal national parks in NSW and it was the first of many coastal lands he helped protect.

After retiring, he began volunteering as a coastal campaigner for both the Total Environment Centre and Australian Conservation Foundation. When the US arm of Surfriders was looking to form a branch in Australia during 1991, Mr Kirsop transferred his energies to the new group. He took on many roles at the Surfrider Foundation, including Northern Beaches Branch chair, and helped establish the three Sydney branches.

Major successful campaigns he was involved in with Surfriders included: the 2000 upgrade of Warriewood Sewage Treatment Plant; the redevelopment of Long Reef SLSC, opposing two separate proposals that would have greatly impacted the visual amenity of its magnificent headland; protesting the proposed seawall for Collaroy/Narrabeen Beach with the "Line In The Sand" in 2002 and again in November 2021 - his last ever public attendance at a protest; and thwarting the proposed development of a 200 seat cafe at Narrabeen beach - where Surfrider Gardens was named in honour of him and Mrs Margaret Kirsop in 2019.

In 2011 he was awarded an OAM for his work in coastal conservation, the establishment of Surfrider Foundation Australia and coastal national parks. This was upgraded in 2017 to an AM for his conservation work and in recognition of his contribution to the pharmaceutical industry in Australia.

However, Mr Kirsop continued his adventures throughout his “retirement”, spending 20 years travelling back and forth to Indonesia with a backpack and board on his shoulder. He surfed into his eighties on a 9 foot board - despite two hip replacements and problems with osteoarthritis - telling ABC Life Matters that: “The older the surfer, the longer the board.”

Mr Kirsop recognised we have increasing challenges ahead to prevent overdevelopment of the coast and to rid our oceans of plastic pollution. However, he was optimistic about the younger generation and the many people now concerned about the environment. We pay tribute to him tonight for his enormous contribution towards protecting our coastline and ocean.

ITEM 15.5**NOTICE OF MOTION NO 15/2022 - DANGERS OF CHILDREN
RUNNING ACROSS ROADS, AND GRAFFITI AT WARRINGAH
ROAD AND HILMER STREET AND FORESTWAY****TRIM FILE REF****2022/235238****ATTACHMENTS****NIL**

Submitted by: Councillor Stuart Sprott

MOTION

That Council:

1. Write to the NSW State government and highlights the dangers of children running across the road at Hilmer Street and Warringah Road and the dangerous actions of graffiti or "Tagging" under the bridge at Warringah Road and Forestway and asks to investigate options on making these areas safe.
 2. Request the removal of the graffiti from the above mentioned state road area's.
-

ITEM 15.6**NOTICE OF MOTION NO 16/2022 - REVIEW OF FEES AND CHARGES****TRIM FILE REF****2022/235436****ATTACHMENTS****NIL**

Submitted by: Councillor Stuart Sprott

MOTION

That:

1. A further review of the fees and charges schedule be undertaken to identify additional options to increase revenue.
 2. The outcome of that review be included in the report to Council to adopt the 2022/23 Operational Plan and Budget in June 2022.
-

**ITEM 15.7 NOTICE OF MOTION NO 17/2022 - DRAFT PRECINCT PLAN
ELANORA HEIGHTS COMMUNITY CENTRE AND PRECINCT****TRIM FILE REF 2022/235505****ATTACHMENTS**
1 [↓](#) **Memo to Councillor De Luca and Councillor Heins -
Playground Facilities in Kalang Road Elanora Heights -
20210204**
2 [↓](#) **Response to Question with Notice 08-2021 - Draft Budget
and Delivery Plan Elanora Heights - Council Meeting -
20210727**

Submitted by: Councillor Vincent De Luca OAM, Councillor Crvelin

MOTION

That Council:

1. Prepare a high level concept report on a Draft Precinct Plan, to be presented to Council within three months, for the Elanora Heights Community Centre Precinct, including, but not limited to:
 - A. Upgrade / refurbishment of existing facilities.
 - B. An integrated multi discipline Community Centre and pre-school.
 - C. Potential inclusion of Public Toilets, a state-of-the art playground and associated facilities.
2. Contact Federal MP, Mr Jason Falinski MP and State MP for Pittwater, The Hon. Rob Stokes MP, requesting whether any Federal and State funding could be achieved for the purpose of Elanora Heights Community Centre and precinct.

BACKGROUND FROM COUNCILLOR VINCENT DE LUCA OAM

Since the amalgamation, the State Government's announcement regarding Ingleside and residents' representations, it has become apparent there is an urgent need for both refurbishment of the current Community Centre and the availability of other community facilities and amenities in the Elanora Heights precinct.

Residents continually complain that Elanora Heights is the "forgotten suburb" and major funding has not been allocated for facilities and amenities in the suburb, particularly considering the increased population now and that will be further increased with any development in Ingleside.

Elanora Heights currently has NO public toilets and all playgrounds have old and dilapidated equipment. The former Squash Centre has also closed and there are no sporting or youth facilities in the suburb.

Council staff have continually responded in writing to Councillor and Resident requests that there is no provision for public toilets and new playground equipment in Elanora Heights.

Federal and State Funding has been allocated to Councils in the past to improve community infrastructure and thus with the imminent Federal and State elections, this is an opportune time to seek the assistance of our State and Federal MPs for this purpose.



Memo

Parks & Recreation

To: Cr De Luca and Cr Heins
Cc: All Councillors
From: Vicki Blaskett
Acting Executive Manager, Parks and Recreation
Date Submitted: 15 January 2021
Date: 4 February 2021
Subject: Playground Facilities in Kalang Road Elanora Heights
Record Number: 2021/028023

Dear Cr De Luca and Cr Heins

I refer to your requests on behalf of [REDACTED] regarding the above and provide the following response:

As a frequent visitor to Elanora Heights, I am constantly disappointed at the lack of facilities for the very young in the area.

I currently walk my two grandchildren to a small playground by the Kindergarten, entered from Kalang Rd. Here, there is a set of two swings and a spring loaded thingy. Whilst these are a little better than nothing, their provision by the council is so meagre and uninspiring as to discourage use.

The situation is made more poignant by their juxtaposition to the Kindergarten playground with its hills and tunnels see saws etc which are much more appealing and challenging but closed to the public.

Parents are forced to load up their cars and make the steep descent to Warriewood or Narrabeen a costly exercise on many fronts.

A well designed and constructed playground on this site would encourage a sense of community and provide opportunities for outdoor exercise, amusement and socialisation in the immediate neighbourhood of Elanora Heights.

Council has received a number of requests for better facilities for children and young people in Elanora Heights. Currently, requests like these are forwarded to the team preparing the Open Space Strategy. This document will propose a series of new and upgraded recreational facilities such as playgrounds for our suburbs.

This document is expected to be presented to Council for community exhibition in the first half of 2021.

At this stage, Council does not have any discretionary capital funding to immediately upgrade this playground.

Until recently the kindergarten playground was left open to the public for use after hours. Unfortunately, the kindergarten had been subject to significant vandalism and a decision was made to keep it closed to ensure it is safe for use by the Elanora Heights Community Preschool.

While slightly further away the playgrounds in Anana Reserve, Elanora Road or Cooleena Reserve on Cooleena Road are slightly bigger and have some more facilities that might may provide a better experience.

A response has been sent to [REDACTED] (please see attached) outlining the above information.

Should you require any further information about matters raised in this memo please contact my office on 8495 5221.

[REDACTED]
Vicki Blaskett
Acting Executive Manager, Parks and Recreation



Michael Regan
Mayor

[REDACTED]

2021/026720

Dear [REDACTED]

Thank you for your letter dated 10 January 2021 regarding additional and improved facilities at the Playground in Kalang Road, Elanora Heights.

The playground in the kindergarten, I agree is much more appealing than the smaller playground and until recently had been available for use by the public during out of hours. Unfortunately, the kindergarten has been subject to significant vandalism and it has been decided to keep it closed, thus ensuring it is safe and available for the Elanora Heights Community Preschool each day.

In terms of upgrading the existing playground, we have received many similar requests for upgrading facilities in Elanora Heights and I expect that this suburb will feature prominently for improved facilities in the draft Open Space Strategy. It is expected that the Strategy will be presented to Council for community exhibition in the first half of 2021.

Please feel free to register for Council's weekly newsletter where the opportunity to comment on the Strategy will be advertised.

Regrettably, Council does not have the discretionary funding to immediately upgrade the playground and it will need to be prioritised along with other similar requests in the Strategy.

While slightly further away, the playgrounds in Anana Reserve, Elanora Road and Cooleena Reserve, Cooleena Road are slightly bigger and have more facilities that may provide a better experience for you and your grandchildren.

Should you require further information about matters raised in this letter please contact my office on 8495 6519.

Yours sincerely

[REDACTED]

Michael Regan
Mayor

2/2/21

ITEM 17.1

**RESPONSE TO QUESTION WITH NOTICE NO 08/2021 -
DRAFT BUDGET AND DELIVERY PLAN - ELANORA HEIGHTS**

TRIM FILE REF

2021/358455

ATTACHMENTS

NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. What is the total amount of funding allocated by Council in the budget for this suburb?
2. What capital works are proposed?
3. What is the total amount of rates collected from this suburb?
4. What is the total amount of fees received from Council for DAs for this suburb?

RESPONSE

1. The Council's budget is prepared to support existing service levels, renew assets based on our asset management plans which includes prioritising assets in a poor condition and delivery of new assets set out in Council's various plans and strategies. The operating budget and council-wide capital projects (such as the purchase of library books) is not prepared for specific suburbs. Using the population of the Elanora Heights area (4,575) as a basis to allocate the operating budget and council-wide capital projects, the allocation is \$6.1 million. With the addition of \$0.5m in capital projects located directly in this area (listed below under item 2), the 2021/22 budget for the Elanora Heights area is \$6.6 million.
2. Proposed capital expenditure 2021/22: \$0.5 million

| Project Details | Suburb | Location |
|---|-----------------|------------------|
| Upgrade existing pedestrian crossing for improved access to Elanora Heights Public school | Elanora Heights | Anana Road |
| Upgrade existing pedestrian crossing to improve access to Elanora Heights Public school | Elanora Heights | Elanora Road |
| Powderworks Road pedestrian crossing near Kalang Road | Elanora Heights | Powderworks Road |
| Traffic calming Anana Road | Elanora Heights | Anana Road |
| Repair and resurfacing of road pavement | Elanora Heights | Georgina Avenue |
| Repair of defective kerb and gutter | Elanora Heights | Georgina Avenue |
| Repair and resurfacing of road pavement | Elanora Heights | Kalang Road |
| Repair of defective kerb and gutter | Elanora Heights | Kalang Road |

| Project Details | Suburb | Location |
|---|-----------------|-----------------|
| Improvement to side drain and repair of kerb and gutter (design) | Elanora Heights | St Andrews Gate |
| Kalang Road to Elanora Rd - design new footpath, new kerb and gutter, minor drainage improvements and pavement shape correction | Elanora Heights | St Andrews Gate |

- 3. \$2,324,539 Rates
- 4. \$45,228 DA fees
- \$34,244 Development contributions

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| ITEM 15.8 | NOTICE OF MOTION NO 18/2022 - LOCAL VILLAGE AND NEIGHBOURHOOD PLACE PLAN FRAMEWORK |
| TRIM FILE REF | 2022/235787 |
| ATTACHMENTS | NIL |

Submitted by: Councillor Georgia Ryburn, Councillor Bingham and Councillor Grattan

MOTION

That:

1. Council develop and pilot a community-led framework for the development of a Village Place Plan to enable local communities to initiate projects for their local village or neighbourhood centres.
2. Council consider using Fairlight's engaged residents to pilot solutions with Fairlight residents and businesses owners.
3. Staff provide a report to Council within four months.

BACKGROUND FROM COUNCILLOR GEORGIA RYBURN

The Northern Beaches has 18 local villages and 54 neighbourhood centres.

While Council is currently preparing a number of Place Plans for our major Centres, such as Manly and Mona Vale, many of the local villages and neighbourhood shopping centres are badly in need of revitalisation and activation.

A community-led group of residents and businesses at Fairlight, working with Council, recently initiated "Fairlight Fridays" which proved to be a great success to activate the Fairlight Shopping Village.

This group has undertaken initial consultation and now prepared a draft place plan for Fairlight which could be used as a pilot for how a 'community-led' project such as this could work.

Key benefits:

- Community initiated and supported outcomes
- "Grant ready" initiatives with pre-determined community support
- Grassroots engagement
- Activation and support for local businesses
- Framework development streamlines the process for council and the community, with a focus on agile solutions and return on effort for residents
- Standard 'toolkit' of activations, (think road-treatments, planters, aesthetic/mood lighting, street-trees & furniture) for efficiency

It is anticipated that the framework would be developed within existing resources.

Villages and neighbourhood centres with a developed plan would then apply (or request Council to apply) for grant or budget funding to implement the elements of agreed village place plans.

16.0 QUESTIONS WITH NOTICE

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|----------------------|--|
| ITEM 16.1 | QUESTION WITH NOTICE NO 3/2022 - CHIEF EXECUTIVE OFFICER'S NEW SALARY PACKAGE |
| TRIM FILE REF | 2022/188877 |
| ATTACHMENTS | NIL |

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. What is the total of the CEO's new salary package?
2. Is it correct that the CEO's contract is a public document and can be viewed by any member of the community during business hours?

ITEM 16.2 **QUESTION WITH NOTICE NO 4/2022 - COUNCIL'S
MANAGEMENT STRUCTURE AND EXPENDITURE**

TRIM FILE REF **2022/188945**

ATTACHMENTS **NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. A. How many Directors are currently employed by Council and noting previous advice that expenditure for the Directors' salary packages was \$5,223m, what will it be in 2022?
- B. What is the total expenditure on Directors' salary increases and/or bonuses in the last 12 months?
2. A. How many Executive Managers are currently employed by Council and noting previous advice that expenditure for the Executive Managers' salary packages was \$5.9m, what will it be in 2022?
- B. What is the total expenditure on Executive Managers' salary increases and/or bonuses in the last 12 months?
3. A. How many Managers are currently employed by Council and noting previous advice that expenditure for the Managers' salary packages was \$15.2m, what will it be in 2022?
- B. What is the total expenditure on Managers' salary increases and/or bonuses in the last 12 months?
4. A. How many Team Leaders are currently employed by Council and what will be the total expenditure for Team Leaders' salary packages in 2022?
- B. What is the total expenditure on Team Leaders' salary increases and/or bonuses in the last 12 months?
5. A. How many Co-coordinators are currently employed by Council and what will be the total expenditure for coordinators' salary packages in 2022?
- B. What is the total expenditure on Co-coordinators' salary increases and/or bonuses in the last 12 months?
6. A. How many staff are provided vehicles that can be used for private use and what are the total costs over the last 12 months for purchases/leases and running costs?
- B. Is it true that front line staff eg cleansing team, Rangers/Animal management officers, street sweepers etc have not received pay increases and when was there last respective pay increase (in addition to any automatic Award increases)?

ITEM 16.3**QUESTION WITH NOTICE NO 5/2022 - SALARIES OF OFFICE
OF GENERAL COUNSEL AND OFFICE OF COMPLAINTS
RESOLUTION****TRIM FILE REF****2022/188970****ATTACHMENTS****NIL**

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1.
 - A. Since the creation of the Northern Beaches Council in 2016, and each year since, what has been the total each year of expenditure on salaries for officers in the Office of General Counsel and the respective amount of staff in that office each respective year?
 - B. Since the creation of the Northern Beaches Council in 2016, and each year since, what has been the total expenditure each year on external Solicitors/Law firms and barristers?
2.
 - A. Since the creation of the Northern Beaches Council in 2016, and each year since, what has been the total each year of expenditure on salaries for officers in the Office of Internal Audit and Complaints Resolution and the respective amount of staff in that office each respective year?
 - B. Since 2016, and each year since:
 - a. What has been Council's expenditure on external Code of Conduct Reviewers/Investigators?
 - b. How many complaints about Council, each year have been received and documented in the NSW Ombudsman's Annual Reports?
 - c. How many complaints about Council, each year have been received and documented in the NSW Office of Local Government's Annual Reports?
 - d. How many complaints about Council, each year have been received and documented in the NSW ICAC's Annual Report?

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| ITEM 16.4 | QUESTION WITH NOTICE NO 6/2022 - RATE RISES AND REDUCTION IN MANAGEMENT POSITIONS |
| TRIM FILE REF | 2022/190285 |
| ATTACHMENTS | NIL |

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. Since the creation of the Northern Beaches Council in 2016, and each respective year since viz 2017, 18, 19, 20 and 21 by what percentage have rates been increased?
2. Since the creation of the Northern Beaches Council in 2016, and each respective year since viz 2017, 18, 19, 20 and please advise by title and respective year what Management position was abolished and/or made redundant eg 2017 Redundancy - Business Transformation Project Manager.
3. Since the creation of the Northern Beaches Council in 2016 to present what is the total expenditure on all employee redundancies?

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| ITEM 16.5 | QUESTION WITH NOTICE NO 7/2022 - COUNCIL'S EXPENDITURE IN ROAD MAINTENANCE |
| TRIM FILE REF | 2022/224482 |
| ATTACHMENTS | NIL |

Submitted by: Councillor Jose Menano-Pires

QUESTION

How much has Council spend in road maintenance / temporary fixes, i.e. potholes, for:

1. FY21
2. FY 22 (including a forecast to June 30/2022)

(Not including regular planned scheduled maintenance, such as road resurfacing, as it falls due)

17.0 RESPONSES TO QUESTIONS WITH NOTICE

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| ITEM 17.1 | RESPONSE TO QUESTION WITH NOTICE NO 1/2022 - OPTIONS PAPER MANAGEMENT OF NARRABEEN LAGOON ENTRANCE |
| TRIM FILE REF | 2022/188640 |
| ATTACHMENTS | NIL |

Taken on notice at the Council meeting on 22 March 2022 from: Councillor Vincent De Luca OAM

QUESTION

1. Following community consultation on the Narrabeen Lagoon Entrance Management Strategy Options Paper that closed on 28 March 2021 and received 111 Submissions, as well as previous written advice that the matter would be presented by the October 2021 Council meeting for determination, what has occasioned the significant delay in Council finalising the recommendations from the Options Paper and community consultation and when will a report with recommendations be brought before a Council meeting for determination?
2. In view of the floods to properties surrounding the lagoon last year and recently, how many properties is Council aware of that sustained damage directly due to water emanating from Narrabeen Lagoon?
3. What was the total expenditure for the dredging works undertaken last year in Narrabeen Lagoon?
4. Since the creation of Northern Beaches Council, what is the total expenditure on the manual opening of Narrabeen.

RESPONSE

1. The draft Entrance Management Strategy (EMS) has been through a number of rounds of technical reviews and editing, to prepare it for community consultation. During this review period, Council staff have also prioritised the dredging of the Narrabeen Lagoon entrance, the public exhibition of the Wakehurst Parkway Feasibility study and the completion of the Draft Greendale Creek Flood Study. The contents of the EMS are complex and staff were working closely with consultants and reviewers until satisfied that the document was suitable to present to Council and the community. The EMS has been presented to the 26 April 2022 Council meeting for consideration, recommending public exhibition.
2. Council is aware of 12 properties that were affected by water emanating from Narrabeen Lagoon (water rising from the lagoon) during the recent flooding incident (5 commercial and 7 residential).
3. The expenditure for entrance clearance works at Narrabeen Lagoon undertaken in September to December 2021 was just over \$1,471,000, including costs for site establishment, dredging, trucking, bathymetric surveys (before and after works), environmental reports, and lagoon openings and closings to manage the water level during the works.
4. Almost \$148,000 has been spent on mechanical openings of Narrabeen Lagoon since amalgamation in May 2016.

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 RFT 2021/220 - Little Manly Reserve Seawall 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.

- B. Item 18.2 RFT 2021/233 - Construction Services for Marine Rescue Rowland Reserve Building Replacement 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.

- C. Item 18.3 RFT 2021/238 - Taylors Point Reserve Bank Stabilisation 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 EOI 2021/049 - Recreational Site Re-development Vacant Clubhouse and Recreation Space, Nolan Reserve, North Manly on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

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- E. Item 18.5 Proposed Sale of Council Land - Part of 43 Warriewood Road (Lot 2 DP 972209) and Part of 53 Warriewood Road (Lot 3 in DP 942319) Warriewood on the basis that it involves the receipt and discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business [10A(2)(c) Local Government Act 1993].

This report discusses/provides advice concerning the sale of Council lands. 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 confer a commercial advantage on a person with whom the Council is proposing to conduct business with.

- F. Item 18.6 Legal Negotiations 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 negotiations involving Council's commercial interests. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would prejudice Council's commercial position and potentially provide advantage to other parties if disclosed.

- G. Item 18.7 Response to Question With Notice No 2/2022 - Complaints/Requests regarding Missed Rubbish Collections and Associated Issues 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 Waste Collection Contract 2017/165. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information could prejudice Council's commercial position given Council's intention to enter into negotiations with respect to the Waste Collection Contract.

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.



northern
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