



northern
beaches
council

AGENDA

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

Tuesday 27 September 2022

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

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

Ray Brownlee PSM
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

OUR VALUES

Trust Teamwork Respect Integrity Service Leadership

OUR OBLIGATIONS

I swear/solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Northern Beaches and the Northern Beaches Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 27 September 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, Council will consider apologies, requests for leave of absence, and requests to attend meetings remotely via audio-visual link.

3.0 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 23 AUGUST 2022

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held 23 August 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.

A Councillor who has a **pecuniary interest** in any matter with which Council is concerned, and who is present at a meeting of Council at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

The Councillor must not be present at, or in sight of, the meeting:

- a. at any time during which the matter is being considered or discussed, or
- b. at any time during which Council is voting on any question in relation to the matter.

A Councillor who has a **significant non-pecuniary** conflict of interest in a matter under consideration at a Council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.

A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is **not significant** and does not require further action, when disclosing the interest must also explain why the conflict is not significant and does not require further action in the circumstances.

As required by Council's Code of Conduct and the Information and Privacy Commission's Information Access Guideline 1, returns made by designated persons are routinely tabled at Council meetings and published on Council's website.

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 22/2022 - PASSING OF HER MAJESTY, QUEEN ELIZABETH II
TRIM FILE REF	2022/564282
ATTACHMENTS	NIL

BACKGROUND

We were all saddened by the news earlier this month of the passing of Queen Elizabeth II and joined the rest of the world in mourning.

As I mentioned in an earlier statement following her passing –

“for over 70 years the Queen has been a constant in our lives, an incomparable example of dedication to service and duty. Her Majesty epitomised grace and dignity and has provided a steady hand through decades of turbulent times.”

Since then, the media has presented us with images and stories of her life that I am sure many of us may not have seen until now. One thing that has resonated with me watching and reading about her life was Her Majesty’s incredible sense of humour. You may recall the recent clip with Her Majesty sitting down with Paddington Bear talking about marmalade sandwiches. And of course, who can forget the Queen’s cameo appearance with James Bond (Daniel Craig) for the opening of the London Olympic Games in 2012.

I think whether you are a republican or staunch monarchist, we must all agree that Her Majesty was someone who was greatly admired and respected for her life-time of devoted and dedicated service to everyone across the Commonwealth.

Condolence books have been placed at our Manly, Mona Vale and Dee Why customer service centres and our libraries. Our staff continue to liaise with the relevant agencies to ensure that we follow the required protocols during this period of official mourning along with any plans in regard to honouring the new Head of the Monarch, King Charles III.

My understanding is that an online book has been set up for members of the public along with those around the world to provide their condolences to King Charles III and the Royal Family. I ask Councillors to join me in agreeing to forward on behalf of the Northern Beaches community our deepest sympathies to the Royal Family through the online book.

May you rest in eternal peace Your Majesty.

MOTION

That Council provide a message on behalf of the Northern Beaches Community via the official condolence online book expressing our deepest sympathies to the Royal Family.



Michael Regan
MAYOR

8.0 CHIEF EXECUTIVE OFFICER'S DIVISION REPORTS

ITEM 8.1	ELECTION OF DEPUTY MAYOR
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2022/554405
ATTACHMENTS	1 ↓ Nomination Form - Election of Deputy Mayor

BRIEF REPORT

PURPOSE

To consider the election of a councillor to the office of Deputy Mayor and the method by which the election will be conducted.

REPORT

At its meeting on 29 December 2021, Council resolved (351/21) to elect a Deputy Mayor for the term of office until the ordinary Council meeting of September 2022.

Section 231 of the *Local Government Act 1993* provides that Council may elect one of its members as Deputy Mayor. The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

Should Council resolve to elect a Deputy Mayor, nominations shall be called for candidates for the office. If a Deputy Mayor is to be elected by the councillors, the election is to be in accordance with Schedule 7 of the *Local Government (General) Regulation 2021*.

If Council decides to elect a Deputy Mayor, the person may be elected for the mayoral term, or a shorter term.

In the event that two or more candidates accept a nomination for the office of Deputy Mayor, Council shall determine the method for conducting the election.

Conducting the Elections of the Deputy Mayor

A nomination for the office of Deputy Mayor is to be made in writing and endorsed by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

If only one councillor is nominated, that councillor is elected. If more than one councillor is nominated, the Council is to resolve whether the election is to proceed by:

- (a) open voting
- (b) ordinary ballot
- (c) preferential ballot.

The election is to be held at the Council meeting at which the Council resolved on the method of voting. The Returning Officer is to conduct the ballot.

If the method is open vote this is to be conducted by a show of hands. If the method is by preferential or ordinary ballot, this will be conducted by a secret vote.

Secret votes are not able to be conducted by remote audio-visual methods, therefore in the event some councillors are granted approval by the Council to participate in the Council meeting by remote audio-visual link, the most practicable method will be to conduct the election by open voting.

Summary of Election Procedure

- Nomination papers are distributed to Councillors prior to the meeting (Attachment 1).
- Councillors will be called upon by the Returning Officer to submit their nomination papers.
- Nominations received will be read to the Council meeting by the Returning Officer who will ask if any of the candidates nominated wish to decline the nomination.
- If there are more candidates than one, an election will be carried out in accordance with the provisions of Schedule 7 of the *Local Government (General) Regulation 2021*.
- Councillors will resolve whether the election is to proceed by open voting, by ordinary ballot or by preferential ballot.
- If a secret ballot is required:
 - Ballot papers will be prepared and distributed to councillors for marking
 - Upon completion of marking of the ballot papers by councillors, the ballot papers will be collected on behalf of the Returning Officer and the votes will be counted
 - When the ballot or ballots, as required pursuant to the provisions of Schedule 7, have been completed and a result obtained, the Returning Officer will announce the results at the meeting.

Detailed Procedures for Election Methods

Open Voting

An open vote will be conducted by a show of hands.

If there are only two candidates, the candidate with the higher number of votes is elected. If there are only two candidates and they are tied, the one elected is to be chosen by lot.

If there are three or more candidates, separate and continuing ballots are taken to exclude the candidate with the lowest number of votes, until only two candidates remain.

Ordinary Ballot

If the election proceeds by ordinary ballot, the Returning Officer is to determine the manner in which votes are to be marked on the ballot papers.

The formality of a ballot paper must be conducted in accordance with section 345 (1) (b) and (c) of the *Local Government (General) Regulation 2021*.

An informal ballot paper must be rejected at the count.

If there are only two candidates, the candidate with the higher number of votes is elected. If there are only two candidates and they are tied, the one elected is to be chosen by lot.

If there are three or more candidates, separate and continuing ballots are taken to exclude the candidate with the lowest number of votes, until only two candidates remain.

Preferential Ballot

The steps to conduct a preferential ballot are as follows:

Councillors are to mark their votes by placing the number '1' '2' and so on, against the listed candidates' names so as to indicate the order of their preference for all candidates.

An informal ballot-paper must be rejected at the count. The formality of a ballot paper is to be determined in accordance with section 345 (1) (b) and (c) of the *Local Government (General) Regulation 2021*.

If a candidate has an absolute majority of first preference votes, that candidate is elected.

If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot papers counted to him or her are transferred to the candidates with second preferences on those ballot papers.

A candidate with an absolute majority of votes is elected. If no candidate has the absolute majority of first preference votes, the candidate with the lowest number of votes is excluded. The preferences from the excluded candidate are distributed. The process continues until one candidate has received an absolute majority of votes.

Under the Regulation "absolute majority", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot papers.

Tied candidates

The steps for a tied vote are as follows:

If on any count of votes there are two candidates in, or remaining in the election and the numbers of votes cast for the two candidates are equal, the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.

If on any count of votes there are three or more candidates in, or remaining in the election and the numbers of votes cast for two or more candidates are equal, and those candidates are the ones with the lowest number of votes on the count of the votes, the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Explanation of choosing by lots

If a process is to be determined by lot then this refers to the selection of a candidate by the Returning Officer where the names of candidates are to be written on similar slips of paper, folded and mixed and selected randomly from a barrel.

TIMING

The Deputy Mayor may be elected for the mayoral term, or a shorter term.

A Mayor elected by the Councillors holds the office of Mayor for two years. A Mayoral election will next be held in September 2023.

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 provision for an office of Deputy Mayor is included within Council's existing operational budget.

ENVIRONMENTAL CONSIDERATIONS

The election of the Deputy Mayor does not have an environmental impact.

SOCIAL CONSIDERATIONS

The civic responsibilities and community leadership role of the Deputy Mayor are outlined under section 226 of the Act.

Section 231(3) of the Act states that:

The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.

GOVERNANCE AND RISK CONSIDERATIONS

The election of the Deputy Mayor is in line with section 231 of the *Local Government Act 1993*.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council determine:

1. Whether to elect a Deputy Mayor in accordance with section 231 of the *Local Government Act 1993* and the length of term of this office.
 2. The method of election for the Deputy Mayor.
-



Nomination Form

Office of Deputy Mayor

In accordance with Clause 2 and Schedule 7 of the Local Government (General) Regulation 2021,

Councillor is hereby nominated for

(name of nominee)

the office of **DEPUTY MAYOR** of Northern Beaches Council for a term as determined by Council under section 231(2) of the Local Government Act, 1993.

Nominators

1. Councillor
(name) *(signature)*

2. Councillor
(name) *(signature)*

Nominee

I, Councillor, consent to this nomination.

(name)

.....
(Signature) *(date)*

Clause 394 and Schedule 7 of the Local Government (General) Regulation, 2021 outline the statutory provisions for the nomination of candidates for election of **Deputy Mayor** by Councillors as follows:

Nomination

- (1) *A councillor may be nominated without notice for election as mayor or deputy mayor*
- (2) *The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
- (3) *The nomination is to be delivered or sent to the returning officer.*
- (4) *The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

ITEM 8.2	NORTHERN BEACHES COUNCIL DISCRETIONARY FUND QUARTERLY REPORT
REPORTING MANAGER	CHIEF EXECUTIVE OFFICER
TRIM FILE REF	2022/538536
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To provide a report on the recipients and projects that have received an allocation from the Northern Beaches Council Discretionary Fund during the past quarter.

EXECUTIVE SUMMARY

The Northern Beaches Council Discretionary Fund provides the opportunity for Councillors to put forward requests from individuals and community organisations for financial assistance towards initiatives and services which benefit the local community or provide assistance to local residents.

A Draft Northern Beaches Council Discretionary Fund Policy which includes amendments to the current policy has recently been on public exhibition. The outcome is also being reported to Council for consideration at this meeting of 27 September 2022.

Payments made for the period 23 June 2022 to 21 September 2022 totaling \$7,050.00 are listed below.

Recipient	Description	Allocation
Manly Wolves & Manly Bombers	Contribution to the Fundraising Community Golf Day	\$500.00
Manly Warringah Pipe Band	Contribution towards the Band's International performance at the Basel Tattoo in Switzerland, representing both the Northern Beaches and Australia.	\$1,000.00
Northern Beaches Chorus (four local residents)	Contribution to four members of the NB Chorus 'Treble Makers' selected to represent Australia in the United States.	\$1,000.00
Queenscliff Surf Life Saving Club	Contribution to the Club's Charity Golf event	\$800.00
Manly Lagoon Friends Community Group	Contribution to the newly formed Manly Lagoon Friends.	\$500.00
Sunnyfield Disability Services	Contribution towards the purchase of T Shirts for Sunnyfield participants for event	\$1,000.00
Killarney Heights High School	Contribution towards prizes for Northern Beaches Council Student Awards at presentation evening	\$250.00

Surf Life Saving Sydney Northern Beaches	Contribution towards annual fundraising Golf Day	\$1,000.00
Local Resident	Contribution towards attendance at the National Leadership Forum in Canberra (nominated to attend)	\$250.00
Forest High School	Contribution towards Open Air Movie - environmental project organised by Forest High School Environment Captains	\$500.00
Local Resident	Contribution towards trip to represent Australia in the National Baseball squad travelling to the USA	\$250.00

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council note payments totalling \$7,050.00 have been allocated from the Northern Beaches Council Discretionary Fund for the period 23 June 2022 to 21 September 2022.

REPORT

BACKGROUND

The Northern Beaches Council Discretionary Fund supports individuals and community organisations through small financial donations. It also provides assistance to local residents to attend events or conferences that further develop educational or sporting endeavours at a representative level.

The Policy was adopted on 19 December 2017 with a requirement that recipient and project details be reported to Council on a quarterly basis. This report only includes allocations that have been finalised.

The Policy has recently been reviewed and was put forward to Council for consideration at the meeting of 28 June 2022. It was resolved to place the revised draft Policy on public exhibition. The outcome from this consultation is being reported to Council for consideration at this meeting of 27 September 2022.

As required under the policy, the maximum amount which may be allocated to an individual or community organisation is \$1,000 and only one payment can be made to an individual or community organisation within the same financial year.

All requests to the Northern Beaches Council Discretionary Fund are submitted to the Mayor, Deputy Mayor or a Councillor, and the Chief Executive Officer to certify that the allocation is made in accordance with the policy and that the funds are available.

CONSULTATION

Requests upon the discretionary fund are submitted to the Mayor, Deputy Mayor or Councillor and the Chief Executive Officer for approval in accordance with the policy.

TIMING

A quarterly report to Council is required by the Northern Beaches Council Discretionary Fund Policy.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Places for People - Goal 9: Our community is healthy, active and enjoys a broad range of creative, sporting and recreational opportunities.
- Community and Belonging - Goal 11: Our community feels safe and supported.

FINANCIAL CONSIDERATIONS

The funds allocated are provided within the existing annual budget of \$30,000 for the Northern Beaches Discretionary Fund. Total expenditure of \$22,950.00 is remaining. No funding will be provided outside of the allocated budget in each financial year.

SOCIAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund supports individuals and community organisations and provides assistance to local residents to attend events or conferences that further develop their educational or sporting endeavours at a representative level.

ENVIRONMENTAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund – Quarterly Report has no specific environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

Payments allocated under the Northern Beaches Council Discretionary Fund have satisfied the requirements under both the Northern Beaches Council Discretionary Fund Policy and the approval process as last adopted by Council on 19 December 2017.

ITEM 8.3	OUTCOME OF PUBLIC EXHIBITION OF THE DRAFT NORTHERN BEACHES COUNCIL DISCRETIONARY FUND POLICY
REPORTING MANAGER	CHIEF EXECUTIVE OFFICER
TRIM FILE REF	2022/588040
ATTACHMENTS	1 ↓Northern Beaches Council Discretionary Fund Policy 2 ↓Community and Stakeholder Engagement Report

SUMMARY

PURPOSE

To seek the adoption of the Draft Northern Beaches Council Discretionary Fund Policy.

EXECUTIVE SUMMARY

At its 28 June 2022 meeting, Council resolved to place the draft Northern Beaches Council Discretionary Fund Policy on exhibition with the outcomes to be reported to Council (Resolution 179/22).

The Draft Northern Beaches Council Discretionary Fund Policy was publicly exhibited from Friday 1 July to Sunday 31 July 2022 and attracted five submissions. In summary, the respondents raised comments around potential conflicts of interest by elected officials, transparency in relation to identifying all recipients including individuals, waste of public funds, accountability, the inclusion of 'small businesses' and clearer parameters around the activities to be funded.

The comments provided by the community have been considered and minor edits have been made and are highlighted in the attached Draft Northern Beaches Council Discretionary Fund Policy.

In addition, it is proposed to make a further amendment to reflect Mayoral and Councillor participation in charity events. Where they can be separately identified, costs associated with the Mayor, and or a Councillor's participation in charity events will be deducted from their individual general expenses entitlement under the *Councillor Expense & Facilities Policy* instead of the Northern Beaches Council Discretionary Fund Budget. This will conserve the available discretionary funds each year.

RECOMMENDATION OF CHIEF EXECUTIVE OFFICER

That Council:

1. Note the outcomes of the public exhibition of the draft Northern Beaches Council Discretionary Fund Policy
 2. Adopt the Northern Beaches Council Discretionary Fund Policy provided at Attachment 1.
-

REPORT

BACKGROUND

The Northern Beaches Council Discretionary Fund provides the opportunity for the Mayor and Councillors to respond to requests for financial assistance from individuals, community groups, community organisations and local businesses. It recognises that some activities and events arise which do not fall within the guidelines for other Northern Beaches Council funding programs but are still deserving of the support of Council.

A review of the policy was undertaken, and amendments made to ensure further transparency and accountability for the allocation of funds. The proposed amendments were also put to the Audit, Risk and Improvement Committee with members' comments taken into consideration.

A report will continue to be provided to Council every quarter outlining details of recipients and amounts paid under the Northern Beaches Council Discretionary Fund. In some instances, the names of recipients are omitted for privacy reasons where assistance has been given for medical or other personal reasons.

The draft policy allows for discretionary consideration on a case-by-case application. It does not contain a finite list of activities that are eligible, however each application must be assessed against the eligibility criteria contained within the draft policy.

CONSULTATION

The draft policy was publicly exhibited from 1 July to Sunday 31 July 2022 and the Community and Stakeholder Engagement Report is included at Attachment 2. Comments received have been taken into consideration and further amendments based on those comments are included in the Policy at Attachment 1. A list of those comments are provided in the table below.

No.	Submission comments	Council response
1	I do not believe this policy passes the pub test and should be cancelled all submissions for funds should be directed to the CEO copy the Mayor and considered by all councillors on an exception basis.	Comment noted
2	If this policy is not cancelled then there should be a requirement for all submissions to clearly outline any conflict of interest either personal, related, group or commercial. Any submission should not be processed via any allowable council operative where any stated or likely conflict exists.	Comments considered and minor edit recommended. Council staff and Councillors are required under Council's recently adopted <i>Northern Beaches Council Code of Conduct – Part 4 – Pecuniary interests</i> to declare any pecuniary interests in relation to performing their roles as employees and elected representatives.
3	Ratepayers need greater transparency and as such recipients should be identified in the quarterly report (why are identities not published if they are in fact bona fide recipients?)	Comments in relation to identifying all recipients in the quarterly reports were considered however for privacy reasons Council does not include the names of residents who have received assistance due to medical or other personal reasons
4	This sounds like another way to waste our funds on a whim or favoured issue etc. How about fixing all the potholes and other key council responsibilities with this funding.	Comments noted

5	<p>The policy should also clearly state that any related family member of the Mayor, councillors or council employee should be excluded from utilising the fund.</p>	<p>2. Comments considered and minor edit recommended. Council staff and Councillors are required under Council's recently adopted <i>Northern Beaches Council Code of Conduct – Part 4 – Pecuniary interests</i> to declare any pecuniary interests in relation to performing their roles as employees and elected representatives.</p>
6	<p>Some time ago, a rotten tree collapsed and knocked my grandson into Narrabeen lake, breaking his leg in two places. This "accident" cost his family some hundreds, maybe thousands, in time off work, physio, etc etc. No compensation was offered or received. My grandson effectively lost a year of his active, sporting life. I would like the policy to consider compensation for such avoidable accidents which happen on council managed property.</p>	<p>Comments noted. Council works within the framework of its legal obligations and responsibilities under the <i>New South Wales Civil Liability Act 2002</i>.</p>
7	<p>1. The period for the allocation to a recipient should be clearly within a financial year, not 'the last 12 months' especially given the budget for this will be allocated within the financial year.</p> <p>2. There should be a clear statement about the amount of total funds available for this discretionary grant fund on an annual basis, not leaving this open ended and subject to speculation and influence as part of budget processes. These are constituents' funds and should be fully transparent.</p> <p>3. The allocation of funds should not be from Councillors nor staff, other than the CEO – this doesn't pass 'the pub test' in terms of openness and transparency.</p> <p>4. The reporting of funds granted should be fully transparent, including full details of recipients. If they are receiving funding they should agree to be acknowledged as receiving same. Hiding this information is unacceptable and again, doesn't pass 'the pub test'.</p> <p>5. It is not at all clear why the parameters have changed to include 'small business'. This is an enormous leap from the original position and should not be supported.</p>	<p>1. Comments considered and minor edits to reflect one payment is made within a financial year not in the previous 12 months.</p> <p>2. Comments noted. The allocation for the Discretionary Fund is included every year in the Budget which is considered and adopted by the Council. In addition, a report is provided to the Council every quarter that outlines the amount paid to each recipient and provides details of the balance remaining. Council does not include budget details in Council's policies as they are not reviewed annually each financial year.</p> <p>3. Comments noted. Applications are received either via a Councillor as their elected representative or to the Mayor directly. Approval of the expenditure of funds is the responsibility of the CEO.</p> <p>4. Comments in relation to identifying all recipients in the quarterly reports were considered however for privacy reasons Council does not include the names of residents who have received assistance due to medical or other personal reasons. Any recipient who receives funding under Point 5 of the criteria are listed.</p> <p>5. Comments noted. Small businesses were considered in the past when they are providing a service or activity that directly benefits the community. For clarity, they were identified in the revised draft Policy.</p>

	<p>6. There should be clear parameters for the kinds of activities or services that can receive funding, even if broader than other funding programs. This should be transparent and not a matter of personal 'discretion' nor have any hit of favours.</p> <p>7. It is generally very vague, lacking accountability and transparency. I don't object in principle to a small annual allocation but it should be very clear how much, what it is for, have very limited and accountable delegation for approval and be restricted to 'community' rather than any business.</p>	<p>6. Comments noted. The criteria stipulates what activities or services will be considered for funding under Point 1 and 5 of the Eligibility Criteria. It would not be possible to include a full list of specific activities under this Policy as funding is provided for a broad range of activities so it can be accessible to everyone in the community.</p> <p>7. Comments noted. All applications are assessed by staff against the criteria and to ensure funds are available before it is submitted to the Mayor, Councillors and CEO for consideration and approval. All amounts paid are reported to Council quarterly.</p>
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TIMING

Should the revised policy be adopted, it will remain in place for a period of four years with an expected review date of September 2026, unless changes are required earlier.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and belonging - Goal 7 Our diverse community is supported to participate in their chosen cultural life
- Community and belonging - Goal 8 Our community feels safe and supported
- Partnership and participation - Goal 22 Our Council builds and maintains strong partnerships and advocates effectively on behalf of the community

FINANCIAL CONSIDERATIONS

The administration and allocation of funds under the Northern Beaches Discretionary Fund Policy are already provided for within current operational budgets.

SOCIAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund supports individuals, community groups, community organisations and local businesses (both not for profit and commercial). Support is provided for initiatives and services that will benefit the local Northern Beaches community.

Individuals can receive support to assist with opportunities for education and information exchange, attend as a representative at regional, national or international events and activities that will further develop their education or sporting endeavours at a representative level.

ENVIRONMENTAL CONSIDERATIONS

The Northern Beaches Council Discretionary Fund Policy has no specific environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

Payments allocated under the Northern Beaches Council Discretionary Fund Policy need to satisfy the requirements under the eligibility criteria outlined in the Policy. The approval and allocation of funds must be made in accordance with the Funding and Process requirements outlined in the Policy.

Northern Beaches Council Discretionary Fund Policy

The Northern Beaches Council Discretionary Fund provides the opportunity for the Mayor and Councillors to respond to requests for financial assistance from individuals and community groups, community organisations and small local businesses involved in community projects.

The Northern Beaches Council Discretionary Fund Policy recognises that some activities and events arise which do not fall within the guidelines for other Northern Beaches Council funding programs but are still deserving of support by Council.

The Policy identifies the key responsibilities of authorisation and accountability for the Mayor, Deputy Mayor, Councillors and Council staff and ensures transparency in the expenditure and reporting of funds allocated.

ELIGIBILITY CRITERIA

1. Applicants must be individuals, community groups, community organisations or small local businesses involved in community projects who either reside on the Northern Beaches or their initiatives and services will benefit the local Northern Beaches community.
2. Community groups and community organisations who make an application do not have to be incorporated.
3. Applicants will only be eligible to receive funding once within a financial year and funds must be utilised within the financial year in which they are allocated.
4. Applicants cannot apply for funding if they have applied for funding or received funding under any other Northern Beaches Council funding program during the same financial year for the same or similar activity.
5. Individuals can apply for funding to assist with opportunities for education and information exchange, attend as a representative at regional, national and/or international events and activities that will further develop their education or sporting endeavours at a representative level.
6. The Applicant must complete the Northern Beaches Discretionary Fund Application Form demonstrating their eligibility for funding under the Northern Beaches Council Discretionary Fund.
7. The Applicant must identify the amount of funding required where possible and clearly outline the purpose for which the funding is required.
8. Applicants cannot apply for funding if it is for the purpose of funding projects / programs aimed to support or promote political parties and/or candidates.

FUNDING

The amount allocated to the Fund is designated each year in the Annual Budget.

The maximum amount able to be allocated to an individual or community organisation is \$1000. (Only one payment can be made to an individual, community group, community organisation or local business within the same financial year and applicants cannot apply for funding if they have applied or received funding under any other Northern Beaches Council funding program within the same financial year for the same or similar activity).



PROCESS

1. Applications for funding under the Northern Beaches Council Discretionary Fund must be received in writing by the Council and submitted either directly to the Mayor or through a Councillor.
2. The Mayor and Councillors may put forward their own initiatives for funding under the Northern Beaches Council Discretionary Fund to an individual or group who they believe meets the eligibility criteria and, also meets with the requirements under Part 4 – Pecuniary Interests of the Northern Beaches Council Code of Conduct.
3. Applications for funding under the Northern Beaches Council Discretionary Fund will be processed by the Office of the Mayor which will be responsible for certifying that the expenditure is in accordance with the Northern Beaches Council Discretionary Fund Policy and that the funds are available within the current Budget.
4. Applications will then be submitted for consideration and approval by –
 - i. the Mayor, and
 - ii. Deputy Mayor or Councillor, and
 - iii. Chief Executive Officer or Director, Corporate and Legal
5. Applicants will be advised in writing of the outcome of their application.
6. Recipient and project details will be reported to the Elected Council quarterly.
(Individuals' details will not be identified in the report. The report will state 'resident' and provide the 'suburb' in which they reside to confirm they are a local resident).
7. Where they can be separately identified, costs associated with the Mayor, and or Councillor's participation in charity events will be deducted from their individual general expenses entitlement under the *Councillor Expense & Facilities Policy* instead of the Northern Beaches Council Discretionary Fund Budget. Any costs incurred by a Councillor is publicly tabled at a Council meeting every twelve months and published on Council's website.

Scope and application

This policy applies to the Mayor, Deputy Mayor and Councillors, employees, agents and officers of the Northern Beaches Council and members of the community.

References and related documents

Local Government Act 1993 Sect 226, Sect 356 and Sect 377

Local Government (General) Regulation 2021 Sect 207 (Responsibility for Accounting Records)

Councillor Expenses and Facilities Policy

Responsible Officer

Chief Executive Officer

Review Date

September 2026

Revision History

Revision	Date	Change	TRIM Ref
1	25/7/2017	Policy adopted by Council with no changes following exhibition	2017/136008
2	19/12/2017	Changes made by Council Resolution 187/17 including change of title, that councillors can apply for funding, that a third signatory be required for allocation of funds and that all funding allocated be reported to Council quarterly.	2017/136008
3	21/3/2022	Revised draft for review	2022/170140
4	27/09/2022	Outcome of Public Exhibition of the Draft Northern Beaches Council Discretionary Fund Policy	2022/ <u>588040</u>
5			



Community and Stakeholder Engagement Report

Northern Beaches Council Discretionary Fund Policy (Stage 1 of 1)

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1. Summary

This report outlines the outcomes of community and stakeholder engagement as part of the exhibition of the Northern Beaches Council Discretionary Fund Policy (the Policy). The Policy is in place to ensure Council maintains a discretionary fund policy that complies with the *Local Government Act, 1993*, and that Council or its representatives exercise care, diligence and skill that a prudent person would exercise in allocating council funds. The Policy was exhibited between Friday 1 July and Sunday 31 July 2022.

There were four complete submissions during the period of consultation, with one incomplete submission. A further one submission was received by email directly to staff. Respondents raised comments broadly around potential conflicts of interest by elected officials, transparency in relation to identifying all recipients, waste of public funds, accountability, the inclusion of 'small businesses' and clearer parameters around the activities to be funded. These comments have been taken into consideration and some amendments are proposed for consideration by Council.


1.1. Key outcomes

 Total unique responses	5*	
 How responses were received	Submission form Email	Completions: 4 Completions: 1
 Feedback themes	Potential conflicts of interest by elected officials Transparency in relation to identifying all recipients Waste of public funds and accountability Include payments for injury compensation inclusion of 'small businesses' clearer parameters around the activities to be funded	Comments taking into consideration and some amendments proposed in the Draft Northern Beaches Discretionary Fund Policy






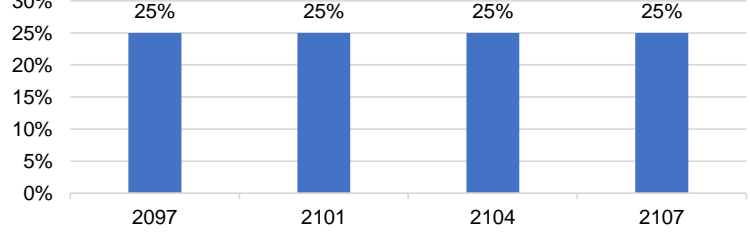
* The submission and demographic data in this report relates to the five complete submissions.

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1.2. How we engaged

 Have Your Say: visitation stats	Visitors: 318	Visits: 262	Average time onsite: 0min 43 secs
 Electronic direct mail (EDM)	Community Engagement (fortnightly) newsletter: 2 editions Council (weekly) e-News: 1 edition		Distribution: 23,000 subscribers Distribution: 170,000 subscribers

1.3. Who responded†

 Gender	 <p>■ Male 100%</p> <p>■ Female 0%</p>
 Age groups	 <p>■ 26-50 yrs 50%</p> <p>■ 51-75 yrs 50%</p> <p>■ 76+ yrs 0%</p>
 Postcodes	 <p>25% 25% 25% 25%</p> <p>2097 2101 2104 2107</p>

† Demographic data was gathered by request only. The data represented only includes those respondents who provided this detail.

2. Background

The draft Policy provides the opportunity for the Mayor and Councillors to respond to requests for financial assistance from individuals, community groups, community organisations and local businesses.

It also recognises that some activities and events arise which do not fall within the guidelines for other Northern Beaches Council funding programs but are still deserving of the support of Council. Applications are assessed against the eligibility criteria contained within the policy.

The exhibition was held to seek community comment on the Policy.

3. Engagement objectives

Community and stakeholder engagement aimed to:

- Build community and stakeholder awareness of participation activities (inform)
- Provide accessible information so community and stakeholders can participate in a meaningful way (inform)

4. Engagement approach

Community and stakeholder engagement for the Policy was conducted between 1 July and 31 July 2022 and consisted of activities that provided opportunities for community and stakeholders to contribute.

The engagement was planned, implemented and reported in accordance with Council's [Community Engagement Matrix](#) (2017).

A project page was established on our have your say platform with information provided in an accessible and easy to read format.

The project was primarily promoted through our regular email newsletter (EDM) channels.

Feedback was captured through an online submission form embedded onto the have your say project page. Feedback was qualitative only and did not ask a specific sentiment question.

An open-field comments box provided community members a space to explain provide any feedback they wished to contribute.

Email and written comments were also invited.

5. Findings

The exhibition was held to seek community comment on the draft policy.

There were five submissions during the period of consultation.

To summarise, the respondents raised comments around potential conflicts of interest by elected officials, transparency in relation to identifying all recipients, waste of public funds, accountability, the inclusion of 'small businesses' and clearer parameters around the activities to be funded.

One submission raised comments in relation to compensation for injuries to be included under this Policy.

Appendix 1 Verbatim community and stakeholder responses*

No.	Submission comments	Council response
1	1. I do not believe this policy passes the pub test and should be cancelled all submissions for funds should be directed to the CEO copy the Mayor and considered by all councillors on an exception basis.	1. Comment noted
	2. If this policy is not cancelled then there should be a requirement for all submissions to clearly outline any conflict of interest either personal, related, group or commercial. Any submission should not be processed via any allowable council operative where any stated or likely conflict exists.	2. Comments considered and minor edit recommended. Council staff and Councillors are required under Council's recently adopted <i>Northern Beaches Council Code of Conduct – Part 4 – Pecuniary interests</i> to declare any pecuniary interests in relation to performing their roles as employees and elected representatives.
	3. Ratepayers need greater transparency and as such recipients should be identified in the quarterly report (why are identities not published if they are in fact bona fide recipients?)	3. Comments in relation to identifying all recipients in the quarterly reports were considered however for privacy reasons we do not include the names of residents who have received assistance due to medical or other personal reasons
2	This sounds like another way to waste our funds on a whim or favoured issue etc. How about fixing all the potholes and other key council responsibilities with this funding.	Comments noted
3	The policy should also clearly state that any related family member of the Mayor, councillors or council employee should be excluded from utilising the fund.	2. Comments considered and minor edit recommended. Council staff and Councillors are required under Council's recently adopted <i>Northern Beaches Council Code of Conduct – Part 4 – Pecuniary interests</i> to declare any pecuniary interests in relation to performing their roles as employees and elected representatives.
4	Some time ago, a rotten tree collapsed and knocked my grandson into Narrabeen lake, breaking his leg in two place. This "accident" cost his family some hundreds, maybe thousands, in time off work, physio, etc etc. No compensation was offered or received. My grandson effectively lost a year of his active, sporting life. I would like the policy to consider compensation for such avoidable accidents which happen on council	Comments noted however applications for compensation for injuries are dealt with via a separate process by Council. Council works within the framework of its legal obligations and responsibilities under the <i>New South Wales Civil Liability Act 2002</i>

*Personal details and inappropriate language have been redacted where possible. Spelling and grammatical errors have been amended only where misinterpretation or offence may be caused.

	managed property.	
5	<p>1. The period for the allocation to a recipient should be clearly within a financial year, not 'the last 12 months' especially given the budget for this will be allocated within the financial year.</p> <p>2. There should be a clear statement about the amount of total funds available for this discretionary grant fund on an annual basis, not leaving this open ended and subject to speculation and influence as part of budget processes. These are constituents' funds and should be fully transparent.</p> <p>3. The allocation of funds should not be from Councillors nor staff, other than the CEO – this doesn't pass 'the pub test' in terms of openness and transparency.</p> <p>4. The reporting of funds granted should be fully transparent, including full details of recipients. If they are receiving funding they should agree to be acknowledged as receiving same. Hiding this information is unacceptable and again, doesn't pass 'the pub test'.</p> <p>5. It is not at all clear why the parameters have changed to include 'small business'. This is an enormous leap from the original position and should not be supported.</p> <p>6. There should be clear parameters for the kinds of activities or services that can receive funding, even if broader than other funding programs. This should be transparent and not a matter of personal 'discretion' nor have any hit of favours.</p> <p>7. It is generally very vague, lacking accountability and transparency. I don't object in principle to a small annual allocation but it should be very clear how much, what it is for, have very limited and accountable delegation for approval and be restricted to 'community' rather than any business.</p>	<p>1. Comments considered and minor edits to reflect one payment is made within a financial year not in the previous 12 months.</p> <p>2. Comments noted however the allocation for the Discretionary Fund is included every year in the Budget which is considered and adopted by the Elected Council. In addition, a report is provided to the Council every quarter that outlines the amount paid to each recipient and provides details of the balance remaining. Council does not include budget details in Council's policies as they are not reviewed annually each financial year.</p> <p>3. Comments noted. Applications are received either via a Councillor as their elected representative or to the Mayor directly. Approval of the expenditure of funds is the responsibility of the CEO.</p> <p>4. Comments in relation to identifying all recipients in the quarterly reports were considered however for privacy reasons we do not include the names of residents who have received assistance due to medical or other personal reasons. Any recipient who receives funding under Point 5 of the criteria are listed.</p> <p>5. Comments noted. Small businesses were considered in the past when they are providing a service or activity that directly benefits the community. For clarity, they were identified in the revised draft Policy.</p> <p>6. Comments noted. The criteria stipulates what activities or services will be considered for funding under Point 1 and 5 of the Eligibility Criteria. It would not be possible to include a full list of specific activities under this Policy as funding is provided for a broad range of activities so it can be accessible to everyone in the community.</p> <p>7. Comments are noted. All applications are assessed by staff against the criteria and to ensure funds are available before it is submitted to the Mayor, councillors and CEO for consideration and approval. All amounts paid are reported to Council quarterly.</p>

Document administration	
Version	4.00
Date	19 September 2022
Approval	Content provided and approved by the Office of the Mayor. Responsible manager: Nicki Adams
Status	Final
Notes	Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	DRAFT 2021/22 FINANCIAL STATEMENTS
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS
TRIM FILE REF	2022/551175
ATTACHMENTS	1 ⇒ Draft 2021/22 Financial Statements (Included In Attachments Booklet) 2 ⇒ Statement by Councillors and Management - General Purpose Financial Statements (Included In Attachments Booklet)

SUMMARY

PURPOSE

To present to Council the draft Financial Statements of Northern Beaches Council for the year ended 30 June 2022, which require certification and referral to Council's external auditors, the Audit Office of New South Wales.

EXECUTIVE SUMMARY

The draft Financial Statements and Special Schedules for the year ended 30 June 2022 have been prepared in accordance with the Local Government Act 1993 and the associated Regulations, the Australian Accounting Standards, and the Local Government Code of Accounting Practice and Financial Reporting. The unaudited Financial Statements are provided under separate cover as Attachment 1 to this report.

The Council's Net Operating Result for the 2021/22 financial year was a surplus of \$61.6 million (2020/21 - \$0.1 million surplus, 2019/20 - \$18.6 million surplus).

The Net Operating Result excluding grants and contributions received for capital expenditure was a surplus of \$17.7 million (2020/21- \$26.5 million deficit, 2019/20 - \$16.5m deficit) which contributed towards the funding required to deliver the capital works program - \$76.9 million and loan repayments - \$5.0 million. The balance of funding for capital expenditure is derived from capital grants and contributions, proceeds on the sale of assets, funding allocated to asset depreciation and Council's cash reserves and working capital.

The draft Financial Statements for the year ended 30 June 2022 are attached as a separate booklet. Analysis of the Financial Statements has been provided and indicates that Council is in a sound financial position with sufficient working capital to meet the Council's operating requirements.

The preparation, compilation and audit of Council's Financial Statements have been provided for in Council's annual budget. The financial result for the year, which is the subject of this report, is a favourable outcome and Council has met all financial and asset performance benchmarks set by the Office of Local Government.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That:

1. Council resolves in its opinion that the Financial Statements for the year ended 30 June 2022:
 - A. have been properly drawn up in accordance with the provisions of the Local Government Act 1993 and the regulations made thereunder, the Australian Accounting Standards and professional pronouncements and the Local Government Code of Accounting Practice and Financial Reporting;
 - B. to the best of the Council's knowledge and belief, the Financial Statements present fairly the Council's operating result and financial position for the year and accords with the Council's accounting and other records; and
 - C. the Council is unaware of any matter that would render the Financial Statements false or misleading in anyway.
 2. The Mayor, a Councillor, Chief Executive Officer and Chief Financial Officer be authorised to sign the 'Statement by Councillors and Management' for the Financial Statements.
 3. The Financial Statements for the year ended 30 June 2022 be referred to the Council's Auditor for audit.
 4. Council hereby delegates to the Chief Executive Officer authority, upon receipt of the Auditor's Reports, to:
 - A. forward a copy of the Financial Statements and Auditor's Reports to the Office of Local Government;
 - B. arrange for public notice to be given, in the required format on Council's website, of the Council Meeting for presentation of the audited 2021/22 Financial Statements;
 - C. arrange for the Council's audited Financial Statements and Auditor's Reports to be made available for public inspection on Council's website and in printed format at Council's Customer Service Centres and Libraries; and
 - D. list the audited Financial Statements and Auditor's Reports on the Agenda for the next available Council Meeting for presentation to the public, which allows for the 7 days public notice requirement.
-

REPORT

BACKGROUND**Preparation of the Financial Statements**

The Local Government Act 1993 (“the Act”) relating to the preparation of Council’s Annual Financial Statements requires that:

1. Section 413 (2) – A Council's Financial Statements must include:
 - a) a General Purpose Financial Statement
 - b) any other matter prescribed by the Regulations
 - c) a statement in the approved form by the Council as to the opinion on the General Purpose Financial Statements.
2. Section 416 – A Council's Financial Statements for a year must be prepared and audited within 4 months after the end of the year concerned.
3. Section 418 – Upon receiving the Auditor’s Reports, the Act requires Council to give at least 7 days public notice of the meeting at which it proposes to present its Audited Financial Statements, together with the Auditor’s Reports, to the public. The public notice must include a statement that the business of the meeting will include presentation of the Audited Financial Statements, the Auditor’s Reports and a summary of the Financial Statements.
4. Section 420 – Any person may make submissions in respect of the Council’s Audited Financial Statements or the Auditor’s Reports. Such submissions must be in writing and lodged with Council within 7 days after the public meeting at which these Statements are presented. Copies of all submissions received must be referred to the Council’s Auditor. The Council must take such action as it considers appropriate with respect to any submissions received, including giving notice to the Office of Local Government of any matter that appears to require amendment of the Council’s Financial Statements. In order to facilitate the public notice, meeting and submission process, it is considered appropriate that Council delegate to the Chief Executive Officer authority, upon receipt of the Auditor’s Reports by Council, to:
 - a) Arrange for the public notice of this meeting, in the required format, to be placed on Council’s website, advising of the meeting at which the Auditor’s Reports will be presented.
 - b) Arrange for the Council's Audited Financial Statements and a copy of the Auditor’s Reports to be made available for public inspection on Council’s website and at Council’s Customer Service Centres and Libraries.
 - c) List the Audited Financial Statements and Auditor’s Reports on the agenda for the next available Council Meeting for presentation to the public, which allows for the 7-day public notice requirement.
5. Section 428 - The Audited Financial Statements must be included in Council's Annual Report.
6. Clause 215 of the Local Government (General) Regulation 2021 requires that the Statement under Section 413(2)(c) on the Annual Financial Statements must be made by resolution of the Council and signed by the Mayor, at least one other Councillor, Chief Executive Officer and Responsible Accounting Officer.

Annual Financial Statements have now been prepared and a draft is attached for referral to audit.

Council is responsible for the preparation of the Financial Statements and adequate disclosures. This includes the maintenance of adequate accounting records and internal controls, selection and application of accounting policies, and the safeguarding of the assets of Council.

The accounting records have been maintained in accordance with Section 412 of the Act and in a manner that permitted the timely preparation of the Financial Statements for the year ended 30 June 2022. The update to the Local Government Code of Accounting Practice and Financial Reporting was issued in January 2022 and is relevant to the reporting period ending on 30 June 2022.

Financial Position and Performance as at 30 June 2022 (subject to Audit)

The principal features of the Annual Financial Statements for 2021/22 are as follows:

Income Statement for the year ended 30 June 2022

Total income from continuing operations	\$408.1m
Total expenses from continuing operations	\$346.4m
Net operating result for the year	\$61.6m
Net operating result for the year before capital grants and contributions	\$17.7m

Capital Expenditure for the year ended 30 June 2022

New capital works	\$44.2m
Capital renewal works	\$32.7m
Non-cash asset dedications	\$0.0m
Total capital expenditure	\$76.9m

Financial Position as at 30 June 2022

Total assets	\$5,421.0m
Total liabilities	\$184.5m
Net assets	\$5,236.5m

Performance Indicators*

Financial performance indicators

Operating performance	4.53%	✓
Own source operating revenue ratio	82.52%	✓
Unrestricted current ratio	1.90x	✓
Debt service cover ratio	7.25x	✓
Rates and annual charges outstanding percentage	3.63%	✓
Cash expense cover ratio	5.59 months	✓

Infrastructure asset performance indicators

Buildings and infrastructure renewals ratio	112.67%	✓
Infrastructure backlog ratio	1.53%	✓
Asset maintenance ratio	100.55%	✓
Cost to bring assets to agreed service level	1.26%	n/a

✓ indicates performance indicator has achieved the OLG benchmark.

*The Office of Local Government (OLG) sets benchmarks for all indicators, with the exception of the 'Cost to bring assets to agreed service level'.

Material events in the 2021/22 financial year

Analysis of the financial statements has been provided within the attached financial statements (Attachment 1) including:

- A year on year variance analysis within the *Commentary* section
- Material variations of more than 10% between original budget and actual results are explained within *Note B5-1*

Material events in the 2021/22 financial year included:

- **COVID-19 pandemic** - Over the past 3 years the COVID-19 pandemic has impacted revenue streams for services and resulted in additional costs to support the community and businesses. Recovery was stronger than expected towards the end of the 2021/22 financial year, with an overall cost of \$12.0 million (2021: \$17.9 million, 2020: \$11.2 million). The overall net cost of the pandemic is now \$41.1 million including losses due to the impact on services along with small business and community support packages.

COVID-19 Pandemic Financial Impact – March 2020 to June 2022

\$'000	Result 2019/20	Result 2020/21	Result 2021/22	Total March 2020 to June 2022
Closed and impacted services	9,523	10,399	9,349	29,271
Community and small business support	1,651	3,133	2,654	7,437
Rates and waste charge subsidies	-	4,375	-	4,375
Total COVID-19 Financial Impact	11,174	17,906	12,003	41,083

- Employee leave entitlements - Employee costs decreased \$3.5 million in 2021/22 due to the impact of remeasuring the provisions for employee leave entitlements.
- Early payment of 2022/23 operating grants – the 2022/23 Financial Assistance Grant - \$2.2 million and the Emergency Services contribution - \$1.6 million were both paid in 2021/22.
- A confidential insurance settlement paid to Council.

All financial and asset performance benchmarks have been met in the 2021/22 financial year.

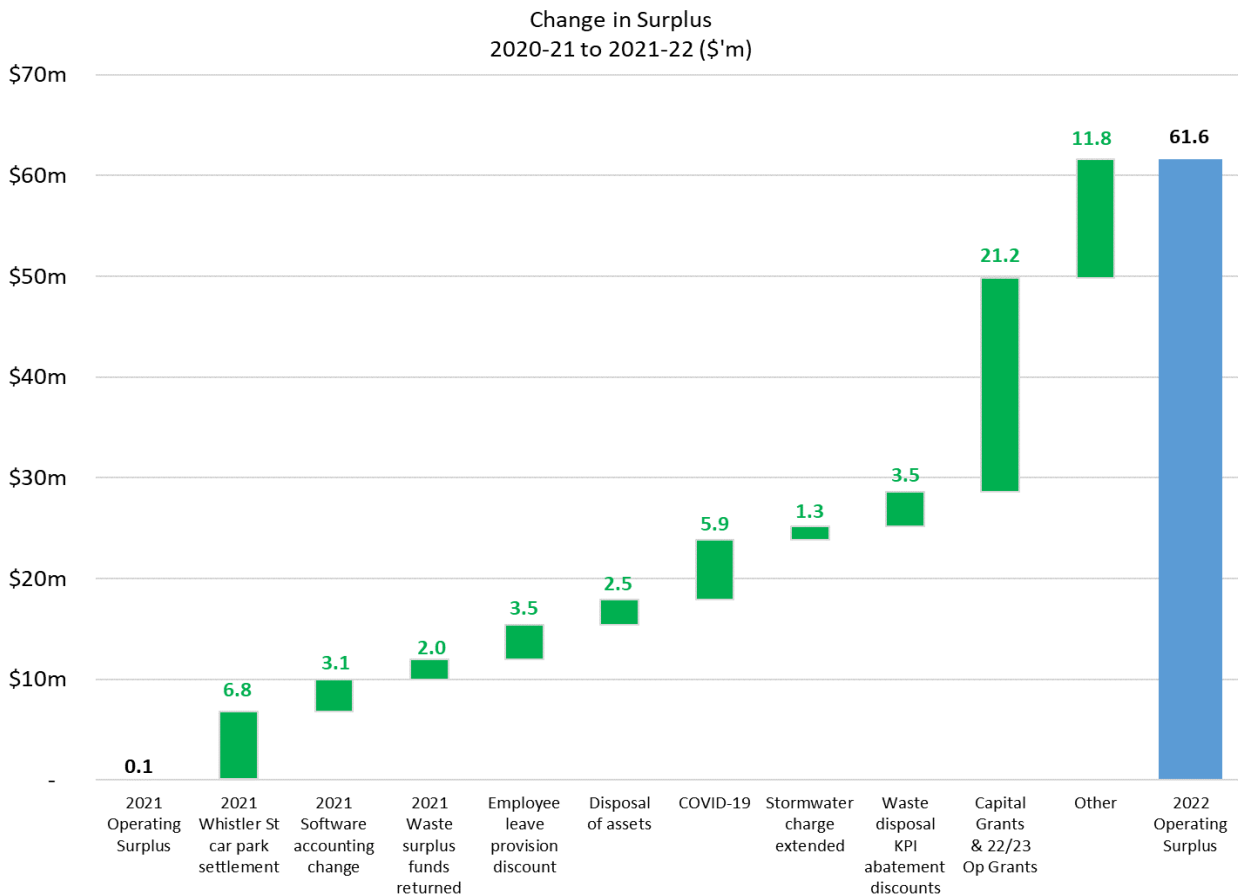
Operating Result from Continuing Operations – 2021/22 compared to 2020/21

The Operating Result from Continuing Operations for the 2021/22 financial year is \$61.6 million surplus (2020/21 \$0.1 million). The primary differences between the two financial years being:

- **2021 Whistler Street Car Park settlement:** Council paid Built Athas \$6.75 million in full and final settlement of all matters in dispute relating to the development of Manly Council's Whistler Street Car Park in the 2020/21 financial year.
- **2021 Software accounting change:** An International Financial Reporting Standards Interpretations Committee (IFRIC) decision changed the way the implementation of 'software as a service' is accounted for, resulting in additional operating expenses of \$3.1 million in the 2020/21 financial year.
- **2021 Waste surplus funds returned:** Income from domestic waste charges increased by \$2.7 million (4.5%) in 2021/22 primarily due to the increase in the charge (from \$446 to \$466). The 2020/21 charge was lower to enable the release of \$2.0 million in surplus funds from the waste reserve.
- **Employee leave provision discount:** The remeasurement of the employee leave entitlements provision resulted in a \$3.5 million reduction in employee costs due to rising Commonwealth bond rates.
- **Disposal of assets:** In 2021/22, the disposal of assets resulted in a net gain of \$1.0 million compared with a loss of \$1.6 million in 2020/21. The loss on the replacement of infrastructure assets was \$1.2 million lower in 2021/22. The gain on the disposal of property was \$1.1 million higher due to the compulsory acquisition of land in Mona Vale by Transport for NSW.
- **COVID-19:** COVID-19 significantly impacted 2020/21 and 2021/22 as a result of closed services and less demand for other services along with community support costs. However, some services have recovered stronger than expected, especially in the last quarter of 2021/22. The cost of the pandemic in 2020/21 (excl interest) was \$17.9 million versus \$12.0 million in 2021/22.
- **Stormwater charge extended:** The stormwater charge was extended across the Northern Beaches following the rates harmonisation process, resulting in a \$1.3 million increase in this income to a total of \$2.2 million. These funds are primarily utilised on capital expenditure on stormwater network improvements.
- **Waste disposal KPI abatement discounts:** Waste disposal expenditure decreased \$3.5 million in 2021/22 primarily due to KPI abatement discounts received.
- **Grants and contributions:** Capital grants and contributions increased by \$17.4 million in 2021/22. This included \$7.3 million in additional developer contributions (primarily for Warriewood Valley) and the utilisation of merger and stimulus funds on large projects including \$4.7 million on Safer Schools Infrastructure and \$5.4 million on Mona Vale and Long Reef Surf Clubs.

Operating grants were \$7.7 million higher in 2021/22. This included the early receipt of the 2022/23 Financial Assistance Grant - \$2.2 million and the Emergency Services contribution - \$1.6 million.

Change in surplus (incl. capital grants and contributions) 2020/21 to 2021/22 (\$'m)



CONSULTATION

Council’s external auditors have conducted audit procedures during the year as an interim to the verification of assets and liabilities at year-end, to assess the reliability of the general ledger to produce Financial Statements and in the preparation of the draft Financial Statements.

Council’s Audit, Risk and Improvement Committee was provided with a draft of the Financial Statements for the year ended 30 June 2022 at a meeting on 13 September 2022 for their assessment and advice. The Committee supported the draft 2021/22 Financial Statements as suitable for consideration by Council for referral to audit subject to minor amendments recommended by the Committee. Recommendations from the Audit, Risk and Improvement Committee were incorporated into the draft Financial Statements contained in the attachment booklet.

TIMING

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

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

The attached Financial Statements fairly present Council's operating result and financial position for the financial year 1 July 2021 to 30 June 2022 and accord with relevant accounting records.

The operating result for the year was a surplus of \$61.6 million (\$17.7 million surplus after excluding grants and contributions received for capital purposes). Council met all financial and asset performance ratios and working capital is sufficient to meet the Council's operating requirements.

COVID-19 costs continued to impact Council as a result of closed services and less demand for other services along with community support costs. The net cost to Council of the COVID-19 pandemic to 30 June 2022 is \$41.1 million, of which \$12.0 million related to the 2021/22 financial year.

However, the impact of the pandemic on the financial result for the year was offset by several favorable items including a confidential insurance settlement, waste disposal KPI abatement discounts, remeasurement of leave entitlements along with a number of grants and contributions.

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

SOCIAL CONSIDERATIONS

There are no significant social considerations relating to this report.

ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental considerations relating to this report.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Financial Statements for the year ended 30 June 2022 were considered by the Audit, Risk and Improvement Committee for presentation to Council. The Financial Statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the Local Government Act (1993) (NSW) and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting.

ITEM 9.2	MONTHLY INVESTMENT REPORT - AUGUST 2022
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2022/550740
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 \$207,972,249 comprising:

- Trading Accounts \$9,882,131
- Investments \$198,090,118

The portfolio achieved a return of 0.174% for the month of August which was 0.024% above the benchmark AusBond Bank Bill Index return of 0.15%. For the past 12 months the portfolio achieved a return of 0.766% which was 0.396% above the benchmark AusBond Bank Bill Index return of 0.37%.

The weighted average interest rate of the portfolio is 2.81% compared to 1.71% for the prior month. For the past 12 months the weighted average interest rate of the portfolio was 0.91% compared to the average Ausbond Bank Bill movement of 0.03% and the average Reserve Bank of Australia Cash Rate of 0.43%.

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 August 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 2022 to date was \$520,210 compared to budgeted income of \$85,800, a positive variance of \$434,410.

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

A revised Investment Policy was adopted by Council at its meeting on 26 July 2022. The Policy is reviewed annually by the Audit, Risk and Improvement Committee with the next review due in December 2022.

Council's Investment Strategy was reviewed by its Investment Advisors in November 2021, 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.

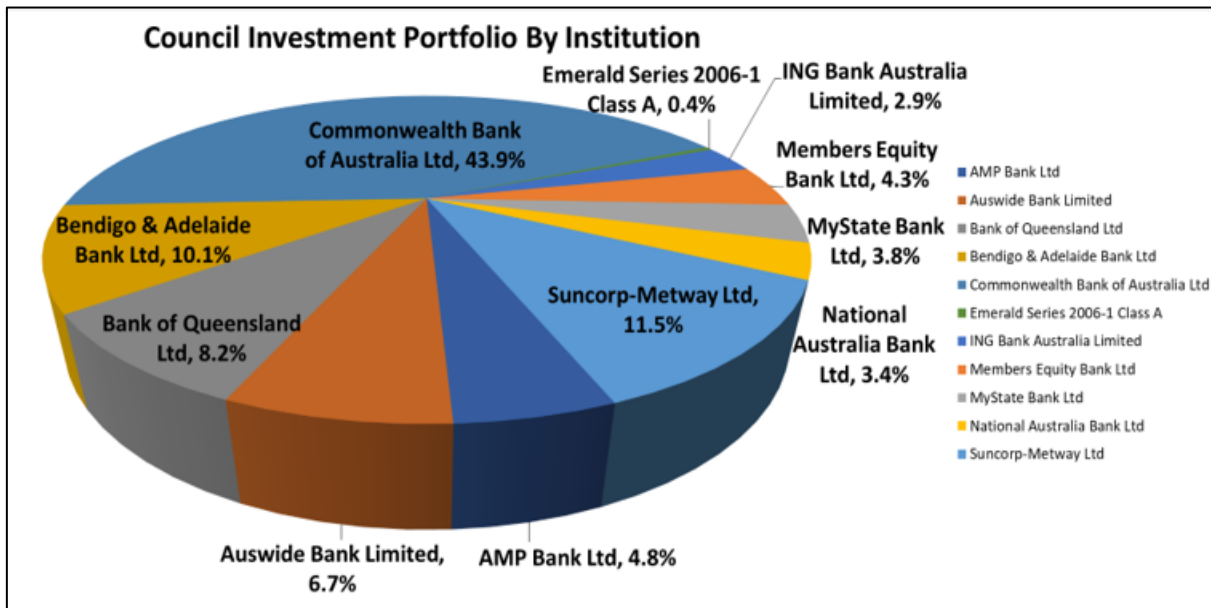
Investment Balances

INVESTMENT BALANCES				
As at 31-Aug-2022				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	9,284,943		1.90%
National Australia Bank Ltd	A1+	10,933		1.85%
		<u>9,295,877</u>		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	1,642,487	At Call	1.95%
		<u>1,642,487</u>		
Mortgage Backed Securities				
Emerald Series 2006-1 Class A	A*	751,227	21-Aug-51	2.8001%
		<u>751,227</u>		
Term Deposits				
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-Metway Ltd	A1	1,000,000	20-Sep-22	0.88%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Sep-22	1.29%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	27-Sep-22	1.29%
Auswide Bank Limited	A2	3,000,000	27-Sep-22	0.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	29-Sep-22	1.29%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	04-Oct-22	1.88%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	06-Oct-22	1.90%
National Australia Bank Ltd	A1+	3,000,000	11-Oct-22	0.63%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	13-Oct-22	2.20%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	18-Oct-22	2.20%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	20-Oct-22	2.25%
Suncorp-Metway Ltd	A1	3,000,000	25-Oct-22	0.93%
AMP Bank Ltd	A2	1,100,000	25-Oct-22	2.80%
AMP Bank Ltd	A2	900,000	25-Oct-22	2.80%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	27-Oct-22	2.30%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	01-Nov-22	2.30%
Suncorp-Metway Ltd	A1	2,000,000	03-Nov-22	2.72%
Members Equity Bank Ltd	A2	3,000,000	08-Nov-22	2.15%
Suncorp-Metway Ltd	A1	2,000,000	10-Nov-22	2.72%
Auswide Bank Limited	A2	2,000,000	15-Nov-22	2.80%
Auswide Bank Limited	A2	2,000,000	17-Nov-22	2.80%
MyState Bank Ltd	A2	2,000,000	22-Nov-22	2.25%
Members Equity Bank Ltd	A2	3,000,000	06-Dec-22	2.35%
Suncorp-Metway Ltd	A1	2,000,000	08-Dec-22	3.00%
National Australia Bank Ltd	A1+	2,000,000	13-Dec-22	3.01%
Auswide Bank Limited	A2	2,000,000	13-Dec-22	2.65%
Suncorp-Metway Ltd	A1	2,000,000	15-Dec-22	2.93%
National Australia Bank Ltd	A1+	2,000,000	20-Dec-22	3.09%
Suncorp-Metway Ltd	A1	3,000,000	20-Dec-22	3.42%
Suncorp-Metway Ltd	A1	2,000,000	21-Dec-22	3.35%
Suncorp-Metway Ltd	A1	3,000,000	03-Jan-23	3.42%
Suncorp-Metway Ltd	A1	2,000,000	05-Jan-23	3.20%
Suncorp-Metway Ltd	A1	2,000,000	10-Jan-23	3.23%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	12-Jan-23	3.25%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	17-Jan-23	3.25%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	19-Jan-23	3.25%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	24-Jan-23	3.25%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	24-Jan-23	3.30%

INVESTMENT BALANCES				
As at 31-Aug-2022				
INSTITUTION	RATING	AMOUNT \$	MATURITY DATE	INTEREST RATE
Term Deposits (continued)				
ING Bank Australia Limited	A1	4,000,000	31-Jan-23	2.36%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	31-Jan-23	3.60%
MyState Bank Ltd	A2	2,000,000	02-Feb-23	3.50%
MyState Bank Ltd	A2	2,000,000	07-Feb-23	3.50%
MyState Bank Ltd	A2	2,000,000	09-Feb-23	3.50%
AMP Bank Ltd	A2	2,500,000	14-Feb-23	1.00%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	15-Feb-23	3.47%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Feb-23	3.52%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	21-Feb-23	3.54%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	23-Feb-23	3.56%
Members Equity Bank Ltd	A2	3,000,000	28-Feb-23	3.60%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	07-Mar-23	3.47%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	09-Mar-23	3.58%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	14-Mar-23	3.61%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Mar-23	3.62%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	21-Mar-23	3.70%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	23-Mar-23	3.70%
AMP Bank Ltd	A2	2,000,000	28-Mar-23	4.00%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	30-Mar-23	3.73%
Commonwealth Bank of Australia Ltd	A1+	4,000,000	04-Apr-23	3.78%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	11-Apr-23	3.80%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	13-Apr-23	3.81%
ING Bank Australia Limited	A1	2,000,000	18-Apr-23	2.30%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	20-Apr-23	2.22%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	26-Apr-23	3.80%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	26-Apr-23	3.86%
Bank of Queensland Ltd	A2	2,000,000	02-May-23	3.76%
Bank of Queensland Ltd	A2	2,000,000	04-May-23	3.76%
Bank of Queensland Ltd	A2	3,000,000	09-May-23	3.76%
Bank of Queensland Ltd	A2	3,000,000	23-May-23	3.85%
AMP Bank Ltd	A2	3,500,000	04-Jul-23	4.10%
Bank of Queensland Ltd	A2	3,000,000	01-Aug-23	4.05%
		167,000,000		
Kimbriki Environmental Enterprises Pty Ltd				
Trading Accounts				
Commonwealth Bank of Australia Ltd	A1+	586,254		1.90%
		586,254		
At Call Accounts				
Commonwealth Bank of Australia Ltd	A1+	803,216	At Call	1.95%
		803,216		
Term Deposits				
Commonwealth Bank of Australia Ltd	A1+	2,000,000	16-Sep-22	1.24%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	28-Sep-22	1.70%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	03-Oct-22	1.91%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	11-Nov-22	2.14%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Dec-22	2.43%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	05-Jan-23	3.00%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	01-Feb-23	3.27%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	01-Mar-23	3.38%
Commonwealth Bank of Australia Ltd	A1+	13,893,187	28-Aug-23	4.12%
		27,893,187		
Total Cash and Investments		207,972,249		

*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 the exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

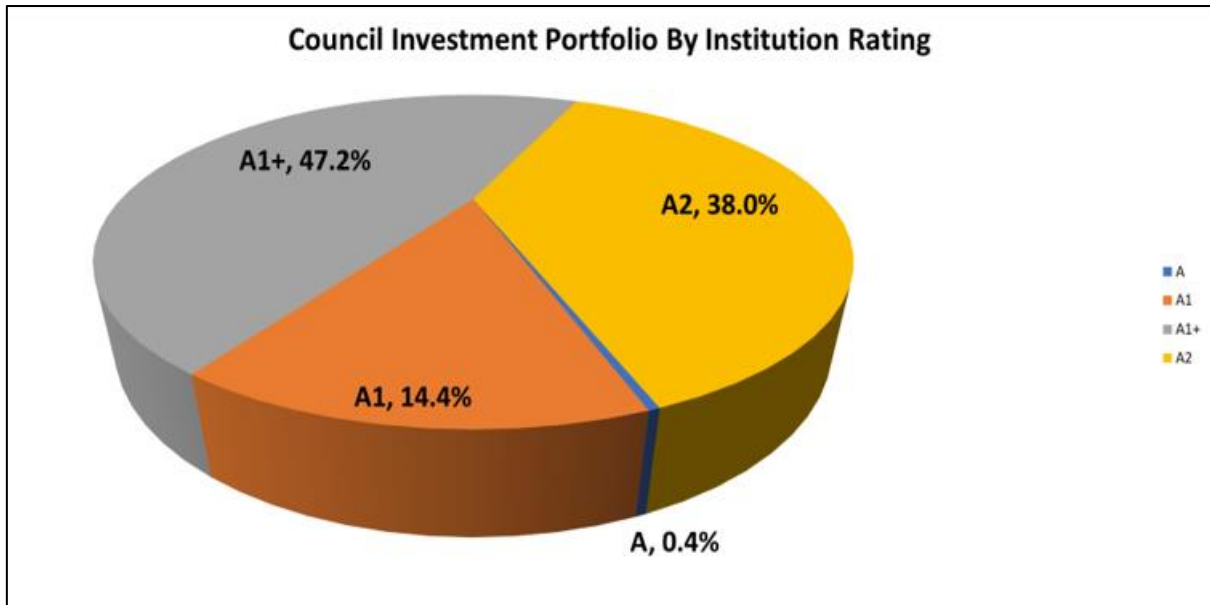
S&P Long Term Rating*	S&P Short Term Rating*	Maximum %	Portfolio Complies with Policy?
AAA (incl. government guaranteed deposits)	A-1+	50%	Yes
AA+			
AA			
AA-	A-1	40%	Yes
A+			
A			
A-	A-2	30%	Yes
BBB+			
BBB			
BBB-	A-3	10%	Yes
Unrated**TCorp Funds	Unrated**	5%	Yes (\$Nil)
Unrated***ADIs	Unrated***	\$250,000	Yes (\$Nil)

* Or Moody's / Fitch equivalents

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

*** Unrated ADIs Category is restricted to those ADIs that are under the Australian government guarantee scheme and limited to maximum \$250,000 per unrated ADI.

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.



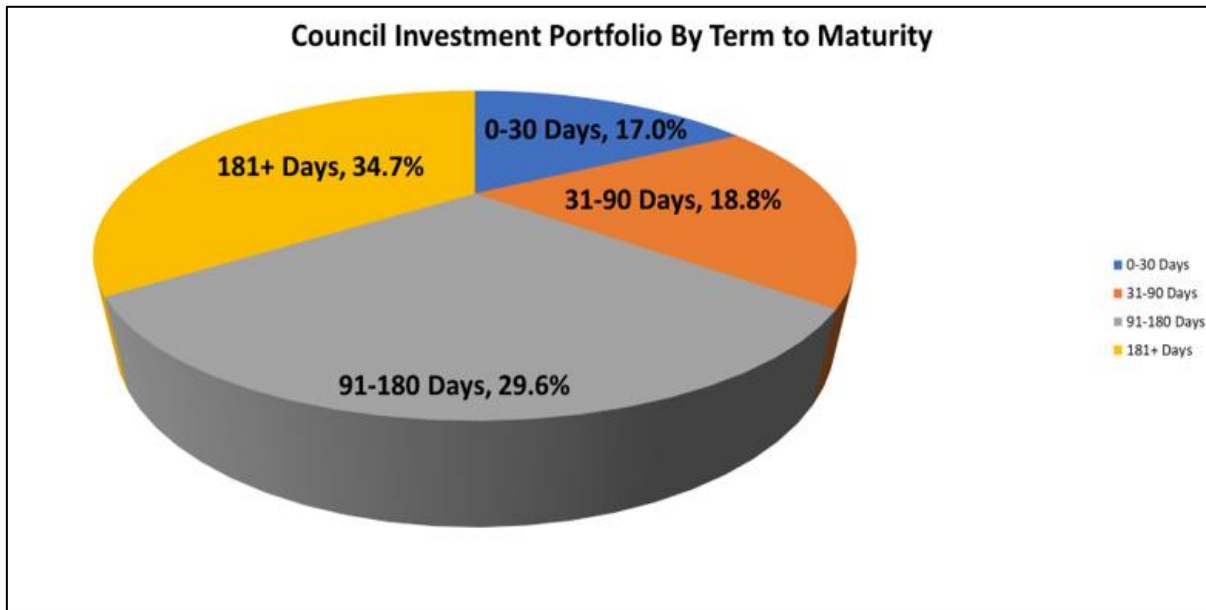
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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**	5%	Yes (\$Nil)

* Or Moody's / Fitch equivalents

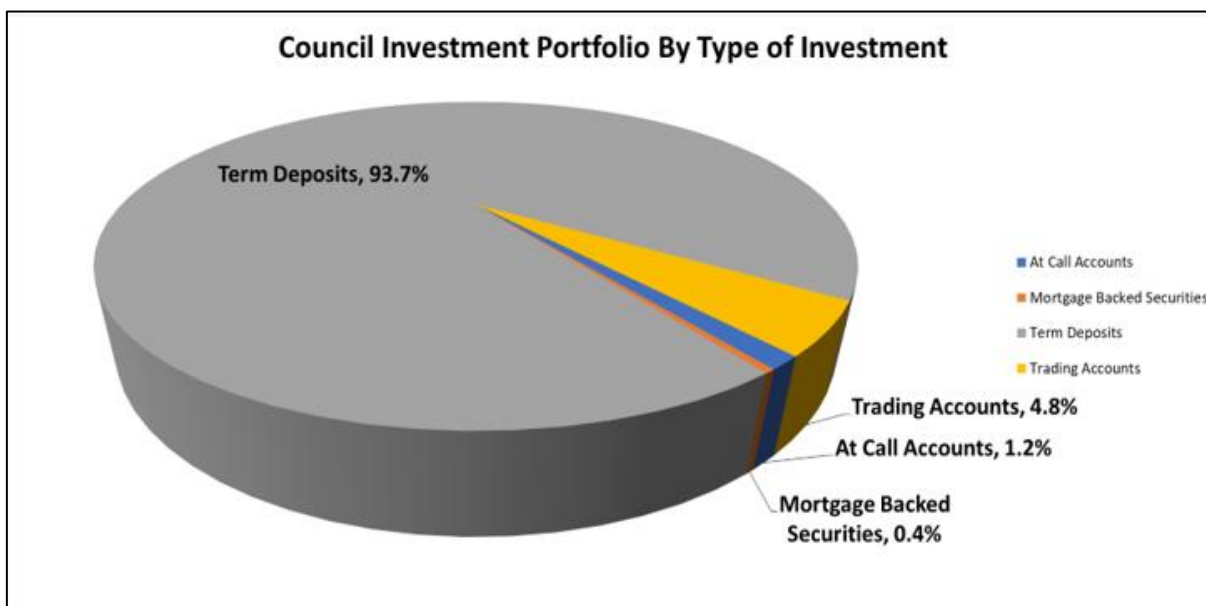
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities and ADIs covered by the government guarantee scheme.



Term to Maturity Framework – Compliance with Investment Policy Requirements

Clause 4.2.4 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

a) Portfolio Return vs Benchmark

	Investment Portfolio Return *	Benchmark: AusBond Bank Bill Index
1 month	0.174%	0.15%
3 Months	0.396%	0.33%
FYTD	0.149%	0.28%
12 Months	0.766%	0.37%

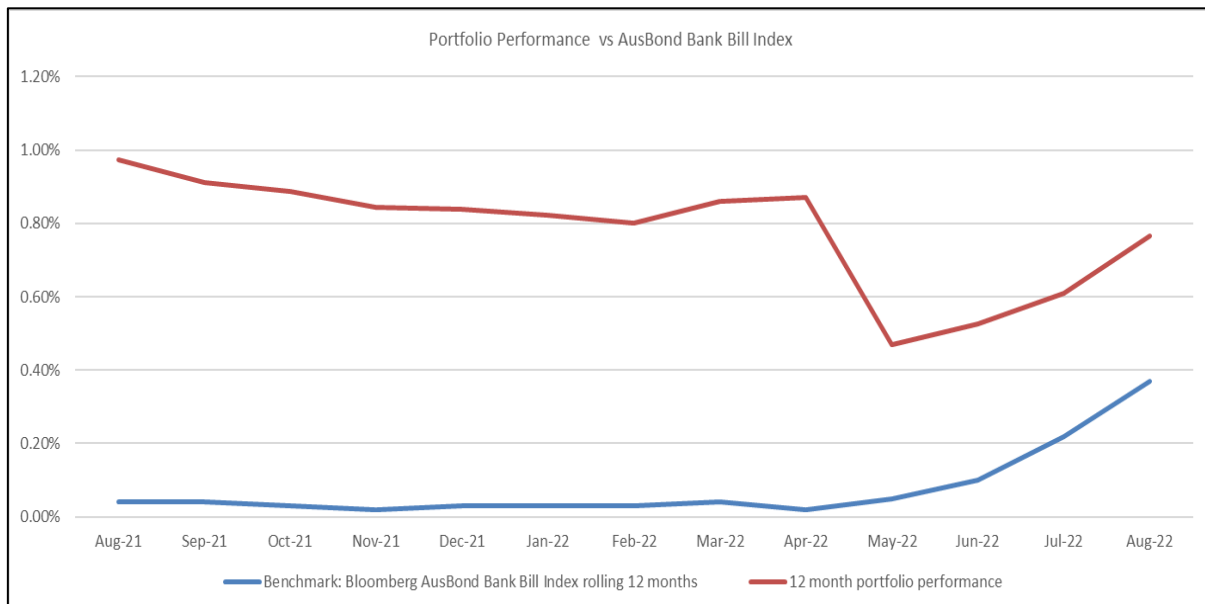
* Excludes trading account balances

Council's Investment Advisors have stated this form of portfolio reporting conforms to global investment performance standards and that these standards say that periods below 12 months should not be annualised

The above table shows a comparison of Council's investment portfolio return to the benchmark. Council's Investment Advisor, Laminar Capital, has created an accumulation index for the portfolio which increases each month by the portfolio internal rate of return to enable meaningful comparison to the benchmark AusBond Bank Bill index, which is an accumulation index.

The Bloomberg AusBond Bank Bill Index is engineered to measure the Australian money market by representing a passively managed short term money market portfolio. This index is comprised of 13 synthetic instruments defined by rates interpolated from the RBA 24-hour cash rate, 1M BBSW, and 3M BBSW.

The portfolio achieved a return of 0.174% for the month of August which was 0.024% above the benchmark AusBond Bank Bill Index return of 0.15%. For the past 12 months the portfolio achieved a return of 0.766% which was 0.396% above the benchmark AusBond Bank Bill Index return of 0.37%.



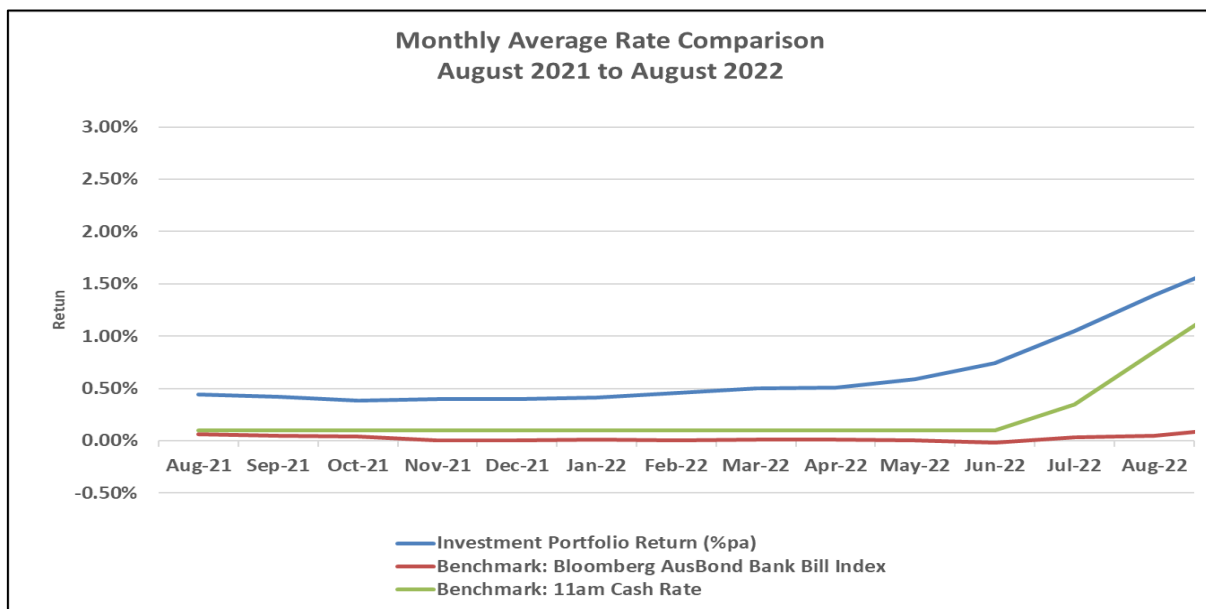
b) Portfolio Interest Rate vs Benchmarks

	Weighted Average Portfolio Interest Rate (%pa) *	Average Benchmark: AusBond Bank Bill Index	Average RBA Cash Rate
1 month	2.81%	0.15%	1.85%
3 Months	1.97%	0.11%	1.35%
6 Months	1.38%	0.06%	0.77%
FYTD	2.26%	0.14%	1.60%
12 Months	0.91%	0.03%	0.43%

* Excludes trading account balances

The above table shows the weighted average interest rate of the portfolio as at month end. This is an average of all the interest rates that each term deposit is earning. It is the current earning rate of the portfolio and this information is useful as it shows how the earning rate is changing each month in line with changes in market interest rates. Each time a term deposit matures during the month it is being reinvested at current interest rates. To facilitate meaningful comparison, the weighted average interest rate of the portfolio is compared to the average AusBond Bank Bill Index and average RBA Cash Rate for the same period.

The weighted average interest rate of the portfolio is 2.81% compared to 1.71% for the prior month. For the past 12 months the weighted average interest rate of the portfolio was 0.91% compared to the average Ausbond Bank Bill movement of 0.03% and the average Reserve bank of Australia Cash Rate of 0.43%.

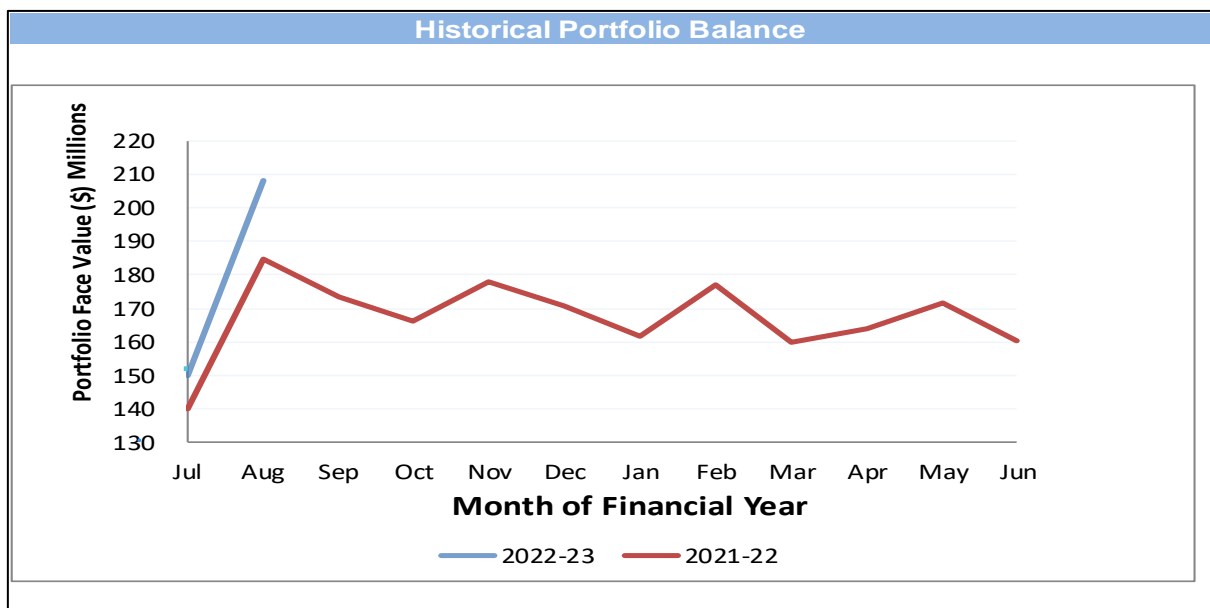


Monthly Investment Income* vs Budget

	August 2022 \$	Year to Date \$
Investment Income	347,338	517,965
Adjustment for Fair Value	2,253	2,245
Total Investment Income	349,591	520,210
Budgeted Income	46,300	85,800

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2022-23	2021-22
Jul	150,084,380	140,264,007
Aug	207,972,249	184,686,438
Sep		173,325,287
Oct		166,006,688
Nov		178,085,861
Dec		170,911,655
Jan		161,545,259
Feb		176,973,362
Mar		160,133,548
Apr		163,852,294
May		171,636,374
Jun		160,160,643
Average Portfolio Balance	179,028,314	167,298,451



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

Restricted cash, cash equivalents and investments

End of Financial Year processes are not yet finalised and as a result the breakdown for Council's restricted and unrestricted funds is not available at the time of issuing this report. The breakdown of restricted and unrestricted funds will again be provided following the completion of the annual financial statements.

ECONOMIC NOTES

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

Global economic growth is losing pace but inflation remains uncomfortably high according to economic reports and data releases through August. Concerns are also emerging that inflation could stay higher for longer adding to the difficult task faced by central banks trying to tame it. The approaching northern hemisphere autumn and winter will add demand for energy while, especially in Europe, supply is constrained forcing up prices. Governments are under pressure to provide cost-of-living support payments and back calls for higher wages which, by underpinning aggregate demand, undermine the inflation-fighting efforts of central banks that work by suppressing demand. Interest rates may need to be higher for longer in response.

In the US, many leading indicators of economic activity are weakening. The most interest rate sensitive part of the economy, housing, is softening. July pending, new, and existing home sales were down respectively 1.0% m-o-m; 12.6%; and 5.9% extending falls in June. July home building permits and starts fell respectively 1.3% and 9.6%. The August National Association of homebuilders' index fell into contraction territory at 49 from 55 in July. The US economy is still exhibiting growth momentum notwithstanding a quirky Q2 GDP growth reading at -0.6% annualized that masked 1.5% growth in consumer spending. The residual strength aggregate demand means that signs that the US annual inflation rate may have peaked in July at 8.7% y-o-y. Moreover, even as the annual inflation rate reduces on base effect, the cycle low point for annual inflation next year is likely to be well above the Federal Reserve's 2% target.

China's economy continues to suffer policy-induced weakness. Residential property development companies remain financially distressed. Zero-tolerance of covid outbreaks continue to cause disruptive shutdowns. Severe drought in several regions is cutting farm production. The authorities are trying to compensate by easing monetary policy and directing local government to spend more on local infrastructure projects, but most indicators point to weak economic growth. July fixed investment spending moderated to 5.7% y-o-y from 6.1% in June; industrial production edged back to 3.8% y-o-y in July from 3.9% in June; and hoped for strengthening of retail sales in July was dashed by slippage to 2.7% y-o-y from 3.1% in June. China's inflation rate remains low at 2.9% y-o-y providing leeway for the Peoples' Bank of China to continue easing monetary policy, but that provides cold comfort when covid-containment restrictions and quarantine rules are imposed arbitrarily. China's soft growth path looks set to continue.

Europe continues to show relatively strong past economic data but is at greatest risk of sliding into recession because of restricted energy supply and high prices related to the Ukraine War. Europe's inflation rate is high and rising. CPI inflation rose to 8.9% y-o-y in June, while in the UK inflation is at 10.1%. Producer price inflation remains exceptionally high above 35% y-o-y and looks set to rise much higher in the northern hemisphere winter because of soaring energy prices. The European Central Bank is warning that while Europe could slide into recession the policy priority is to contain inflation. It has started to tighten monetary policy including a 50bps lift to its deposit rate in late July to 0.0%. A series of rate hikes is likely over coming months. In the UK, The Bank of England, hiked 50bps in early August taking the base rate to 1.75%. Several more rate hikes are likely given the UK faces annual CPI inflation approaching 20% y-o-y over the next few months amid mounting labour disputes seeking pay increases above 10% in some cases.

In Australia, aggregate demand is holding strong for longer notwithstanding clear signs of slowing in housing activity. The approaching Q2 GDP report is likely to show q-o-q growth above 1.0% with annual growth accelerating towards 4% supported by strong growth contributions from household consumption spending and net exports on a ballooning trade surplus through Q2. The labour market remains very strong with the unemployment rate down to 3.4% in July, the lowest reading since August 1974. Also, while the Q2 wage price index showed wage growth at a still modest 2.6% y-o-y a more contemporary indicator of wage growth, the new monthly SEEK advertised salary guide shows wage offers up 4.1% y-o-y. For the time being our view remains that the RBA will hike the cash rate currently at 1.85% to 2.60% by the end of this year.

ITEM 9.3	COUNCILLOR EXPENSES 2021/22
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2022/252767
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To report on the expenditure of councillors for the period 1 July 2021 to 30 June 2022 in accordance with section 15.2 of the Councillor Expenses and Facilities Policy.

REPORT

The Councillor Expenses and Facilities Policy (the Policy) was adopted on 26 April 2022, and outlines the payment of expenses incurred by, and the provision of facilities to the Mayor and Councillors. The provision of facilities and expenses assists the Mayor and Councillors to fulfil their roles and responsibilities under the *Local Government Act 1993 NSW* and provides reasonable recompense for expenses incurred in undertaking civic duties.

Under section 15.2 of the Policy a report detailing the provision of facilities and reimbursed expenses to councillors is to be tabled to Council annually and made available on Council's website. The table below details the total expenditure as reimbursed to each councillor for the period 1 July 2021 to 30 June 2022. The reporting period traverses two council terms, with the changes to councillors from the Local Government election held in December 2021 identified below.

July 21 to June 22 Expenditure	
Councillor - Total amounts	Amount
Cr Amon	5,533
Cr Bingham	7,423
Cr Crvelin #	10,717
Cr Daley *	1,157
Cr De Luca	7,447
Cr Ferguson ^*	-455
Cr Gencher #	5,323
Cr Glanville #	5,029
Cr Grattan	3,626
Cr Harrison *	232
Cr Heins	13,081
Cr Korzy #	3,906
Cr McTaggart *	0
Cr Menano-Pires #	4,022
Cr Philpott *	416

Cr Robins #	6,813
Cr Ryburn #	12,465
Cr Sprott	3,053
Cr Walton	4,435
Cr Warren *	195
Cr White *	25
Mayor Regan	15,957
Total	110,399

* Council term concluded in December 2021

new councillors commenced December 2021

^ refunds for conferences not attended put overall costs into credit

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 financial commitment for councillor expenses and facilities is outlined within the Councillor Expenses and Facilities Policy. Provision for expenses and facilities is included within the existing operational budgets for the 2021/22 financial year.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental impacts relating to this report.

SOCIAL CONSIDERATIONS

The Councillor Expenses and Facilities Policy provides a framework for councillors to claim for expenses incurred and facilities required for councillors to undertake their civic duties across the local government area.

GOVERNANCE AND RISK CONSIDERATIONS

The Councillor Expenses and Facilities Policy is required under sections 252 and 253 of the Act, and clause 403 of the Local Government (General) Regulation 2021. The reporting of expenses reimbursed to councillors is to be tabled at a Council meeting and made available on Council's website under section 15.2 of the Policy. Councillors are provided with a monthly expense report to support tracking their expenses. To the best of Council's knowledge all expenditure identified below has been incurred in accordance with the Councillor Expenses and Facilities Policy. The figures include communication equipment provided at the commencement of the Council term.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council note the councillor expenditure in accordance with the Councillor Expenses and Facilities Policy over the period 1 July 2021 to 30 June 2022.

ITEM 9.4	CHANGE TO OCTOBER 2022 MEETING AND ORDINARY COUNCIL MEETING SCHEDULE - 2023
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2022/540680
ATTACHMENTS	NIL

BRIEF REPORT

PURPOSE

To adopt the Northern Beaches Council ordinary Council meetings schedule for 2023 and change the date of the October 2022 ordinary Council meeting.

REPORT

Section 365 of the *Local Government Act 1993* stipulates that Council is to meet at least 10 times per year, each time in a different month. Part 4.1 of Council's Code of Meeting Practice requires the Council to determine by resolution the frequency, date, time and place of its ordinary meetings.

This report proposes the convention that ordinary Council meetings are held on the fourth Tuesday of the month, commencing at 6:00pm from February 2023 (except for April due to the Public Holiday for ANZAC day, and December due to Christmas).

Date 2023	Day	Time	Location
28 February	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
28 March	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
18 April	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
23 May	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
27 June	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
25 July	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
22 August	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
26 September	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
24 October	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
28 November	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
19 December	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why

October 2022 ordinary Council meeting

The Council meeting is currently scheduled to occur on 25 October 2022. The 2022 LGNSW Conference is being held between 23 October to 25 October in the Hunter Valley with a number of councillors attending.

To ensure councillors have sufficient time to travel back from the conference, as well as to review their business papers prior to the Council meeting, it is proposed to bring forward the October ordinary meeting to **6.00pm on Tuesday 18 October 2022**.

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 Northern Beaches Council meeting schedule is included in the existing budget.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations.

SOCIAL CONSIDERATIONS

Council meetings provide an open and transparent public forum where the decisions of Council are made. Providing the schedule of meeting dates in advance provides the community with certainty and opportunity for engagement.

GOVERNANCE AND RISK CONSIDERATIONS

The 2023 schedule is developed in line with Council's Code of Meeting Practice and section 365 of the *Local Government Act 1993*.

RECOMMENDATION OF DIRECTOR CORPORATE AND LEGAL

That Council:

1. Adopt the 2023 ordinary Council meeting schedule:

Date 2023	Day	Time	Location
28 February	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
28 March	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
18 April	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
23 May	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
27 June	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
25 July	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
22 August	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
26 September	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
24 October	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
28 November	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why
19 December	Tuesday	6:00pm	Council Chambers, Civic Centre, Dee Why

2. Move the October 2022 ordinary Council meeting from 25 October to Tuesday 18 October 2022 at 6.00pm at Council Chambers, Civic Centre, Dee Why.
-

ITEM 9.5	MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 7 JUNE 2022
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE AND RISK
TRIM FILE REF	2022/191511
ATTACHMENTS	1 ⇒ Minutes of the Audit, Risk and Improvement Committee held 7 June 2022 (Included In Attachments Booklet)

BRIEF REPORT

PURPOSE

To report the confirmed minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 7 June 2022 (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. ARIC's oversight 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 7 June 2022.

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	OUTCOME OF THE PUBLIC EXHIBITION OF PROPOSED MONA VALE ALCOHOL FREE ZONE
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2022/452347
ATTACHMENTS	1 ⇒ Map - Proposed Alcohol Free Zone Mona Vale (Included In Attachments Booklet) 2 ⇒ Police Correspondence - Proposed Mona Vale Alcohol Free Zone (Included In Attachments Booklet) 3 ⇒ Community Engagement Report - Proposed Mona Vale Alcohol Free Zone (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report the outcome of the public exhibition of the proposal to establish a new Alcohol Free Zone (AFZ) in Mona Vale, adjacent to the existing Alcohol Free Zone.

EXECUTIVE SUMMARY

This report provides advice on the outcome of the public exhibition of the proposed establishment of a new AFZ adjacent to the existing Mona Vale AFZ, as per a Council resolution on 28 June 2022. A map of the existing and proposed AFZ is provided (Attachment 1). Consultation has occurred with Northern Beaches Police Area Command which confirms that the NSW Police Force does not object to this proposal (Attachment 2).

This proposal requires community consultation prior to establishing this AFZ, in accordance with section 644A of the Local Government Act 1993 and the Ministerial Guidelines on Alcohol Free Zones 2009. A 30-day engagement program was undertaken between 15 July to 14 August 2022 to gain feedback from the community on the AFZ, in accordance with Council Resolution 187/22.

A total of 52 submissions were received as detailed in the Community Engagement Report (Attachment 3), with comments received canvassing a variety of issues both in support of, and against, the proposal. The key themes in the feedback were alcohol related antisocial behaviour, over-regulation and enforcement relating to the AFZ boundary.

Submissions received from the community regarding the proposed AFZ have been considered, along with the advice from Northern Beaches Police Area Command. The implementation of this AFZ will require installation of additional signage in the proposed area, with this expense covered by existing operational budgets.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Note the outcome of the public exhibition of the proposal to establish a new Alcohol Free Zone in Mona Vale, adjacent to the existing Alcohol Free Zone.
2. Establish a new Alcohol Free Zone in Mona Vale (as shown in Attachment 1) from 1 October 2022 to 30 November 2025.

REPORT

BACKGROUND

To support the Police and Council Rangers in the management of alcohol related antisocial behaviour, Council has declared several public roads, footpaths, and car parks throughout the Local Government Area as Alcohol Free Zones (AFZs). As per the Ministerial Guidelines on Alcohol-Free Zones 2009, the principal objective of an AFZ is to prevent disorderly behaviour caused by the consumption of alcohol in public areas and to improve public safety.

The Guidelines also note that a proposal to establish an AFZ must in all cases be supported by evidence that the public's use of those roads, footpaths or public carparks has been compromised by street drinkers. Once an AFZ is established, the drinking of alcohol is prohibited seven days a week, twenty-four hours a day in that zone for a period of up to 4 years. Under the Local Government Act, AFZs are able to be reviewed and re-established following consultation with Police and the community.

This report recommends the establishment of a new Alcohol Free Zone (AFZ) in Mona Vale, adjacent to the existing AFZ. AFZs relate to public roads, footpaths and carparks. The management of alcohol consumption in parks, reserves and other open space is governed through Alcohol Prohibited Areas, which have differing requirements and attributes. This report refers to AFZs only, with Alcohol Prohibited Areas undergoing a separate review that is due to be reported to Council later in the year.

The proposal to establish the Mona Vale AFZ was reported to Council on 28 June 2022, seeking to exhibit an additional AFZ, as per the Council resolution (156/22) and in response to Notice of Motion 22/2022 of 24 May 2022:

That Council review the Mona Vale Alcohol Free Zone (AFZ) – with consideration to extending and re-establishing the boundary of the existing Mona Vale Alcohol Free Zone area to include:

1. *A further 102 metres to the north along Barrenjoey Road - from Darley Street to Seabeach Avenue*
2. *135 metres to the east along Seabeach Avenue to Terrol Crescent.*

On 28 June 2022 it was resolved (187/22) that Council:

4. *Undertake public consultation, in accordance with section 644A of the Local Government Act 1993 and the Ministerial Guidelines on Alcohol Free Zones 2009, in relation to the proposed establishment of an Alcohol-Free Zone in Mona Vale, at the location shown in Attachment 4 to the report.*

This report outlines the submissions received during the public exhibition period. Of the 52 submissions received, 34 support the establishment of an additional AFZ in this area, either as proposed, or with minor changes. 18 submissions did not support the AFZ.

Comments from those who support the AFZ include reference to regular alcohol-related antisocial behaviour which is currently having a significant impact on Seabeach Gardens Retirement Village. Comments indicated that this behaviour is disruptive and impacts the perceived safety of residents and carers of the Village, and also causes concern for persons using the footpath at this location to access a bus stop.

Submissions not in support of the proposal include the perception that AFZs are over-regulation and infringe on the rights of the general community in order to address the behaviour of a small number of people.

CONSULTATION

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

In line with those requirements, Council invited submissions for the establishment of the new AFZ in Mona Vale, through the following avenues:

- Published a public notice in Pittwater Life.
- Forwarded a copy of the proposal to the Northern Beaches Police Area Commander.
- Forwarded correspondence to liquor licensees of premises that border on, or adjoin, or are adjacent to the proposed AFZ.
- Forwarded correspondence to the NSW Aboriginal Education Consultative Group (AECG) and Aboriginal Heritage Office.

In addition to these requirements, Council also:

- Erected signage in the proposed locations inviting submissions from the community.
- Distributed advice via Council's Have Your Say engagement newsletters.
- Notified key stakeholders.
- Undertook geo-targeted Facebook advertising in Mona Vale.

A detailed Community Engagement Report (Attachment 3) outlines the findings of the public consultation process.

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

TIMING

It is proposed that the new AFZ be established for the period 1 October 2022 to 30 November 2025, to align with the expiry date of the existing adjacent AFZ. It is intended that all AFZs across the Northern Beaches will be reviewed concurrently by 31 August 2025 so that all further reviews and establishment will be aligned across the LGA.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and belonging - Goal 8 Our community feels safe and supported.

FINANCIAL CONSIDERATIONS

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

SOCIAL CONSIDERATIONS

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

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

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

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

ENVIRONMENTAL CONSIDERATIONS

The establishment of an AFZ is unlikely to have any discernible environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

Sections 660, 644, 644A, 644B, 644C, 646 of the Local Government Act 1993 and the Ministerial Guidelines on Alcohol Free Zones 2009 have been followed in the establishment of the Alcohol Free Zone detailed in this report.

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

ITEM 10.2	COMMUNITY SAFETY ADVISORY COMMITTEE - CONFIRMED MINUTES OF 2 JUNE 2022 MEETING AND PROPOSED AMENDMENT TO TERMS OF REFERENCE
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2022/473314
ATTACHMENTS	1 ↓Minutes of the Community Safety Advisory Committee dated 2 June 2022 2 ↓Revised Terms of Reference - Community Safety Advisory Committee - September 2022

BRIEF REPORT

PURPOSE

To report the minutes of the Community Safety Advisory Committee meeting held on 2 June 2022 and to seek approval for a minor amendment of the Committee Terms of Reference.

REPORT

The Community Safety Advisory Committee is a committee of Council established to provide guidance to Council on community safety issues impacting the Northern Beaches.

The meeting held on 2 June 2022 was the first meeting of the newly established Committee. Discussion at the meeting included:

- Welcome to members
- Committee Function and Process
- Police Report
- Environmental Compliance Report
- Community Safety Plan, Actions Update

The Minutes of the Community Safety Advisory Committee meeting of 2 June 2022 were confirmed by the Committee at the meeting of 1 September 2022 (Attachment 1).

At Agenda Item 4.5 the Committee proposed that membership be expanded to include a representative of the seniors' sector. This request followed discussion of the Committee's objective to monitor implementation of the Community Safety Plan and inform its future development, where it was noted that seniors are identified as a priority population under the Plan. Accordingly, Council endorsement of an amended Terms of Reference (Attachment 2) is sought to facilitate this proposal.

Once the amended Terms of Reference are endorsed, an appropriate representative from the Northern Sydney Bush to Beach Interagency will be asked to represent the seniors' sector for this purpose.

An additional amendment has been included in the Committee Charter to include reference to Council Executive officers who are invited to attend Committee meetings. The amendments are highlighted in Attachment 2.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and Belonging - Goal 8 Our community feels safe and supported.

FINANCIAL CONSIDERATIONS

The minutes of the Community Safety Advisory Committee pose no financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

The Minutes of the Community Safety Advisory Committee do not present matters that will create adverse environmental impacts.

SOCIAL CONSIDERATIONS

The Committee provides valuable advice relating to social and community-based outcomes. It includes involvement and engagement with a broad range of stakeholders.

GOVERNANCE AND RISK CONSIDERATIONS

The Committee is conducted according to Council's governance framework and adopted Terms of Reference.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council:

1. Note the minutes of the Community Safety Advisory Committee meeting held on 2 June 2022.
 2. Endorse the amended Community Safety Advisory Committee Terms of Reference, at Attachment 2, to include a seniors sector representative in the Committee membership.
-



MINUTES

COMMUNITY SAFETY ADVISORY COMMITTEE

held in the Manly Town Hall on

THURSDAY 2 JUNE 2022

**Minutes of the Community Safety Advisory Committee
held on Thursday 2 June 2022
in the Manly Town Hall
Commencing at 9:30am**

ATTENDANCE:

Committee Members

Cr Candy Bingham	Manly Ward - Deputy Mayor (Chair)
Cr Sue Heins	Curl Curl Ward
Cr Ruth Robins	Narrabeen Ward
Supt Patrick Sharkey	Northern Beaches Police Area Command
Aileen Ogilvie	Northern Beaches Community Drug Action Team
Narelle Hand	Northern Beaches Domestic Violence Interagency
Doug Brooker	Northern Beaches Liquor Accord
Antoin Cullen	Northern Beaches Mental Health Interagency
Sam King	Northern Beaches Youth Interagency
Kevin Kingsbeer	Northern Sydney Housing and Homelessness Interagency
Melissa Palermo	Northern Sydney Local Health District
Lynelle Hales	Northern Sydney Primary Health Network
Ray Mathieson	Community Representative – Manly Ward
Wendy Finianos	Community Representative – Curl Curl Ward
Libby Paulsen	Community Representative – Frenchs Forest Ward

Council Officer Contacts

Kylie Walshe	Executive Manager Community, Arts and Culture
Azmeena Kelly	Executive Manager Environmental Compliance
Will Wrathall	Manager, Youth and Community Development
Kath Young	Community Safety Coordinator
Helen Askew	Program Support Officer, Youth and Community Development

1.0 ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledged the Traditional Custodians, the Gayamaygal and Garigal and their Country on which we gathered. By these words we show our respect to all Aboriginal people. We acknowledge Elders past, present and emerging and the spirits and ancestors of the Clans that lived in this area.

2.0 APOLOGIES

Apologies were received from:

Cr Michael Regan	Frenchs Forest Ward - Mayor (Chair)
Cr Michael Gencher	Pittwater Ward
Mary Brearton	Community Representative – Narrabeen Ward
Sue Johansson	Community Representative – Pittwater Ward
Ray Brownlee	CEO Northern Beaches Council
David Kerr	Director Community and Belonging Northern Beaches Council

3.0 DISCLOSURES OF INTEREST

There were no disclosures of pecuniary or non-pecuniary conflicts of interest.

The Committee was reminded of Council's [Code of Conduct](#), Part 8 in relation to confidential information discussed during the meeting.

4.0 AGENDA ITEMS

4.1 WELCOME AND INTRODUCTIONS

The Chair welcomed members of the 2022 Community Safety Advisory Committee and expressed thanks for their attendance and the diverse sector experience which will contribute to safety on the Northern Beaches.

Members introduced themselves and provided a brief background and areas of interest.

4.2 COMMITTEE FUNCTION AND PROCESS

The Committee function is to provide guidance to Council on community safety issues impacting the Northern Beaches and:

- is advisory
- may not commit Council resources
- does not deal with operational matters
- is not open to the public.

It was noted that if Committee members require an alternative person to represent their organisation at a future meeting, the member must contact the Kath Young, Community Safety Coordinator to confirm the representative's attendance.

A presentation on the Community Safety framework and Committee processes was provided and will be circulated to the Committee with the Draft Minutes.

4.3 POLICE REPORT

Superintendent Patrick Sharkey provided an update on Northern Beaches Police Area Command matters and requested the Committee hold in confidence policing matters discussed during the meeting.

The [NSW Bureau of Crime Statistics and Research \(BOCSAR\)](#) data was discussed and the trends that are stable or decreasing were noted. It was noted that the increase in the 5-year trend for sexual assault largely relates to reporting of historical matters.

Police tasking is based on reported crime hotspot mapping which is reviewed weekly.

Tasking also includes a focus on:

- licencing enforcement and regulation
- public place safety, including antisocial behaviour and enforcement of alcohol free zones.

Superintendent Sharkey granted permission for Narelle Hand to share the legal action rates with the Northern Beaches Domestic Violence Network.

The Committee was encouraged to share with their networks the following safety messaging:

- Be vigilant in relation to online fraud often involving the elderly and/or vulnerable. [Protect yourself](#) against online fraud and don't share personal information online.
- Lock doors and windows of homes, premises or vehicles to reduce the occurrence of [opportunistic theft](#).

Police involvement in emergency operations during the last 6 months has been time intensive and has impacted Police service levels for non-urgent matters. The NSW Police Force continues to be impacted by staff shortages due to COVID19.

The BOSCAR data highlighted in the presentation will be circulated to the Committee with the Draft Minutes.

4.4 ENVIRONMENTAL COMPLIANCE REPORT

The Executive Manager Environmental Compliance provided an overview and presentation of Council's regulatory and enforcement role under the Protection of the Environment Operations, Environmental Planning and Assessment, Local Government and Food Acts.

Council's aim is to:

- act in the public interest, preserve public and environmental safety and urban amenity.
- have a statutory role as a regulatory and enforcement body to achieve positive environmental and public health outcomes.
- have a role in maintaining the integrity of the legislative framework.

The Compliance presentation will be circulated to the Committee with the Draft Minutes.

Discussion

Council's Customer Service receive the majority of customer requests which are reported to the Environmental Compliance team for inspection, action and resolution.

Committee members raised the following environmental safety concerns:

- Increase in the number of leeches
- General litter management
- Discarded vaping pens and e-cigarettes.

4.5 COMMUNITY SAFETY PLAN

The Community Safety Coordinator presented Northern Beaches Council's Community Safety Plan 2021-2026 which provides a five year framework for Council and the community to sustain and increase safety for all residents.

The Plan recognises that the Northern Beaches local government area is overall a very safe place. In addition, opportunities for improvement were identified and highlighted priority populations of young people and seniors.

The presentation will be circulated to the Committee with the Draft Minutes.

Discussion

The coordination of suicide and prevention services was discussed. Will Wrathall, Manager Youth and Community Development advised [suicide prevention](#) is a key safety and wellbeing action with a sector led [Northern Beaches Suicide Response Steering Group](#) working alongside the Northern Sydney Regional Leadership Group and a community led suicide prevention network [NB Cares](#) supported by [Roses in the Ocean](#).

If approached by a resident impacted by suicide, Committee members are encouraged to refer them to [Council's webpage](#) with key contacts for services and supports. Alternatively, any Northern Beaches resident is welcome to reach out to northernbeachescares@gmail.com to connect with the local suicide prevention community network. They can also contact Will Wrathall for more information.

Additionally, [Community Gatekeeper Training](#) is a key strategy to improve and strengthen the community's suicide intervention and mental health first aid skills.

As elderly people are identified as a priority population in the Community Safety Plan, the lack of a sector interagency representative on the Committee was discussed.

The following are examples of work currently being progressed under the Community Safety Plan:

- In conjunction with the Police Area Command, elder abuse webinars have been hosted with further safer online and elder abuse webinars planned
- Community engagement and review of Alcohol Free Zones has been completed and will be reported to Council
- Review of Alcohol Prohibited Areas by Parks and Recreation has begun
- A sexual assault research project has been undertaken and findings are currently being collated
- Launch of [Your Neighbour: It takes a Village](#) and Meet your Street to support mental health
- [Youth Voice - Shaping the Beaches' Future](#) engagement and consultation program currently underway.

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
4.5.1	Investigate a seniors' sector interagency representative or key community member to join the Community Safety Advisory Committee	Kath Young	1 Sept 2022
4.5.2	Provide an update on the Community Safety Plan actions at Community Safety Advisory Committee meetings.	Kath Young	ongoing

4.6 SCHEDULE OF MEETINGS

The Committee confirmed the schedule of meetings for 2022 and 2023 with the time adjusted to 9.30am-11.30am:

Thursday 2 June 2022
 Thursday 1 September 2022
 Thursday 24 November 2022
 Thursday 16 February 2023
 Thursday 18 May 2023
 Thursday 17 August 2023
 Thursday 16 November 2023

Meeting location to be confirmed.

5.0 GENERAL BUSINESS

Committee members raised the following matters for consideration at future meetings:

- Elder Abuse. The Primary Health Network's information program and promotion of this issue with the GP network was noted.
- Health promotion focussing on alcohol, tobacco and vaping.
- Large Council events and consultation with Liquor Accord and local businesses. It was noted that Police Operational meetings discuss events in detail.
- Creation of an extreme weather emergency management plan.
- Domestic Violence and encouraging men to be involved in community response.
- Working towards local solutions to prevent the fear of crime.

To assist Committee interaction, it was agreed member contact information be shared.

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
5.1	Liquor Accord interest in large scale events to be communicated to Events Team.	Kath Young	ASAP

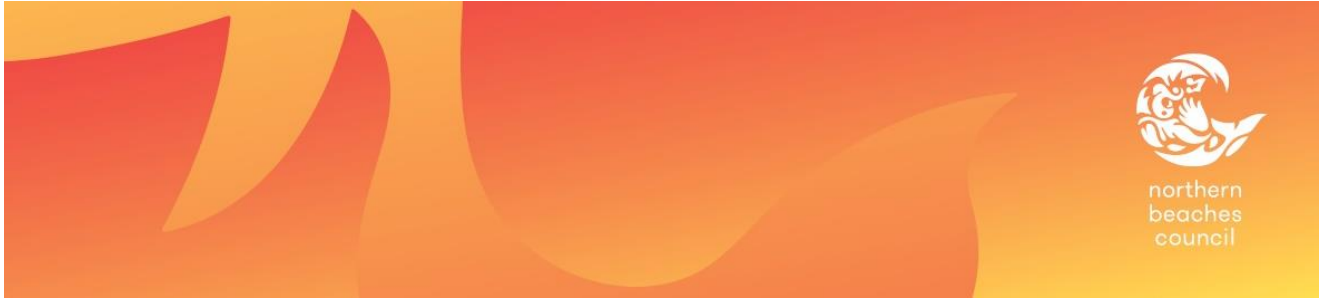
5.2	Committee member contact details to be shared.	Kath Young	ASAP
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SUMMARY OF ACTIONS

ITEM NO.	ACTION	RESPONSIBLE OFFICER	DUE DATE
4.5.1	Investigate a seniors' sector interagency representative or key community member to join the community Safety Advisory Committee	Kath Young	1 Sept 2022
4.5.2	Provide an update on the Community Safety Plan actions at Community Safety Advisory Committee meetings.	Kath Young	Ongoing
5.1	Liquor Accord interest in large scale events to be communicated to Events Team.	Kath Young	ASAP
5.2	Committee member contact details to be shared.	Kath Young	ASAP

The meeting concluded at 11.30am

This is the final page of the minutes comprising 7 pages numbered 1 to 7 of the Community Safety Advisory Committee meeting held on Thursday 2 June 2022 and confirmed on Thursday 1 September 2022



Community Safety Advisory Committee

Terms of Reference

1 NAME

Community Safety Advisory Committee

2 PURPOSE AND OBJECTIVES

The purpose of the Community Safety Advisory Committee (the Committee) is to provide guidance to Council on community safety issues impacting the Northern Beaches.

The Committee will have the following objectives:

- Monitor crime trends.
- Advise Council on emerging crime prevention and community safety issues impacting the Northern Beaches.
- Monitor implementation of the Community Safety Plan.
- Inform the future development of the Community Safety Plan.
- Provide guidance to Council, as required, on issues relating to the development of Council strategies and services aimed at enhancing and improving community safety.

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

3 COMMITTEE CHARTER

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

4 MEMBERSHIP

- a) Membership of the Committee is comprised of up to 20 representatives of a range of stakeholder groups relevant to community safety and the delivery of the Community Safety Plan.
- b) The Mayor and 4 Councillors (up to 1 per Ward) will be appointed.
- c) In addition to Councillors, membership of the Committee is comprised of up to 15 representatives of a range of stakeholder groups relevant to community safety. The membership composition is detailed in the Charter (refer Attachment 1).
- d) All members of this Committee have an obligation to:
 - Attend all meetings scheduled for the Committee.
 - Objectively consider and actively participate in group deliberations.
 - Review relevant documents and provide feedback to the Committee where necessary, including occasional out-of-session consideration of time-bound matters that may fall outside the meeting schedule.
 - Endeavour to convey the views of the broader community, network or peak agency they are representing.
 - Maintain and respect the confidential nature of the meeting and other members.

5 ELIGIBILITY

- a) All Councillors are eligible to nominate for membership on the Committee. Appointments will be determined and endorsed by Council.
- b) Council will invite representation from the stakeholder groups outlined in the Charter.
- c) Representatives of networks /peak agencies must possess such skills, expertise, experience or special affiliation to be able to contribute to the Committee purpose and objectives.
- d) The selection of members will be undertaken in accordance with Council's Policy for Community Committee Framework and Appointment of Community and Stakeholder Representatives.
- e) A person appointed to the Committee shall continue as a member of the Committee for the period outlined in Term of Office.
- f) Should a representative vacancy occur during the terms of appointment, a new representative will be sought from the stakeholder group.
- g) Membership will be reviewed annually and if necessary, adjusted in accordance with the recommendation from the Committee.

6 TERM OF OFFICE

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

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

7 SUPPORT PROVIDED

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

8 TIMETABLE FOR MEETINGS

- a) The Committee is to meet quarterly (four (4) times) throughout the year.
- b) A meeting will be limited to a maximum of two (2) hours duration unless the group resolves to extend the meeting to a particular time or until the completion of business.
- c) The schedule of meeting dates and venues will be provided to the members in advance and an agenda will be provided at least 7 days prior to meeting.

9 ATTENDANCE AT MEETINGS

- a) All members are expected to attend the meetings, or otherwise tender their apologies to either the Chair or lead Council Officer.
- b) If unable to attend, members may delegate their position to another member of their organisation, in consultation with the Chair or Lead Council Officer.
- c) No member should be absent for more than two (2) consecutive meetings without first seeking, and being granted, leave by the Chair. Without being granted such leave in these circumstances, the person's membership will be re-evaluated.
- d) While other Councillors may attend Committee meetings as observers, the meetings will not be open to other members of the public.
- e) On the invitation of the Chair or lead Council Officer, individuals or organisational representatives may be invited to attend a meeting in a one off guest capacity for the purposes of giving presentations or providing specific advice or expertise.

10 MEETING PRACTICES AND PROCEDURES

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

11 CODE OF CONDUCT

- a) All members of the Committee are required to observe Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the Committee.
- b) Members shall act in a professional and responsible manner with the information they obtain.

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

12 COUNCIL VALUES

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

- Trust: because being open brings out our best
- Teamwork: because working together delivers
- Respect: because valuing everyone is how we make a difference
- Integrity: because we are proud of doing what we say
- Service: because we care as custodians for the community
- Leadership: because everyone has a leading role

13 NEXT REVIEW DATE

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

ATTACHMENT 1	
CHARTER: Community Safety Advisory Committee	
Established: March 2022	Function: To provide guidance to Council on community safety issues impacting the Northern Beaches.
Stakeholder Representative Term	
<ul style="list-style-type: none"> • Councillors: Appointment for 2 Years or until election caretaker period. • Stakeholder Representatives: Appointment for 4 years including one year following council election. 	Composition/Membership
Quorum and Voting	
<ul style="list-style-type: none"> • The quorum for each meeting will be one half. • If a quorum is not present within 30 minutes within the commencement time of the meeting, the meeting shall become an informal meeting with no recommendations or decisions made. • The Committee should have the intention of reaching consensus when endorsing items and recommendations. 	<p>The Committee comprises of up to 20 members representing a range of stakeholder groups relevant to the Community Safety Plan.</p> <p>The Chair is the Mayor or his nominated delegate on this group and Deputy Chair as elected by the Mayor.</p> <p>The following Council members will be appointed:</p> <ul style="list-style-type: none"> • Mayor (Chair) and 4 appointed Councillors (up to 1 per Ward) <p>In addition to Councillors, the group is to consist of up to 10 members of the following Northern Beaches organisations:</p> <ul style="list-style-type: none"> • Northern Beaches Police Local Area Commander or a delegate • Domestic Violence Interagency chair • Mental Health Interagency chair • Youth Interagency chair • Northern Beaches Liquor Accord chair • Housing and Homelessness Interagency Chair • Primary Health Network • Local Health District Network representative • Community Drug Action Team (CDAT) Chair • Seniors sector representative. <p>5 Community members interested in representing a broad range of strategic views on community safety across the Northern Beaches (up to 1 member per ward).</p>
Reporting Procedures	
Minutes of meetings to be reported to Council.	
Meetings:	Ex Officio Advisors:
<ul style="list-style-type: none"> • The Committee are to meet quarterly (four (4) times) throughout the year. • The schedule of meeting dates will be distributed at the formation of the Committee. • Agenda items, time and venue will be provided to the members in an agenda at least 7 days prior to the meeting. 	
Ex Officio Advisors:	<ul style="list-style-type: none"> • Lead Council Officer: Community Safety Coordinator, Executive Manager Community, Arts and Culture, Manager Youth and Community Development • Business Unit: Community, Arts and Culture • Additional Council Officers: Executive Manager Environmental Compliance, Manager Rangers • Business Unit: Environmental Compliance • Council Executive: Chief Executive Officer, Director Community and Belonging

Revision History

Revision	Date	Status	TRIM Ref
1	8/5/2018	Terms of Reference (TOR) and Charter	2018/281599
2	23/3/2021	076/21 RESOLVED Notice of Motion 20/2021 – Community Safety Committee Membership	2021/196893
3	22/03/2022	065/22 RESOLVED Revision of Terms of Reference and Charter following election of Council	2022/089392
4	27/09/2022	288/22 RESOLVED Revision of Terms of Reference to include seniors sector representative	2022/526897

ITEM 10.3	RESPONSE TO NOTICE OF MOTION NO 27/2022 - COUNCIL SUPPORT FOR SYDNEY WORLDPRIDE 2023 ACTIVITIES
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS AND CULTURE
TRIM FILE REF	2022/524669
ATTACHMENTS	NIL

SUMMARY

PURPOSE

To present actions that Council could take in support of WorldPride 2023 in response to Notice of Motion 27/2022.

EXECUTIVE SUMMARY

On 23 August 2022, Council resolved to:

- Note that the Sydney WorldPride 2023 festival is taking place between 17 February to 5 March 2023 and provides local cultural and tourism opportunities both on the Northern Beaches and for greater Sydney.*
- Request that staff liaise with relevant stakeholders regarding local Sydney WorldPride themed events and activations, including Fusion Pride, Lifesavers with Pride, and local Chambers of Commerce.*
- Write to the State Government and local public transport operators, suggesting that they explore having the B1 Buses and Manly Ferries dressed up during WorldPride.*
- The CEO report back to Council within one month regarding actions which Council could take to be involved in Sydney WorldPride, for example:*
 - Providing assistance to local businesses and organisations that wish to organise events, activations, and other activities.*
 - Updating the Council website.*
 - Temporary public space activations during Sydney WorldPride, such as rainbow crossings, flags, and use of the "MANLY" sign rainbow livery.*

Through the Social Sustainability Strategy, Better Together 2040, Council is committed to ensuring equity and inclusion. As such, several actions are currently being implemented to support the inclusion of the LGBTQI+ community.

This report identifies actions that Council could take to demonstrate support for WorldPride 2023. This includes the establishment of a WorldPride 2023 Small Grants Program, with the nomination of Councillors to be voting members of the selection panel.

The report also identifies several opportunities that Council could pursue, should funding become available.

RECOMMENDATION OF DIRECTOR COMMUNITY AND BELONGING

That Council receive and note the information contained in this report regarding WorldPride 2023.

REPORT

BACKGROUND

Sydney has been chosen to be the host of WorldPride in 2023, marking the first time a city in the southern hemisphere has been chosen for this event. Sydney WorldPride 2023 is from 17 February to 5 March 2023, with the Mardi Gras parade on 25 February 2023.

2023 is a significant year for several reasons including:

- 45 years of Mardi Gras
- 50 years of AustralianPride
- 5 years of Marriage Equality in Australia.

Current state

Through the adoption of Council's Social Sustainability Strategy - Better Together 2040 and the Community Safety Plan, Council has demonstrated commitment to community inclusion, with the following actions to improve inclusion of the LGBTQI+ community:

- The LGBTQI+ community are identified as a priority group in the 2022 Community Development Grants Program, currently under assessment.
- An action in the Community Safety Plan: *Develop a working group to explore safety issues relating to the LGBTQI+ community, with a focus on younger people.* This action will commence in 2023.

In response to point 2 of the resolution, conversations have commenced with existing leaders in the community to identify partnerships and support for the event. This includes the newly established Fusion Pride Northern Beaches and key members of the local surf lifesaving clubs Rainbow Beaches program. Contact has also been made with the Chambers of Commerce, seeking their views on support and participation in WorldPride 2023.

Members of the local community are supportive of WorldPride 2023, with Fusion Pride Northern Beaches coordinating a Pride Picnic on Saturday 18 February 2023 at Dee Why Beachfront. The Harbord Beach Hotel in Freshwater is also planning a week-long series of activities from Monday 20 to Friday 24 February, including rainbow lights, rainbow cocktails, drag comedy night, queer talk and story time.

In response to point 3 on the resolution, letters have been sent to relevant State Government and local public transport operators, suggesting they explore opportunities to participate, particularly noting the idea of decoration of B-Line buses and Manly Ferries.

In response to Point 4 of the resolution regarding actions that Council could take to be involved in Sydney WorldPride 2023, there are three options for Council's consideration. These range from actions that are able to be delivered within existing budgets and resources through existing programs and events to actions that require additional financial resources.

Options

Option 1 – Minimal or zero budget impact

The following actions can be implemented as business as usual:

- Broad promotion of WorldPride 2023 events through promotion on Council's communication channels including social media, website and e-newsletters, as appropriate
- Activities in the Libraries, including a community exhibition in Creative Library Manly and Rainbow Storytimes.

Option 2 – Use of reallocated financial resources to theme activations

The following actions by Council can be implemented within adopted budgets by reallocating funds. This includes:

- Flags and banners across key locations across the Northern Beaches, estimated cost of \$4,000 for 5 existing locations across the Local Government area
- Support for local businesses and organisations through a small place-based grants program \$20,000 in total
- A temporary art installation in Manly with a budget of \$10,000.

It is noted that there are events scheduled to occur in Manly around the same time as WorldPride 2023 including the Surf Lifesaving NSW State Championships. Previously, banners around Manly have included promotion of this event.

Funding for temporary public art and a small grants program would be allocated from the Place team activation budget. This team has approved budget funding allocated for place-based activities over a 12-month period across the LGA and in the Manly CBD. This budget covers a set program of 10 activations across the LGA (approximately 2 activations per ward) and 8 in the Manly CBD. In order to support WorldPride 2023, 4 activations across the LGA, and 2 in Manly would not be undertaken.

Option 3 – Actions that require additional financial resources

In addition to the actions identified in Option 1 and 2, there are several actions that Council could consider, should additional funds be identified. These actions could include:

- Rainbow pavements across 5 key locations (subject to endorsement by the Local Traffic Committee) estimated cost of \$5000
- Flags and banners on all banner poles in the Local Government Area (LGA). This is in addition to the activation listed in Option 2 and could include all flags and banner poles in the LGA (202 flag poles, \$39,000, 12 banner locations \$10,800 and 18 catenary wires \$2,300). This would have an estimated total cost of \$52,100 for the duration of the WorldPride event
- Large public art installations (temporary and permanent). Budget \$10,000 per installation
- Use of the Play MANLY sign with rainbow colours, estimated cost of \$23,000 (includes security costs)
- The lighting of Manly Town Hall with a light display in rainbow colours or themes, estimated cost of \$100,000 for the duration of the WorldPride event (includes security costs).

To ensure a seamless events program during WorldPride 2023 Council staff across relevant teams would form an internal working group to effectively coordinate any supported actions.

CONSULTATION

Council staff have liaised with community members from Fusion Pride Northern Beaches and surf clubs Rainbow Beaches program and made contact with State and private transport operators and Chambers of Commerce.

Should Council further recommend support of WorldPride 2023, further engagement with government agencies, Chambers of Commerce and community organisations will be undertaken, promoting the small grants program and offering promotion and planning support to the program of activities on the Northern Beaches for WorldPride 2023.

TIMING

Sydney World Pride 2023 is from 17 February to 5 March 2023 with the Mardi Gras parade on 25 February 2023.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Community and belonging - Goal 7 Our diverse community is supported to participate in their chosen cultural life
- Community and belonging - Goal 8 Our community feels safe and supported
- Community and belonging - Goal 9 Our community is inclusive and connected

FINANCIAL CONSIDERATIONS

Funding to support Option 1 as detailed in the report is contained within existing operational budgets across various teams and could be implemented within available resources.

Option 2 activations and a small grants program could utilise existing budgets where other planned activations would be reduced in scope or not pursued as noted in the report.

Activities noted in Option 3 are not presently funded and would require an alternative funding source or re-organisation of existing projects or reduced expenditure in other areas.

SOCIAL CONSIDERATIONS

These actions will have a strong positive impact on our local community, particularly for the LGBTQIA+ community and their family and friends. It is anticipated that some members of the community may find this time challenging, with religious and cultural factors influencing their ability to show support towards WorldPride 2023.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations, noting that the production and installation of flags and banners will be in accordance with environmental policies and produced for capacity to be used for future activations and not just for WorldPride 2023.

GOVERNANCE AND RISK CONSIDERATIONS

To support the establishment of a WorldPride 2023 Small Grants program, Council may consider nominating a minimum of two (2) Councillors as voting members on a grants selection panel. This would then enable to Council to consider delegating authority to the Chief Executive Officer to approve the recommendations of the Small Grants Program Selection panel. Alternatively, the small grants program recommendations would come back to Council for consideration.

Considerations relating to risk include some members of the community who may find this time challenging.

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1	OUTCOME OF PUBLIC EXHIBITION OF NARRABEEN LAGOON ENTRANCE MANAGEMENT STRATEGY
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2022/447869
ATTACHMENTS	1 ⇒ Narrabeen Lagoon Entrance Management Strategy (Included In Attachments Booklet) 2 ⇒ Community and Stakeholder Engagement Report - Stage 2 (Included In Attachments Booklet)

SUMMARY

PURPOSE

To report on the public exhibition of the Narrabeen Lagoon Entrance Management Strategy (the Strategy).

EXECUTIVE SUMMARY

Council has developed the Narrabeen Lagoon Entrance Management 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.

At the Council meeting on 26 April 2022, it was resolved that Council place the draft Strategy on public exhibition, and that the outcome of the public exhibition be reported to Council. The draft Strategy was placed on public exhibition for a period of 44 days, from 6 May 2022 to 19 June 2022. A full breakdown of the consultation approach, the submissions received and the responses to the themes are outlined in the Stage 2 Community Engagement Report (Attachment 2).

53 submissions were received. Review of the submissions indicated general support for the Strategy. A strong level of support was received for investigation of sand pumping alternatives for periodic entrance clearance operations. Feedback also indicated support for trialing of more frequent, smaller scale entrance clearance operations and a preference for the lagoon entrance to be open.

The continuation of the practice of mechanical opening was supported as a necessary intervention for flood mitigation purposes, however some differing views were expressed with respect to the trigger conditions for action and the pilot channel position to initiate breakout of the lagoon.

Suggestions for modification or refinement of specific elements of the Strategy related generally to sand pumping, pilot channel alignment and position, breakout trigger conditions, entrance clearance channel alignment, Birdwood Dune management, lagoon siltation/dredging, Ocean Street Bridge extension and local flooding issues.

The Strategy has been updated based on community feedback. The alignment of the proposed pilot channel (excavation through the beach to open the lagoon) has been revised to consider potential effects on the surf break. Amendments have also been made regarding the recommended re-profiling and revegetation of the currently denuded areas of the Birdwood Park

sand dune. This includes additional consideration of potential improvements of “sightlines” from the North Narrabeen Surf Club to the lagoon entrance, which could potentially assist lifeguards and lifesavers with monitoring swimming areas.

The Strategy is now presented to Council for adoption and implementation.

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council

1. Note the outcomes of the public exhibition of the draft Narrabeen Lagoon Entrance Management Strategy.
 2. Adopt the Narrabeen Lagoon Entrance Management Strategy, August 2022.
-

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.

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.

Narrabeen Lagoon Entrance Management Strategy

Council has developed the Narrabeen Lagoon Entrance Management 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 existing management practices.

Short Term Management

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.

For short term options, 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

Medium Term management involve 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 three to five years. Consideration has also been given to entrance clearances with increased frequency but at lower volumes and management of the Birdwood Park Dune.

For medium term options, 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 two years has a similar economic cost as a clearance of 40,000m³ every four years
- for the more regular clearances, trial focusing the clearance area on a regime tidal channel or on the western shoal.

Long Term Management

Long Term management includes options requiring high upfront costs for permanent infrastructure, to determine whether there is a better way to reduce flood risk in the longer term. Technical feasibility and economic, social and environmental impacts were assessed.

The options considered include a rock training wall, an ebb-tide channel, mobile sand pumping as an alternative to trucking and low flow pipes.

Preliminary investigation of a rock training wall identified a range of significant environmental, recreational, public safety and aesthetic impacts. 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. A training wall would also impact surfing conditions at North Narrabeen. As such the training wall option was not considered in detail.

The ebb-tide channel option was found to not sufficiently clear sand, as modelling indicated that the walls would not generate the desired increase in ebb tide currents to maintain an ebb tide dominated entrance channel thereby keeping the lagoon open.

Mobile sand pumping was found to be more expensive than trucking. However, this option would remove in excess of 6,000 truck movements from the roads as per the Base Case clearance operation and received generally favourable feedback.

The low flow pipes were not considered viable due to the potential environmental impacts associated with lagoon water level lowering and the likely operational challenges associated with pipe access and maintenance.

For the longer term, recommendations include:

- continuation of periodic entrance clearance operations, with the trialing of an increased frequency of every two years with a lower volume of about 15,000m³, and flexibility depending on the state of beach rotation on Collaroy-Narrabeen Beach
- review of mobile sand pumping if lower cost pricing becomes available.

CONSULTATION

Community Consultation was undertaken in two main stages:

- Stage 1 (February – March 2021): Public consultation on the options paper to gather input from the community regarding the different options being investigated. The outcomes from the Stage 1 Community Consultation were reported to Council at its meeting on 26 April 2022.
- Stage 2 (May – June 2022): Public exhibition of the draft Entrance Management Strategy to ensure it is supported by a broad cross-section of the community. The outcomes from the Stage 2 Community Consultation are the subject of this report.

Council also consulted directly with interested and affected community groups such as the North Narrabeen National Surfing Reserve Committee, and incorporated their feedback.

Public Exhibition of draft Strategy

The draft Strategy was placed on public exhibition for a period of 44 days, from 6 May 2022 to 19 June 2022. The engagement was planned, implemented and reported in accordance with Council's Community Engagement Matrix (2017). A full breakdown of the consultation approach, the submissions received and the responses to the themes are outlined in the Stage 2 Community Engagement Report (Attachment 2).

It was appreciated that there was a lot of technical information contained in the draft Strategy and that it would be necessary to provide additional support to the community during the public exhibition to help with their understanding. A variety of ways were offered for people and groups to learn more, meet with the project team, ask questions and share feedback.

The consultation process included:

- updated Your Say project website
- preparation and release of an additional eight minute video outlining the options
- an online flipbook snapshot document
- a letter with a QR code link to the Your Say webpage with delivery to all residents affected by flooding from Narrabeen Lagoon and beachfront residents within 1,000m of the Narrabeen Lagoon entrance (3,638 properties)
- five corflute signs installed at key locations around the lagoon
- media releases via Council's website, e-news and engagement newsletters and focussed social media advertising to raise awareness among users as well as residents
- key messaging to all stakeholder, recreational and community user groups surrounding Narrabeen Lagoon and a briefing meeting with key stakeholder groups
- an online information session, three face to face drop in sessions and telephone consultations by appointment.

The public exhibition was covered by local news outlets including the Northern Beaches Review, Pittwater Online News, Manly Observer, and the Manly Daily online. Each of the local news outlets included a link to the Your Say webpage in their news stories.

A total of 53 submissions were received through the Your Say platform and via email. There were 2,766 visits to the Your Say page from 2,097 visitors. By the end of the consultation period, the original educational video had received a total of 11,046 views and the new explainer video had received 88 views.

Findings

Review of the submissions indicated general support for the Strategy. A strong level of support was received for investigation of sand pumping alternatives for periodic entrance clearance operations. Feedback also indicated support for trialing of more frequent, smaller scale entrance clearance operations and a preference for the lagoon entrance to be open.

The continuation of the practice of mechanical opening was supported as a necessary intervention for flood mitigation purposes, however some differing views were expressed with respect to the trigger conditions for action and the pilot channel position to initiate breakout of the lagoon.

Suggestions for modification or refinement of particular elements of the Strategy were also received and the main themes and responses are summarised below. Amendments incorporated into the final Strategy document include:

- Pilot Channel Alignment and Position – Consideration of the impact on surf quality of scoured sand deposition from an entrance breakout, including anticlockwise rotation of the indicative pilot channel alignment to align further with the southern side of the ocean pool whilst still avoiding the shallow bedrock at the northern end of the beach.
- Birdwood Dune Management – Consideration of “sightlines” from the North Narrabeen Surf Club to the lagoon entrance, which could potentially assist lifeguards and lifesavers with monitoring beach goers swimming in the lagoon entrance. This is a factor to consider during the recommended re-profiling and revegetation of the dune, noting that there would be opportunity to reduce the dune elevation in some areas as part of any re-profiling and sand redistribution works, and to confirm that only low native ground cover and shrub species are planted during revegetation.

Themes and Responses

The matters raised generally related to sand pumping, pilot channel alignment and position, breakout trigger conditions, entrance clearance channel alignment, Birdwood Dune management, lagoon siltation/dredging, Ocean Street Bridge extension, and local flooding issues. These themes and the responses addressing them are covered in greater detail in the Community Engagement Report (Attachment 2).

Sand Pumping

The most common theme that came up during community consultation was general support for further investigation of a mobile sand pumping scheme at the entrance to transport sand to Collaroy-Narrabeen Beach.

It is intended to further investigate this option, initially through issue of an Expression of Interest (EOI) or similar. This process could also allow consideration of not just the potential for a contractor delivered scheme, but also of innovative methodologies and the technical feasibility of alternative power sources (e.g. solar powered electric equipment rather than diesel equipment).

Pilot Channel Alignment and Position

It has been requested that the pilot channel for mechanical opening of the entrance is positioned as close to the ocean pool and as wide as possible to prevent the nature of the deposition of scoured sand in the surf zone from degrading surf quality.

The consideration of the impact on surf quality of scoured sand deposition from an entrance breakout is a valid concern and has been included in the final Strategy document. It is considered that the indicative pilot channel alignment presented in the draft Strategy could be slightly rotated anticlockwise to align further with the southern side of the ocean pool, however it should still avoid the shallow bedrock at the northern end of the beach that would limit the depth of channel scour. This would direct discharge of scoured sand to the northernmost area of any prevailing sand banks to reduce disruption to surf breaks.

Breakout Trigger Conditions

Some submissions proposed mechanically opening the lagoon at a lower trigger level than the current practice and at an early stage several days in advance of forecast rainfall events.

Numerical modelling of the various trigger water level scenarios indicates that mechanical opening at an initial water level of at least 1.3m AHD is the most effective and rapid method to reduce lagoon water levels for flood mitigation purposes. Whilst mechanical opening at lower initial water levels of 1.0m AHD and 0.8m AHD may be possible, this results in a much slower build-up of

breakout channel discharge which in turn results in a narrower and shallower scour channel and a reduced rate at which the water level in the lagoon falls. In addition, the narrower and shallower scour channel is more susceptible to infilling during this period by sand mobilised by wave action.

Mechanically opening the lagoon at or below 1.0m AHD may be possible, but should only be considered in extenuating circumstances, e.g. imminent, large rainfall event or a devastating pollution/environmental incident event, and in conjunction with favourable ocean conditions.

Entrance Clearance Channel Alignment

Suggestions were made for improving alignment of the entrance clearance channel, including the removal of sand left along the northern seawall and removal of the 's-bend' alignment of the entrance channel by cutting a straight channel through the middle of Birdwood Park dune.

The excavation footprint is determined for each periodic entrance clearance operation based on a seabed level survey and a marine ecology survey, so that seagrass and macroalgae (e.g. seaweed) along the toe of the northern seawall can be avoided.

A straight channel cut through the middle of Birdwood Park dune could not be sustained without permanent engineering works (e.g. rock training walls) since there is a natural tendency for the lagoon entrance channel to migrate northwards and become positioned at the northern end of the beach, due to the net northerly sand transport along the beach.

Birdwood Dune Management

Several submissions were received regarding management of Birdwood dune, including suggestions to remove the dune completely, lowering of the dune to improve sightlines, and planting with groundcover species only.

The Birdwood Park dune has several important functions including stabilising the position of the lagoon entrance channel, providing protection from wave washover sand deposits into the lagoon, protecting the Ocean Street Bridge and the adjacent foreshore, and limiting wind-blown sand transport into the lagoon.

During the recommended re-profiling and revegetating of the currently denuded area of the dune, sightlines from the surf club to the entrance channel has been added to the list of factors to be considered. A study undertaken by Water Research Laboratory (2012) determined that, in consideration of any dune lowering, a minimum dune elevation of 7m AHD would be required to maintain dune stability under current and future coastal erosion and overtopping hazards. The use of shrubs for secondary planting has been amended to include only low-level shrub species.

Lagoon Siltation/Dredging

Submissions were received which requested investigation of dredging of the main waterbody of Narrabeen Lagoon. The submissions outlined a range of potential benefits, including recreational amenity, water quality and flood risk.

Dredging of the main waterbody of Narrabeen Lagoon for recreational purposes has previously been investigated by the former Warringah Council. There are unlikely to be any noticeable flood benefits of such dredging, so further investigation is not relevant to this Strategy.

Ocean Street Bridge Extension

Some submissions suggested that the extension of Ocean Street Bridge could be a flood mitigation measure. The option to extend the Ocean Street Bridge was assessed as part of the Narrabeen Lagoon Floodplain Risk Management Study (Cardno, 2019), but it ranked poorly. However, at some stage in the future when the bridge needs to be upgraded or replaced anyway, this option could be further investigated.

Local Flooding

Several submissions raised local flooding issues in lagoon floodplain areas, including Collins Street/ Parukala Place/ Darius Avenue, Mactier Street and Narrabeen Street.

Whilst the resolution of local flooding matters is outside the scope of the Strategy, these matters were considered within the Narrabeen Lagoon Floodplain Risk Management Study and Plan.

Implementation of the Strategy

The Strategy has developed a prioritised set of actions for implementation, (refer to 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.

Table1: Entrance Management Strategy implementation actions

Option Description	Action	Priority
Short Term Options		
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 but also considers minimising disruption to surf breaks. Review and update Council's OMS procedures and REF for lagoon openings.	High
	Enhance collection of data, including using 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
	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 Options		
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

Option Description	Action	Priority
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 denuded part of 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 with low native groundcover and shrub species, 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

TIMING

The Strategy will be implemented in a priority order based on the Implementation Table above. Options which relate to mechanical opening and entrance clearance works will be implemented and incorporated into the works as soon as practicable. The next entrance clearance is anticipated to commence in mid-2023 or mid-2024, subject to sand migration in the entrance.

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 for their intrinsic value
- Protection of the environment - Goal 2 Our environment is 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 implementation of any future medium/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 consideration of social impact. The public exhibition of the draft Strategy offered opportunities for stakeholders to engage with Council to 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 must be considered in managing the entrance to Narrabeen Lagoon. The potential impacts to these have been considered at a high level in the Strategy, and before any actions are implemented all necessary assessments and approvals will be undertaken and should there be any issues a report will be brought back to Council.

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 Strategy is also considered to align well to relevant outcomes and recommendations of the recent NSW Flood Inquiry.

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	MINUTES OF THE NORTHERN BEACHES BUSH FIRE MANAGEMENT COMMITTEE HELD 1 MARCH 2022
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT AND CLIMATE CHANGE
TRIM FILE REF	2022/535022
ATTACHMENTS	1 Minutes of the Bush Fire Management Committee Meeting held 1 March 2022

BRIEF REPORT

PURPOSE

To report the Minutes of the Northern Beaches Bush Fire Management Committee (BFMC) meeting held on 1 March 2022.

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 1 March 2022, the Minutes of which were adopted at the BFMC meeting held on 7 June 2022. A copy of the Minutes are attached to this report (Attachment 1).

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

- Election of BFMC Chair and Alternate
- Acceptance of Minutes and Correspondence In/Out
- Bush Fire Management Committee Handbook 2020
- 2021-22 and 2022-23 Hazard Reduction Programs
- 2021-22 and 2022-23 Manual (APZ) Hazard Reductions
- Bush Fire Risk Management Plan (BFRMP)
- Northern Beaches BFMC – Ignition Prevention Plan
- Fire Trails / Fire Access and Fire Trail (FAFT) Plan
- Update on the Section 52 Operations Plan
- Emergency Operations Centre (EOC) & Fire Control Centre (FCC) Upgrades
- DPI Mitigation Funding
- 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 Hazard Reduction 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 ACTING DIRECTOR ENVIRONMENT AND SUSTAINABILITY

That Council note the Minutes of the Northern Beaches Bush Fire Management Committee Meeting held on 1 March 2022.

Minutes
Northern Beaches
BUSH FIRE MANAGEMENT COMMITTEE MINUTES

Meeting: 001/2022

Convened by: Executive Officer – Superintendent Guy Baddock (RFS)

Location: Online – Teams Meeting

Date and time: Tuesday, 1 March 2022 1000hrs

Minutes by: George Sheppard - RFS

Table 1: Attendance Record

Members (alternate)	Organisation	Present	Apology	Absent
Chris Munro	Northern Beaches Council	X		
Nick Skelton	Nature Conservation Council	On line		
Guy Baddock	NSW RFS – Executive Officer	X		
Dave Richards	NSW Police	On line		
Patrick Sharkey	NSW Police	X		
Peter Jensen	Sydney Harbour Federation Trust	On line		
Scott Crosweller	NSW Rural Fire Service	X		
Warren Cree	NSW Rural Fire Service		X	
Kel McNamara	Fire & Rescue NSW		X	
Guy Lightfoot	Fire & Rescue NSW	X		
Jonathan Mallin	Ausgrid			
Archie Broadley	Crown Lands	On line		
Luke Freeman	Sydney Water			
Cr Dave Walton	Northern Beaches Council		X	
Cr Sue Heins	Northern Beaches Council	X		
Chad Weston	National Parks & Wildlife		X	

Observers / Support	Organisation	Present	Apology	Absent
Gary Hansen	NSW Rural Fire Service		X	
Adam Perry	Fire & Rescue NSW	X		
Guy Munro	Ausgrid	On line		
Bryan Germain	NSW Rural Fire Service		X	
Ben Albers	NSW Rural Fire Service	X		
Matt Horwood	Northern Beaches Council	X		
Ben Fallowfield	Northern Beaches Council	On line		
Chris Buckley	Northern Beaches Council		X	
Yianni Mentis	Northern Beaches Council	X		
Steve Chapple	National Parks & Wildlife	X		
Rod Clarke	National Parks & Wildlife	X		
Yianni Mentis	Northern Beaches Council	X		
Leigh Nolan	National Parks & Wildlife	On line		
Luke McSweeney	National Parks & Wildlife	On line		
Scott Molenaar	NSW Rural Fire Service	X		
Mick Morris	Water Police		X	
Natasha Funke	National Parks & Wildlife	X		
Todd Dickinson	Northern Beaches Council		X	
George Sheppard	NSW Rural Fire Service	X		
Judy Lambert	Nature Conservation Council	X		
Kristina Rydzeski		On Line		
Jeremy Smith		On Line		
Antony Parrello	Planning NSW	On Line		

Table 2: Documents Referred to in the Meeting

Document title	Author	Date
Agenda for the 1 March 2022 BFMC	G Sheppard	1-3-22
Minutes of the 7 December 2022 BFMC	G Sheppard	1-3-22
Neighbourhood Safer Places 2021 Annual Insp.	NSW RFS	13 Jan 2022
Bush Fire Management Committee Handbook 2020	BFCC	2020
Northern Beaches BFMC – Ignition Prevention Plan	NSW RFS	December 2021
NBC – Bush Fire Activities BFMC Report	NBC	28-2-22
NSW DPE – OSL Progress Report	NSW DPE	28-2-22
Ausgrid – Progress Report	Ausgrid	28-2-22
Update Northern Beaches HR Report 1 March 2022	G Sheppard	1-3-22
Email NBC – Yianni Mentis BFMC Councilor Representatives and Chair	Yianni Mentis	1-3-22

Minutes

Item 1	Welcome/Acknowledgement to Country	Executive Officer
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Guy Baddock

Item 2	Apologies	Executive Officer
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As outlined above

Item 3	Election of BFMC Chair and Alternate	Executive Officer
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Nominations: - Clr Sue Heins for Chair
- Clr Dave Walton for alternate

Unanimously supported

Following the meeting, NBC Yianni Mentis informed me that that Northern Beaches Council resolved that *'Clr Heins and Clr Walton would be councils reps at the BFMC, and that Councillor Walton would be Chair on behalf of Council'*

Outcome to be ratified at the June BFMC that:

- Clr Dave Walton for Chair
- Clr Sue Heins for alternate

Item 4	Acceptance of Minutes	Chair
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- Minutes of BFMC Meeting – 7 December 2021
 - Minor amendments from NB Council
 - Attendance list updated

Moved: Chris Munro (NBC) Seconded: Scott Crowweller (RFS) Carried

Item 5	Matters Arising	Chair
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As listed in the agenda items

Item 6	Correspondence In	Chair
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- 13-1-22 – Neighbourhood Safer Places 2021 Annual Inspection
- 22-2-22 - Northern Beaches BFMC – Ignition Prevention Plan
- 25-2-22 – DPI request for assistance with funding
- 28-2-22 – DPI mitigation report

No questions

Item 7	Correspondence Out	Chair
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- 22-2-22 – Agenda for the 1 March 2022 BFMC
- 22-2-22 – Draft Minutes of the 7 December 2022 BFMC
- 22-2-22 – Neighbourhood Safer Places 2021 Annual Inspection
- 22-2-22 - Bush Fire Management Committee Handbook 2020
- 22-2-22 - Northern Beaches BFMC – Ignition Prevention Plan
- 3/11 – Invitation – BFRMP Workshop #3
- 4/11 – BFRMP Workshop #3 – GIS Files
- 9/11 – Northern Beaches S52 Operations Plan for endorsement

No questions

Item 8	Bush Fire Management Committee Handbook – 2020	Executive Officer
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Executive Officer discussed the 2020 BFMC handbook and the need for all BFMC members to read it.

Item 9	2021-22 Hazard Reduction Program	Each Agency
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- Update provided by George Sheppard NSW RFS (document attached)
- Future burning – Conditions remain very wet at this stage but hopefully we can burn during the late autumn season

NPWS – Going well with priority HRs including the Casuarina, Slade and Salvation HRs.

NBC – Two completed by FRNSW recently and 24 prepared with high risk and above.

FRNSW – Completed 2 HRs recently and working closely with Council, awaiting suitable weather.

RFS – Continuing to prepare higher priority HRs and awaiting suitable fuel conditions.

DPE – Working with RFS on all HRs.

Crown Land – Given permission for NP & RFS to undertake planning & burning including Bungendore and Salvation HRs.

Nick Skelton – Had complaint about the Manly Dam HR last year, general discussion. NBC, Matt Horwood, to look into the complaint.

Blue Fish Point may need a HR but has a lot of weeds. NP to look into this given the amount of recent fires in the area.

Discussion regarding funding (agenda item 18) – Concerns from DPE that last years funding (APZ) has not been approved and now required by BFMC, general discussion. RFS (B Albers) confirmed that:

- All funding bids must be entered into the 'funding portal'
- A copy of the proposal then must be sent to the BFMC Executive Officer for approval at the next BFMC meeting. This can be done by email
- Executive Officer will then approve the funding in the 'funding portal'

Discussion was held indicating that there is no second round for the 2021-22 financial year. It is suggested that all bids be in by early May 2022 for approval at the June BFMC meeting.

Item 10 2022-23 Hazard Reduction Program Each Agency

- BFMC HR sub-committee to meet and work to formulate a draft 2022-23 HR plan for discussion and approval at the June 2022 BFMC meeting
- BFMC HR sub-committee to look at the draft bush fire risk management plan (BFRMP) works plan for 2022-23

Item 11 2021/22 Manual (APZ) Hazard Reductions

- Summary reports by land managers
- Funding claims to be lodged ASAP when works are completed or milestones met to avoid the rush at the end of the financial year

Item 12 2022/23 Manual (APZ) Hazard Reductions

- Proposals to be entered into Guardian
- Funding to be entered into the 'funding portal' and a copy forwards to the BFMC Executive Officer
- Suggested the above be completed by the 1 May 2022

Item 13 Bush Fire Risk Management Plan (BFRMP)

- Awaiting BFCC approval for plan approved by the BFMC to go to public exhibition
- Updated Fire/HR history amendments added to the BFRMP
- RFS have reviewed 5-year HR burning plan and found some gaps. These have not been added to the plan for public exhibition. BFRMP sub-committee to meet before and during the public exhibition period to agree on feedback for the BFMC to approve
- No IMZ fact sheet at this stage and IMZs are not included in the current BFRMP maps
- RFS to generate the draft BFRMP work schedules for 2022-23

Item 14 Northern Beaches BFMC – Ignition Prevention Plan

- Ignition Prevention Plan (IPP) distributed with the agenda
- Comments back to the Executive Officer by 31 March
- A meeting to be held to formulate a draft IPP to be tabled at the June 2022 BFMC

Item 15 Fire Trails / FAFT Plan

- FAFT plan currently with the BFCC for approval
- Agencies to use the draft FAFT plan for funding focusing on high priority trails
- NP discussed it is often more efficient to complete fire trails in a smaller area rather than move around the District based on priority
- Suggested that funding proposals be in the 'funding portal' by 1 May 2022
- An environmental process using a HRC or REF should be undertaken by land managers
- Currently 'Soil Con' have a back log of jobs and are focusing on FAFT plan priorities

Item 16 Update on the Section 52 Operations Plan

- Send to the Executive Officer any update of contact details for the S52 Operations Plan

Item 17 EOC and FCC

NBC – No update on the status of the Northern Beaches Emergency Operations Centre (EOC) and Fire Control Centre (FCC). Some upgrades to the EOC and kitchen area.

RFS – The EOC-FCC is too small for large and protracted operations. RFS awaiting feedback from the RFS Deputy Commissioner.

Item 18 DPI Mitigation Funding

As detailed in item 9. In summary the process is:

- i) All funding bids must be entered into the 'funding portal'
- ii) A copy of the proposal then must be sent to the BFMC Executive Officer for approval at the next BFMC meeting. This can be done by email
- iii) Executive Officer will then approve the funding in the 'funding portal'

Item 19 General Business

- i) Sydney Water – Discussion on Blue Fish Point HR, may be weed management only. NP to look into this
- ii) Crown Lands – 'BPED tool'; this is a tool to assist with assessments of APZs and treatments works. Discussion as BPED is not being used at this stage and may have some issues. Awaiting more information from RFS

Meeting Closed 11:53hrs

Next Meeting: 7 June 2022 commencing at 1000hrs

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	PROPOSED EASEMENT TO DRAIN WATER OVER PARKES ROAD RESERVE, COLLAROY TO BENEFIT 136 ANZAC AVENUE, COLLAROY PLATEAU
REPORTING MANAGER	EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2022/046258
ATTACHMENTS	1 ⇒ Draft Easement Plan - Parkes Road Reserve - Lot 7051 DP1051205 (Included In Attachments Booklet) 2 ⇒ Community Engagement Report (Included In Attachments Booklet)

SUMMARY

PURPOSE

To consider an application for an easement to drain water across a Council-managed Crown reserve (Parkes Road Reserve, Collaroy - Lot 7051 DP 1051205) to enable the connection of underground stormwater drainage pipes to Council's stormwater drainage system within Parkes Road, Collaroy.

EXECUTIVE SUMMARY

George Tsivis (now deceased) was the landowner and applicant in respect of Development Application DA2010/1136 for development of 136 Anzac Avenue, Collaroy Plateau (Lot 1 DP 235748). Mr Glass is the current registered proprietor of the Tsivis land in his capacity as Administrator of the Estate of the late Mr Tsivis. The Development Application was for the subdivision of land and construction of three (3) dwellings.

The natural fall of this site in Anzac Avenue, Collaroy Plateau is towards the rear of the property with disposal of stormwater drainage sought via easements through the adjoining private properties and subsequently through Parkes Road Reserve, Collaroy to enable connection with Council's stormwater drainage system within Parkes Road, Collaroy.

Council granted development consent to DA2010/1136 on 30 October 2010. A Development Consent condition requires the applicant to obtain an easement for the disposal of stormwater generated from the proposed development.

An application has been made to Council for the necessary easement required by the condition. It is considered that Council can grant this easement to the applicant (now Mr Glass) in its capacity as Crown Land Manager in accordance with the *Crown Land Management Act 2016* and the *Local Government Act 1993* subject to the matters below. A positive covenant in favour of Council to protect Council's interests is also proposed, however a positive covenant does not require the statutory approvals that are necessary for the proposed easement.

The applicant will be required to pay Council an independently assessed compensation fee of \$39,400.00 (excluding GST) for the proposed easement.

During public notification of the proposed easement, Council received eighteen (18) submissions with seven (7) submissions objecting to the proposal, ten (10) submissions in support of the proposal and one (1) neutral submission. The *Local Government Act 1993* provides that, if a person has made a submission by way of objection to the proposal, a council must not grant an easement in respect of community land for a period exceeding 5 years except with the consent of

the Minister for Local Government. Accordingly, should Council wish to grant the easement, Council will need to apply to the Minister for consent to do so.

Whilst some objections against the proposal were received, having regard to all relevant circumstances, it is recommended that Council authorise the grant of the easement and seek the consent of the Minister to do so.

Council has granted many similar easements previously for underground drainage connections in other Council reserves where easements do not significantly impact on the use of the reserve especially where an easement closely follows a property boundary.

RECOMMENDATION OF DIRECTOR TRANSPORT AND ASSETS

That:

1. Council note that it has considered all submissions in respect of the proposed easement referred to in paragraph 3 below (proposed easement).
 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 easement.
 3. Subject to the consent of the Minister for Local Government, Council authorise an Easement to Drain Water, 1.2 metre wide and approximately 55 metres in length, with associated Positive Covenant, by underground pipe within Lot 7051 in DP 1051205 Parkes Road Reserve, Collaroy in favour of 136 Anzac Avenue, Collaroy Plateau (Lot 1 DP 235748) for an amount in accordance with Council's adopted Fees and Charges being \$39,400.00 excluding GST.
 4. The reasonable costs associated with the granting of the proposed easement and associated positive covenant, including but not limited to, Council's reasonable legal costs, GST (if applicable), document registration and reinstatement of land, be funded by the applicant.
 5. Delegate authority to the Chief Executive Officer to finalise the terms of the proposed easement and positive covenant, execute the necessary documentation and do all other things necessary in order to give effect to this resolution.
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REPORT

BACKGROUND

In 2010, the then owner of 136 Anzac Avenue, Collaroy Plateau (Lot 1 DP 235748) lodged a Development Application (DA2010/1136) for the subdivision of land and construction of three (3) dwellings.

The natural fall of this site in Anzac Avenue, Collaroy Plateau is towards the rear of the property with disposal of stormwater drainage sought via easements through the adjoining downstream private properties and subsequently through Parkes Road Reserve, Collaroy (Crown Reserve managed by Council) to enable connection with Council's stormwater drainage system within Parkes Road, Collaroy. A private easement arrangement was secured over 31A Parkes Road, Collaroy Plateau (Lot 2 DP 618316) and 10A Plateau Road Collaroy Plateau (Lot 2 DP 235748) by the applicant, to connect to Parkes Road Reserve.

Council granted Development Consent in respect of the Development Application on 30 October 2010. The Development Consent includes condition 37 which provides as follows:

"An easement for drainage (under the provisions of Section 88B of the Conveyancing Act) is to be created on the final plan of subdivision the accompanying 88B instrument to ensure all drainage infrastructure is located within the appropriate easement(s).

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Subdivision Certificate."

To address this condition, Council as the Crown Reserve Manager has received an application that it grant an Easement to Drain Water through Parkes Road Reserve to enable connection with Council's stormwater drainage system within Parkes Road, Collaroy. Mr Glass is the current registered proprietor of the land, and the applicant for the proposed easement, in his capacity as Administrator of the Estate of the late Mr Tsivis.

The proposed easement is shown in the Draft Easement Plan attached to this report (Attachment 1).

Council's Water Management Policy PL 850 (more specifically, Council's Technical Specifications on Stormwater Drainage from Low Level Properties), contemplates that a drainage easement over the downstream property to Council's drainage infrastructure is an appropriate option to deal with stormwater disposal.

There has been a long history to negotiations in respect of the proposed easement including:

- In about July 2013, application was made for proposed easement by a representative for the land owner.
- The processing of the application was commenced by Council and communications were undertaken with relevant stakeholders including the Department of Primary Industries (DPI) – Lands (Crown Lands). Following these communications and in September 2015, Council received Crown Lands' in principle consent to the proposed easement. In a letter to Council dated 1 September 2015, Crown Lands stated that Crown Lands had *"no objection in principle to an easement being created over Parkes Road Reserve sufficient to enable the issue of the Construction Certificate for DA 2010/1136"*.
- Having regard to Crown Lands' advice, Council representatives and the owner's representatives worked through the necessary matters to facilitate the granting of the easement. However, by email of 13 May 2016, a different officer of Crown Lands advised that Council would need to acquire an easement over Parkes Road Reserve.

- By email of 8 August 2016, Council informed Crown Lands that, as this is a private drainage matter, there is no precedent for Council to bear the cost of acquiring an easement by compulsory acquisition nor for Council to be responsible for supervising maintenance.
- By letter dated 21 November 2016, a different Crown Lands officer responded to Council and advised that the proposed easement over the Parkes Road Reserve should be acquired by Council under the *Land Acquisition (Just Terms Compensation) Act 1991*. This was purportedly on the basis of Crown Lands policy which was not made available to Council.
- Council and the applicant's representatives then engaged in various communications with each other as well as relevant Government stakeholders and oversight agencies including Crown Lands. The proposed easement had failed to progress at that time due to the change of stance of Crown Lands (now Department of Planning and Environment). To break the impasse, a conference was arranged with the lawyers for the applicant, Council representatives and representatives from the Department. At the conference, a future agreed path was laid out following advice from the Department's representatives that Council could progress an easement as Reserve Trust Manager under section 102 of the *Crown lands Act 1989*.
- Council then prepared a draft easement (as Reserve Trust Manager) and a positive covenant, in consultation with the applicant's lawyers and the necessary resolutions were made by the Council to facilitate a formal application to the Department for consent under section 102 of the *Crown Lands Act 1989* to the grant of the easement. The formal application was lodged with the Department in October 2017. This action was taken by Council and the applicant in reliance on the Crown's advice at the conference and later correspondence confirming that advice.
- A section 88B instrument was attached to Council's application letter dated 19 October 2017. Following considerable correspondence over a period of more than 12 months in relation to the terms of section 88B instrument with various Departmental officers, the Department advised Council that it would not consent to the section 102 application, essentially citing native title issues as the reason.
- By this time, the new *Crown Lands Management Act 2016* had taken effect (from 1 July 2018) which meant the Reserve could be managed by Council as though it was classified 'community land' under the *Local Government Act 1993*. Steps were taken to proceed towards a grant of easement from Council under the *Local Government Act 1993*. This was following further discussion with the Department and Native Title advice from Lands Advisory Services. That advice was that the proposed grant of easement was a 'Valid Future Act' under s24JA of the *Native Title Act 1993* and the necessary public notification was undertaken pursuant to 24JB (6) of the *Native Title Act 1993* on 7 May 2020. The Department advised on 29 July 2020 that "*Should Council be satisfied that it, as Crown Land manager, is able to grant an easement to the estate of the freehold landowner under the LGA, then that is a matter for Council as the appointed CLM*".
- Consideration was given to whether Council was in a position to avail itself of section 46(1)(a1) of the *Local Government Act 1993* in respect of the easement and consultation was undertaken with the applicant's lawyers and Land Registry Services. Given consensus that section 46(1)(a1) is an appropriate and available pathway, the matter was advanced on this basis. To this end, the application for the proposed easement was publicly notified in accordance with the *Local Government Act 1993* from 6 December 2021 to 6 February 2022 (see below).
- However, the Department indicated by letter dated 23 February 2022 that it was of the view that Council was not empowered to grant the easement under section 46(1)(a1) of the *Local Government Act 1993*.

- Following further communications between the parties during the course of 2022, the Department revised its opinion and advised in correspondence on 16 August 2022 that:

“After reviewing this matter ... we are of the view that Lot 1 DP 235748 (Tsivis Land) is adjoining Lot 7051 DP 1051205 (the Reserve) for the purposes of section 46(1)(a1) of the Local Government Act 1993 (NSW) (LGA). Accordingly, Council may grant an easement on the Reserve benefiting the Tsivis Land for the purpose of stormwater drainage pursuant to that section of the LGA...”

- As a result, the matter is now being reported to Council for consideration.

Section 46(1)(a1) of the *Local Government Act 1993* specifically allows for easements such as the proposed easement over community land and Council has granted similar easements over other Council reserves in the past. The proposed easement will require that the stormwater drainage pipes be placed under the surface of the ground. Therefore, the drainage pipes will have minimal impact on the use of the reserve after installation.

Rectification of Council’s reserve following installation of the proposed stormwater drainage pipes will be the responsibility of the applicant. The applicant will be required to submit any necessary Development Application in relation to the storm water drainage works within the easement. The applicant will be required to submit an appropriate bond, prior to the commencement of construction, for works within the Council managed reserve. It is proposed that ongoing maintenance obligations for the underground pipes by the benefiting owners will be registered in a positive covenant on the title of the benefiting properties as a condition of granting the proposed easement. A positive covenant does not require the statutory approvals that are necessary for the proposed easement.

It is possible that other nearby land owners may also wish to use the site of the proposed easement for stormwater drainage purposes. Whilst no such other application has been received at this stage and consideration of how this might work would need to be undertaken, it may be prudent to keep open at this time the possibility of other land owners using the relevant land, if practical.

CONSULTATION

The application for the proposed easement was publicly notified in accordance with section 47 of the *Local Government Act 1993* including a notice on Council’s website, notice letters to surrounding property owners and notice signs at Parkes Road Reserve seeking public submissions. The submission period commenced on 6 December 2021 and concluded on 6 February 2022.

As a result of this process, 18 submissions in respect of the proposed easement were received during the notification period (ten in support, seven against and one neutral).

The objections raised in respect of the proposed easement related to:

- Concerns about the privatisation of public land.
- The potential visual impact of the pipes.
- The granting of the easement possibly leading to further development.
- Concerns about the accessibility of the reserve during any future works of the pipes.

The objecting submissions by theme and Council officers’ response to these are as follows:

Theme	What we heard	Council's response
Visual impact	Concern was raised that the pipes will be above the ground and visible, would not be visually pleasing.	The existing pipes within the Crown reserve are currently, and any pipes associated with the proposed easement will also be, underneath the surface of the land for minimum disturbance to the reserve.
Use of public land for private use	Some respondents noted concern in relation to allowing drainage through public land for the benefit of a private development.	<p>The proposed easement is in an area that is not heavily used. It would have very little impact on pedestrians or other users as it is close to the property boundary and is away from the footpath crossing through the reserve.</p> <p>As this is a Council-managed Crown reserve, the applicant will be required to pay a fee to Council which contributes to Council's operating funds facilitating ongoing maintenance and embellishments on public land.</p>
Further development	Comments reflected concern that granting the easement could lead to consent for further development.	<p>Council approved Development Consent (DA2010/1136) for the subdivision of land and construction of three (3) buildings on 30 October 2010. This consent included a condition to obtain an easement to drain water for the proposed development. These buildings have now been constructed.</p> <p>Any future Development Applications will be assessed and publicly notified as per the application process. If consent is granted, it would be in line with the relevant legislation.</p>
Reserve access / maintenance	<p>Respondents indicated concerns about accessibility within the reserve during construction and in the event of required maintenance.</p> <p>Feedback also noted there could be a chance that the reserve will not be restored to its original condition after completion of works.</p>	<p>For any works carried out on the reserve, a Working on Reserves Access permit is required prior to the commencement of works.</p> <p>The applicant will also be required to restore the area of disturbance and ensure the new grass is established to Council's satisfaction and will in perpetuity be liable for any damage to the park caused by the construction of the stormwater pipe. As the proposed easement is located away from the pedestrian pathway, minimal impact is expected to the public during works.</p>
Aboriginal Heritage	A respondent indicated a recorded site of Aboriginal significance at the proposed easement location. The respondent suggested to consult the Aboriginal Heritage Office.	Comments in relation to this submission were noted. Council has consulted with the Aboriginal Heritage Office (AHO). The AHO advised it is unlikely that the recorded site is in the vicinity of the easement as the original mapping was not accurate. The AHO has advised Council to inspect the area prior to works and engage with them as required.

Council has granted many similar easements previously over other Council reserves for underground drainage connections where easements do not significantly impact on the use of the reserve especially where an easement closely follows a property boundary.

A summary of the submissions received is included in this report as Attachment 2.

In accordance with section 47(5) of the *Local Government Act 1993*, if an objection is received, Council is required to apply to the Minister for Local Government for consent to grant the proposed easement.

The Department of Planning and Environment has confirmed that Council may grant an easement on the Reserve benefiting the applicant's land for the purpose of stormwater drainage under section 46(1)(a1) of the *Local Government Act 1993*. This is subject to Ministerial consent under section 47(5) of the *Local Government Act 1993*.

Having regard to all relevant circumstances including the submissions received, it is recommended that Council should authorise the proposed easement and apply to the Minister for Local Government for consent to grant the proposed easement.

TIMING

The creation of the proposed easement to drain water over Parkes Road Reserve, Collaroy is expected to be completed within six months of the applicant satisfying the Development Application conditions.

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

Independent valuation advice received by Council has assessed the valuation for the proposed easement at \$39,400.00 (excluding GST). Therefore, the applicants will be required to pay Council the compensation fee of \$39,400.00 (excluding GST) for the proposed easement.

SOCIAL CONSIDERATIONS

There will be minimal impact for the community given the matters addressed in this report.

ENVIRONMENTAL CONSIDERATIONS

The proposed easement itself will have minimal environmental impact as no actual building works or other development are proposed as part of this determination. Any works required to install pipes in the easement would be assessed separately in accordance with the *Environmental Planning and Assessment Act 1979*.

In any case, rectification of Parkes Road Reserve for ongoing maintenance of the underground drainage pipe would be required by the owner of 136 Anzac Avenue, Collaroy Plateau.

In accordance with Council's standard easement terms, any vegetation or plants affected by any work undertaken will require replacement.

There is a recorded site of Aboriginal Significance nearby. However, the exact location is unclear as the original information and mapping is not accurate. It seems unlikely that the recorded site is

near the proposed easement. The Aboriginal Heritage Office has provided advice to investigate the soil at the time any new pipe is installed.

GOVERNANCE AND RISK CONSIDERATIONS

If Council or the Minister for Local Government refuse to grant the proposed easement, the applicant may seek to apply to the Court to have the proposed easement granted in Section 88K of the *Conveyancing Act 1919*.

15.0 NOTICES OF MOTION

ITEM 15.1	NOTICE OF MOTION NO 30/2022 - MANLY WEST ESPLANADE HERITAGE ACTIVATION PLAN
TRIM FILE REF	2022/547595
ATTACHMENTS	NIL

Submitted by: Councillor Candy Bingham

MOTION

Following the release of the State Government's Consultation Summary Report in relation to the future of the former SeaLife Aquarium site, and further to resolution 404/19 (26 November 2019) regarding the feasibility of reinstating the boardwalk/harbour pool at Manly Cove that Council:

1. Meet with Transport NSW staff to consult on future steps with regards to the department's concept plan for West Esplanade/Manly Cove.
2. Consider how the feasibility of the reinstatement of a boardwalk linking Manly Wharf to Federation Point (while also creating a harbour pool), which includes community consultation and any environmental impact studies, could be progressed.
3. Bring a report back to Council within three months.

BACKGROUND FROM COUNCILLOR CANDY BINGHAM

On 26 November 2019 Council resolved to proceed with the Manly West Esplanade Heritage Activation Plan with the objective of providing Council and the NSW Department of Planning, Industry and Environment with a Heritage Activation Plan for the area.

The Heritage Activation Plan looked at environmental outcomes, initial costings, ongoing costs, and aesthetics, and included extensive community consultation.

The plan takes into account social, cultural and environmental factors that affect this sensitive and popular site. The plan aims to:

- Highlight the history of the area pre and post European settlement.
- Identify ways to help the community appreciate the heritage of the area.
- Give guidance on how to activate the area in general to improve its amenity.
- Identifies potential projects for Council to deliver in the future.

One long-standing feature of the site, from the 1930s until 1974, was the popular boardwalk and harbour pool which were a major attraction for locals and tourists alike.

In 2012 the Good for Manly community group worked with environmental architect Maurice Patten, to prepare a draft masterplan for the recreation of a boardwalk and harbour pool, which would reflect the needs and requirements of today. The plan formed part of the submission prepared by Council to obtain a heritage grant to undertake the Heritage Activation Plan for the area.

Now that the State Government has announced its plan to demolish the former Aquarium building and reinstate the area for public recreation, it is time to move forward on the exploration of the reinstalment of a boardwalk and harbour pool.

ITEM 15.2**NOTICE OF MOTION NO 31/2022 - VALIDITY AND AUTHENTICITY REGARDING ONLINE SUBMISSIONS THROUGH THE NORTHERN BEACHES COUNCIL 'YOUR SAY' PLATFORM**

TRIM FILE REF **2022/555879**
ATTACHMENTS **NIL**

Submitted by: Councillor Michael Gencher, Councillor Ruth Robins

MOTION

That the Chief Executive Officer provide a briefing to Councillors regarding Online Submissions (i.e., 'Your Say' platform and digital submissions) addressing the following, including, but not limited to:

1. How are online submissions taken into consideration in the assessment of any application?
2. What constitutes a valid and properly made online submission?
3. Define 'Stakeholder' – who is considered to be stakeholder in regard to online submissions.
4. How is Council assured that online submissions are rightful and legal?
5. By what system are IP address locations confirmed and recorded?
6. Confirm the number of submissions from a single IP address permitted/allowed.
7. How does Northern Beaches Council confirm the identity of those behind online submissions?
8. What weighting is considered in the decision-making process from online submissions?
9. By what process does Northern Beaches Council consider or challenge the validity of an online submission?
10. Has Northern Beaches Council considered or examined the possibility for corruption, fraudulent behaviour, or exploitation from online submissions?
11. Does Northern Beaches Council include submissions from outside the LGA?
12. Is there a difference in consideration of an online submission between an individual, organisation or community group?

BACKGROUND FROM COUNCILLOR MICHAEL GENCHER AND COUNCILLOR RUTH ROBINS

The 'Your Say' portal allows for making online submissions which gives stakeholders the opportunity to raise their issues or indicate their support or opposition to a publicly notified proposal.

These views are important to how we make decisions that affect the Northern Beaches Local Government Area.

As these Submissions are considered by Council in the decision-making process – it is essential and necessary that there is trust and confidence in the validity of the process and the submissions.

Of particular concern is multiple submissions from people who will not be impacted by the proposal eg, people from different Local Government Areas.

ITEM 15.3

**NOTICE OF MOTION NO 32/2022 - AUSTRALIAN LOCAL
GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE**

TRIM FILE REF **2022/570220**
ATTACHMENTS **NIL**

Submitted by: Councillor Candy Bingham

MOTION

That:

1. Council consider submitting an expression of interest to host the Australian Local Government Women's Association Conference in Manly in 2024.
2. A councillor briefing be held within 3 months to outline the viability of submitting an expression of interest.

BACKGROUND FROM COUNCILLOR CANDY BINGHAM

The Australian Local Government Women's Association (ALGA) runs an annual conference alternating between a metropolitan and rural host Council.

This year the conference was held at Fairfield, and was well attended. (Depending on the location the conference usually attracts 100 – 200 delegates).

Delegates include women either elected to, employed in, or are interested in Local Government as well as women involved in any authority or organisation associated with Local Government.

Council successfully won the hosting of the 2023 Local Government NSW Destination Visitor Economy conference earlier this year.

If successful in being selected to host the ALGWA conference it is believed it would provide a major economic boost to the business in Manly and beyond, while also showcasing the Northern Beaches.

ITEM 15.4	NOTICE OF MOTION NO 33/20222 - SALE OF GOVERNMENT OWNED LAND
TRIM FILE REF	2022/589634
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon, Councillor Michael Gencher, Councillor Miranda Korzy

MOTION

That Council:

1. Write to the Hon. Brad Hazzard, the Hon. Rob Stokes, the Hon. Jonathan O’Dea, the Hon. James Griffin MP requesting advice from State Government regarding:
 - A. State Government owned land sold or transferred to third parties since 1 January 2021, including details of the street address, suburb, Lot details.
 - B. State Government owned land which is being considered for sale in the next three years, including details of the street address, suburb, Lot details, excluding road reserves which could be sold/transferred in circumstances of council’s involvement.
2. Request that State Government and its agencies introduce a policy of consulting all local residents within a 250 metre radius before the sale of any State Government owned land.

BACKGROUND FROM COUNCILLOR RORY AMON, COUNCILLOR MICHAEL GENCHER, COUNCILLOR MIRANDA KORZY

There are a number of parcels of land owned by State Government and its various agencies.

In recent times residents are surprised to learn that such parcels of land have been or are being sold with such parcels being subsequently subject to development applications in areas residents were not aware would or could be developed.

The purpose of this motion is to assist residents in knowing what future development may occur in various parts of the LGA by reason of parcels having been sold or possibly being sold.

In addition, the motion seeks that Government consult community in making local decisions which may affect local amenity.

16.0 QUESTIONS WITH NOTICE

ITEM 16.1	QUESTION WITH NOTICE NO 13/2022 - CHURCH POINT PLAN OF MANAGEMENT
TRIM FILE REF	2022/589917
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

QUESTION

Could staff please provide advise the status of each action item set out in the Church Point Plan of Management 2009, whether that item is complete, when the item was complete, what items are outstanding and why, and whether it is anticipated that an action item cannot be implemented as proposed and the reason why.

ITEM 16.2	QUESTION WITH NOTICE NO 14/2022 - BAYVIEW BATHS
TRIM FILE REF	2022/590026
ATTACHMENTS	NIL

Submitted by: Councillor Rory Amon

QUESTION

On 27 March 2018, Council resolved as below.

074/18 **RESOLVED**

Cr McTaggart / Cr Ferguson

That:

- A. *Council work with Sydney Water and Beachwatch (OEH) to review recreational water quality data for what is known as the Bayview Baths in order to determine if it would be feasible to potentially restore/renew the pool and provide a briefing back to Council within 3 months.*
- B. *In the event of a favourable report Council may move to a second stage of risk assessment and a refurbishment process subject to budget availability.*

Could staff please advise:

1. The latest update regarding water quality data at the Bayview Baths.
2. Whether a future budget allocation has been made (including the amount allocated and the financial year the allocation has been made) for the future restoration / renewal of the Bayview Baths.
3. The process to be followed in order to secure the restoration / renewal of the Bayview Baths.

17.0 RESPONSES TO QUESTIONS WITH NOTICE

ITEM 17.1	RESPONSE TO QUESTION WITH NOTICE NO 9/2022 - MONITORING OF BIODIVERSITY IN MANLY DAM CATCHMENT
TRIM FILE REF	2022/525492
ATTACHMENTS	NIL

Submitted by: Councillor Kristyn Glanville

QUESTION

1. In Allambie Heights Village Ltd v Northern Beaches Council [2022] NSWLEC 1216 (“Allambie”), Acting Commissioner Adams noted:

“106 I accept the objectors’ evidence that the waterways have ecological and conservation significance, and that among the important species present are the two crayfish species and the climbing galaxias. What did surprise me was the apparent absence of council and agency reports on the ecology of the waterways. [...]

107 Without the work of the objectors and their organisations in both studying the biota and obtaining funding to commission reports, little would be known about the ecology of the Curl Curl Creek system. In addition to the reports of Dr Law and Dr White already referred to, there has been detailed study of the climbing galaxias over a number of years by Sonya Ku, who had made several submissions, and was the author of the report, commission by the Save Manly Dam Catchment Committee from consultants Humble Carson, Status of Catchment Indicator Species for Aquatic Biodiversity, Galaxias Brevipinnis Status Report, Action Plan and Catchment Citizen Science Strategy (Exhibit 3 folio 42-65).”

- A. What reports, if any, has Council commissioned concerning the “ecology of the waterways” in Manly Warringah War Memorial Park (“Manly Dam”)?
- B. Does Council intend to procure any reports concerning the “ecology of the waterways” in Manly Dam?
- i. If so, what are those intentions?
- ii. If not, why does Council not intend to procure such a report?
- C. Is Council aware of any “agency reports” commissioned by relevant agencies concerning the “ecology of the waterways” in Manly Dam?
- D. Is Council aware of any intentions by relevant agencies to procure “agency reports” concerning the “ecology of the waterways” in Manly Dam?

2. In Allambie, Adams AC further noted:

“106 [...] I was not taken to any correspondence to or from Crown Lands regarding the development proposed or any potential impacts within the area leased by the Applicant or the State Park.”

- A. In assessing a development located in close proximity to Manly Dam, is it ordinary practice for Council to seek comment from Crown Lands regarding potential biodiversity impacts of the development application?

3 In Allambie, Adams AC further noted:

“106 [...] Similarly, I was not made aware of any correspondence to or from Fisheries NSW who, under the Fisheries Management Act 1994, have responsibilities for the conservation and management of much of the biota and environment of waterways.”

A. In assessing a development located in close proximity to Manly Dam, is it ordinary practice for Council to seek comment from Fisheries NSW regarding impacts on conservation and management of the biota and environment of waterways of the development application?

4 In Allambie, Adams AC further noted:

“106 [...] There was little discussion of the consequences of the listing of the Manly Dam Conservation Area in Sch 5 of WLEP 2011, as designated on the Heritage Map Sheet 008A in WLEP 2011.”

A. In assessing a development located in close proximity to Manly Dam, what is the ordinary practice for Council in considering the consequences of the listing of the Manly Dam Conservation Area in Sch 5 of the WLEP 2011 for that development application?

RESPONSE

Question 1A

The following reports relate to waterways in Manly Dam:

- Creek Management Study 2004
- Northern Beaches Council Creek Monitoring Evaluating and Reporting (MER) Program (2006, 2007, 2015/16)
- Water Quality Management Plan for Manly Dam, D. Cheng, University of Technology, Sydney (December 1992)

In 2019, Council also commissioned the Manly Creek Riparian Corridor Biodiversity Study by Niche Environment and Heritage which relates to the area immediately downstream of Manly Dam.

Question 1B

Currently a federally funded (\$15,000) grant for biodiversity studies and monitoring is being undertaken via a citizen science initiative coordinated by the Save Manly Dam Catchment Committee Inc. Council made an equal co-contribution of \$15,000 in addition to staff time allocated to this project which is understood to be completed in 2023. The project includes a number of flora and fauna studies in and adjacent to the Park, including some of the studies cited by Acting Commissioner Adams (e.g. Dr Law and Dr White). It is expected that this project will help to guide any further ecology studies needed within Manly Dam.

In 2022/23 Council will engage a suitable consultant to investigate and report on nutrient inputs to Manly Dam.

Question 1C

Council is not aware of any agency reports. The University of Technology has studied the area in the past.

- Water Quality Management Plan for Manly Dam, D. Cheng, University of Technology, Sydney (December 1992) (our reference 2022/440487)

Question 1D

Council is not aware of any plans for agencies to undertake any reports.

Question 2

As part of the development application process, the applicant was granted Landowner's consent from the NSW Department of Planning, Industry & Environment - Crown Lands. The application included notice of proposed bush fire Asset Protection Zones.

Question 3

The trigger for seeking comment from NSW DPI Fisheries is when a site is within Key Fish Habitat. Manly Dam and the main arm of Curl Curl Creek are mapped by Fisheries as being Key Fish Habitat, however small headwater creeks are generally excluded unless they are known or likely to be habitat for listed threatened species, populations or communities. The tributary on the development site in question is not mapped as Key Fish Habitat. (Refer <https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/key-fish-habitat-maps>)

Question 4

With reference to Council's development assessment report, the site is located in the vicinity of an item of heritage significance being a heritage conservation area, namely "Manly Dam and Surrounds" identified under the LEP as Number C9. The proposed development was not considered to introduce any significant adverse impacts on the heritage significance of the adjoining Conservation Area for the following reasons:

- When viewed from the heritage conservation area, the siting and elevations of the proposed development within the site is unlikely to have any visual impact.
- The fact that a seniors development already exists on the site.

ITEM 17.2	RESPONSE TO QUESTION WITH NOTICE NO 11/2022 - THRIVE YOUR HOME OF WELLBEING
TRIM FILE REF	2022/525550
ATTACHMENTS	NIL

Submitted by: Councillor Vincent De Luca OAM

QUESTION

1. What is the total cost of this program?
2. What does the program include?
3. Is it true the program consists of pot planting, meditation, healthy eating, foods of the lands recipes and board games for staff members?
4. How long will this program be conducted, how many staff hours are taken away from actual duty and what benefits, if any, have been realised so far?

RESPONSE

1. Northern Beaches Council considers supporting the wellbeing of our staff important. Councillors and management have a critical role to play in ensuring a safe work environment and the wellbeing of our staff.

As part of Thrive our wellbeing program for staff, *Be Well Lead Well* our program for our people leaders (managers, coordinators and supervisors) was developed. The three-month development program was included in the 2022/23 budget and supports 90 staff at a cost of \$40,000, which equates to an investment in our people leaders of \$444 per person.

2. *Be Well Lead Well* program is an innovative wellbeing program to drive a generative leadership approach to wellbeing and support culture shifts. It provides the tools for our people leaders to lead effectively with a wellbeing focus. People leaders in our organisation are responsible for the day-to-day management of our staff, it is important that we provide this support and training.

We communicate that employee wellbeing is more than just staying safe at work. We want our people to be well on every level and we are educating them about the four pillars of our program being physical wellbeing, mental wellbeing, social wellbeing, and environmental wellbeing.

3. *Be Well Lead Well* is a 3-month program. It is a component of the Thrive program and was launched during a lunchtime workshop. The launch provided an opportunity for the senior leadership team to give their personal experiences of the importance of wellbeing including the positive and negative effects it can have on staff, especially if our people leaders do not have tools to care for themselves and support their staff.

In addition, to demonstrate the full spectrum of a holistic program the short launch session included a sample of guided meditation (no more than 5 minutes duration), a healthy lunch, and optional 15-minute activities including outdoor games, stretching exercises, and pot planting to highlight the value of connection and environment to wellbeing.

4. Council is proud to have a comprehensive and innovative wellbeing program that supports the wellbeing of our staff. There is no end date to supporting our staff.

Wellbeing programs are voluntary, self-managed and self-paced with support from the participant's manager. Some of the activities are undertaken out of work hours.

The wellbeing program for managers *Be Well Lead Well* is part of Thrive and is delivered over a three-month period with around 90 participants attending the lunchtime launch (2hrs) and 3 workshops of 2hrs each. *Be Well Lead Well* program is still in progress with positive feedback from the attendees to date.

Safe and healthy employees and a safe work environment are fundamental to the delivery of Council outcomes. They are fundamental to a contemporary workplace and necessary to attract new staff in a highly competitive employment market. The outcomes of the 2022 engagement survey identify the value the programs have to our people.

69%	of respondents told us that they feel well at work and can successfully manage their work stress
85%	of respondents told us that keeping high levels of health and safety is a priority of Council
74%	are satisfied with the support for wellbeing that is available
83%	know where to get help if they are feeling emotionally unwell or unsafe at work
71%	of respondents believe that Council cares about staff mental health and emotional wellbeing

Source: Northern Beaches Council 2022 Staff Engagement Survey

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 RFQ 2022/083 - Coast Walk Public Art - Robert Dunn Reserve (South Mona Vale Headland) 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 quotations. 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 2022/007 - Parking Services and Technology 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 2022/052 - Stage 2 Air Conditioning System Upgrade at Glen Street Theatre on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - D. Item 18.4 RFT 2022/107 - Manly Dam Link Trail Boardwalk on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) Local Government Act 1993].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.
 - E. Item 18.5 RFT 2022/117 - Cromer Depot Asbestos Roof 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.

- F. Item 18.6 Response to Question With Notice No 10/2022 - Cultural Review on the basis that it involves the receipt and discussion of personnel matters concerning particular individuals (other than councillors) [10A(2)(a) Local Government Act 1993]; and 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].

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.

