



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 28 November 2023

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

A handwritten signature in black ink, appearing to be 'SP' with a flourish.

Scott Phillips
Chief Executive Officer

OUR VISION

Delivering the highest quality service valued and trusted by our community

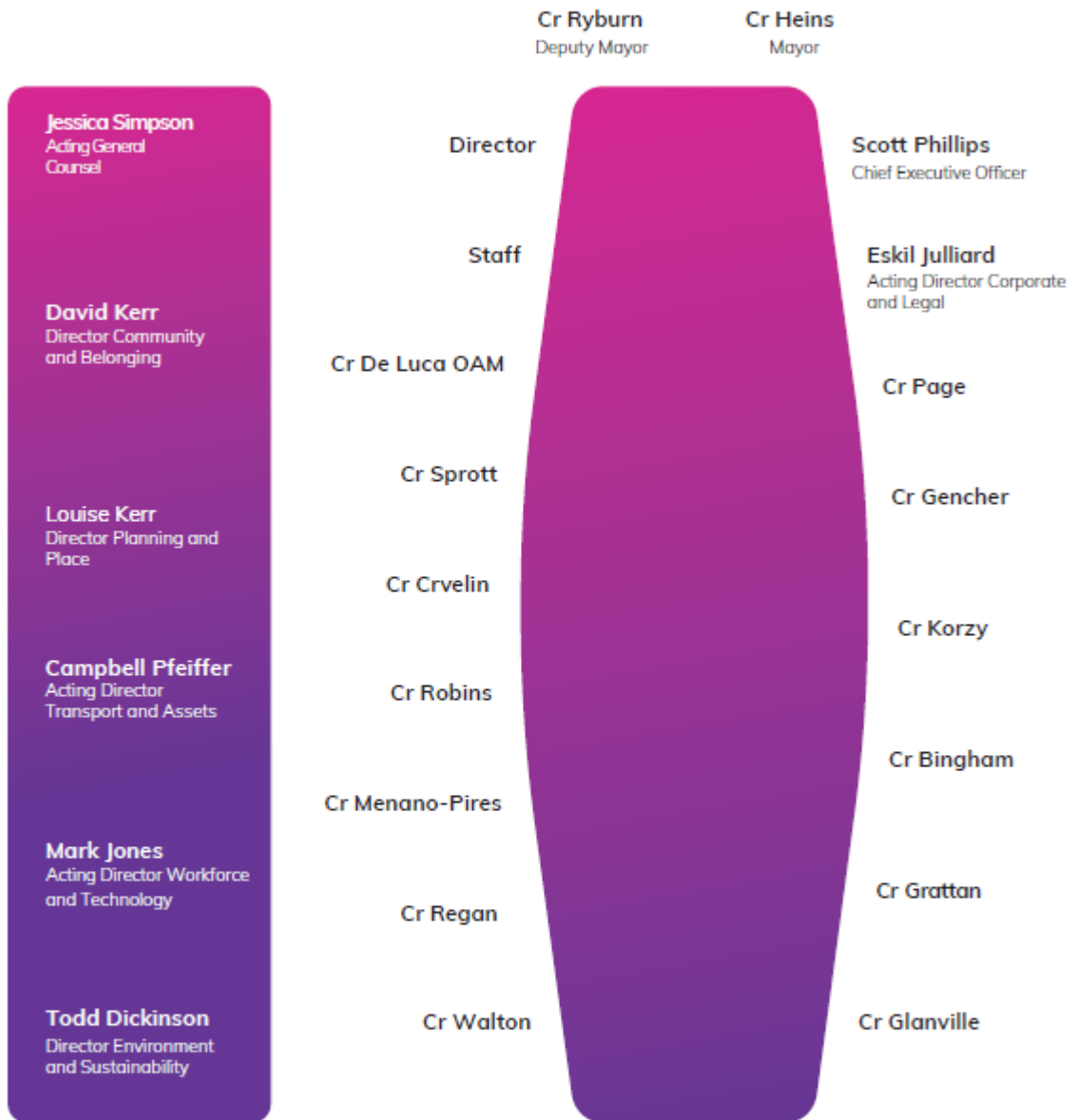
OUR VALUES

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.

Council Chambers Seating Plan



Public Gallery

**Agenda for an Ordinary Meeting of Council
to be held on Tuesday 28 November 2023
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, present and emerging.

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 ON 24 OCTOBER 2023

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 24 October 2023, 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 14/2023 - CYBER AWARENESS - SUPPORT FOR OUR COMMUNITY
TRIM FILE REF	2023/766080
ATTACHMENTS	NIL

MOTION

That Council promotes cyber safety and scam awareness in our community and provides information and relevant resources through Council's e-bulletins, social media and website.

BACKGROUND

While last month was the official month to promote online cyber safety, it is important to continue to raise this important issue as this becomes an increasing concern for so many individuals and businesses in our community.

At the recent Community Safety Advisory Committee meeting, it was alarming to hear from Police representatives that cyber fraud particularly targeting the elderly in our community is on the rise.

This week is *Scams Awareness Week (27 November - 1 December 2023)* and Council is holding several information and Tech Help sessions that will provide our community the opportunity to learn new skills to keep safe online. The events are being held at our libraries and I encourage Councillors to engage with our residents, particularly our seniors groups to promote the information that is available. I think it is timely given we are approaching the festive season where there are increasingly more opportunities to target people.

There is information available on State and Federal Government websites and we are also fortunate to have community groups such as Computer Pals for Seniors in Narrabeen, Manly Computer Pals and Belrose & Terrey Hills Computer Pals that run valuable training for seniors in our community.

While cyber security and online safety is the responsibility of several Federal and State Governments, I think the onus is on us as elected local government representatives to share the resources that are available and encourage our community to stay informed on this important safety issue.

I ask Council staff to promote cyber safety and scam awareness in our community and provide information and relevant resources through Council's e-bulletins, social media and website.



Sue Heins
MAYOR

9.0 CORPORATE AND LEGAL DIVISION REPORTS

ITEM 9.1	2022/23 FINANCIAL STATEMENTS
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING & SYSTEMS
TRIM FILE REF	2023/591998
ATTACHMENTS	1 ⇒ 2022/23 Financial Statements including auditor's reports (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to present Council's audited Financial Statements for the financial year ended 30 June 2023, together with the auditor's reports in accordance with section 419(1) of the *Local Government Act 1993* (Act).

EXECUTIVE SUMMARY

- On 24 October 2023, Council resolved to refer the draft Financial Statements for the financial year ended 30 June 2023 to Council's auditor, the Audit Office of NSW, for audit. The Audit Office of NSW has conducted its audit and provided the Auditor's reports, which are contained within the attached final 2022/23 Financial Statements.
- The auditor's reports state that Council's accounting records have been kept in accordance with the Act and the Financial Statements present fairly the financial position and performance of the Council in accordance with Australian Accounting Standards.
- Public notice was provided that the 2022/23 Financial Statements will be presented to Council at this meeting. Submissions on the auditor's reports and the audited Financial Statements may be made by any person and the submission period closes on 5 December 2023, 7 days after this meeting in accordance with the Act. Any submissions received will be referred to the auditor as required under the Act.
- Council met all financial and asset performance benchmarks set by the Office of Local Government for the 2022/23 financial year and achieved an operating surplus of \$51.7 million. The operating surplus was \$17.8 million after excluding grants and contributions received for capital purposes. There are several restrictions on funds within this operating result. When these are removed, the underlying operating result was a surplus of \$4.1 million.
- While Council met benchmarks and achieved an operating surplus in 2022/23, the Long-Term Financial Plan forecasts a declining position due to increasing costs and constraints on rates income. The Long-Term Financial Plan illustrates an alternative scenario to strengthen our position in the future.
- The Financial Statements are also appended to the Annual Report, which is subject to a separate report within this meeting agenda.

RECOMMENDATION

That in accordance with section 419(1) of the *Local Government Act 1993*, the audited Financial Statements and the auditor's reports for the 2022/23 financial year are hereby received.

REPORT

BACKGROUND**General**

At the Ordinary Council meeting held on 24 October 2023, Council relevantly resolved (Resolution 297/23) that:

3. *The Financial Statements for the year ended 30 June 2023 be referred to Council's Auditor for audit.*
4. *Council hereby delegate to the Chief Executive Officer authority, upon receipt of the Auditor's reports, to arrange for public notice to be given, in the required format on Council's website, of the Council Meeting for presentation of the audited 2022/23 Financial Statements.*

The Audit Office of NSW, Council's auditor, has finalised its audit of the 2022/23 Financial Statements. The auditor expressed an 'unmodified opinion' on the Financial Statements, meaning it concluded that the Financial Statements are presented fairly in all material respects, in accordance with the requirements of the *Local Government Act 1993 (Act)*, Council's accounting records and Australian Accounting Standards.

The Auditor's reports along with the 'Report on the Conduct of the Audit' are contained within the final 2022/23 Financial Statements (Attachment 1 to this report).

Public Notice

Public notice of the date of the Council Meeting for presentation of the audited Financial Statements was placed on Council's website on 17 November 2023. The audited Financial Statements have also been available for public inspection at Council's customer service centres and libraries along with the website since this date.

In accordance with section 420 of the Act, any person may make a submission on the Financial Statements. Submissions must be in writing and lodged with Council within 7 days after the public meeting at which the Financial Statements are presented. Therefore, submissions on the auditor's reports and the audited Financial Statements will close on 5 December 2023. Any submissions received will be referred to the auditor in accordance with the Act.

Financial Position and Performance as at 30 June 2023

The draft Financial Statements for the year ended 30 June 2023 were reported to the Council on 24 October 2023. The Financial Statements have since been confirmed, without amendment, following the completion of the audit.

The principal features of the Financial Statements for 2022/23 (and prior years for comparison) are as follows:

Income Statement	2023	2022	2021	2020
Income	\$425.4m	\$408.1m	\$365.8m	\$366.0m
Operating expenses	\$373.8m	\$346.4m	\$365.7m	\$347.3m
Net operating result for the year	\$51.7m	\$61.6m	\$0.1m	\$18.6m
Result excl capital grants & contributions	\$17.8m	\$17.7m	(\$26.5m)	(\$16.5m)
Capital expenditure	2023	2022	2021	2020
New capital works	\$41.7m	\$44.2m	\$33.8m	\$36.8m
Capital renewal works	\$40.4m	\$32.7m	\$39.3m	\$46.8m
Non-cash asset dedications	\$0.8m	-	\$0.8m	\$13.6m
Total capital expenditure	\$82.9m	\$76.9m	\$73.9m	\$97.2m
Loan repayments	2023	2022	2021	2020
Total loan repayments	\$4.8m	\$5.0m	\$5.1m	\$5.2m
Cash and investments	2023	2022	2021	2020
Externally restricted	\$53.1m	\$41.5m	\$30.8m	\$39.0m
Internally allocated	\$90.8m	\$80.2m	\$83.4m	\$71.5m
Unrestricted	\$38.9m	\$36.4m	\$33.0m	\$43.8m
Total cash and investments	\$182.9m	\$158.1m	\$147.2m	\$154.3m
Cashflows	2023	2022	2021	2020
Net cash from operating activities	\$110.7m	\$90.2m	\$70.0m	\$41.4m
Net cash from investing activities*	(\$79.8m)	(\$73.0m)	(\$70.6m)	(\$76.6m)
Net cash from financing activities	(\$6.1m)	(\$6.3m)	(\$6.5m)	(\$6.4m)
Net increase / (decrease) in cash & investments	\$24.8m	\$10.9m	(\$7.1m)	(\$41.6m)
* Excludes purchase and sale of investments				
Financial Position	2023	2022	2021	2020
Total assets	\$5,636.4m	\$5,421.0m	\$5,245.2m	\$5,262.7m
Total liabilities	\$187.3m	\$184.5m	\$198.6m	\$177.1m
Net assets	\$5,449.2m	\$5,236.5m	\$5,046.6m	\$5,085.5m

Performance Indicators

Financial performance indicators	2023	2022	2021	2020
Operating performance	4.46%	4.53%	(7.32%)	(4.93%)
Own source operating revenue	84.61%	82.52%	87.42%	84.85%
Unrestricted current ratio	1.92x	1.90	1.69	2.09
Debt service cover ratio	7.65x	7.25	2.81	3.72
Rates and annual charges outstanding percentage	3.57%	3.63%	3.92%	4.12%
Cash expense cover ratio	6.13 months	5.59 months	5.13 months	5.39 months

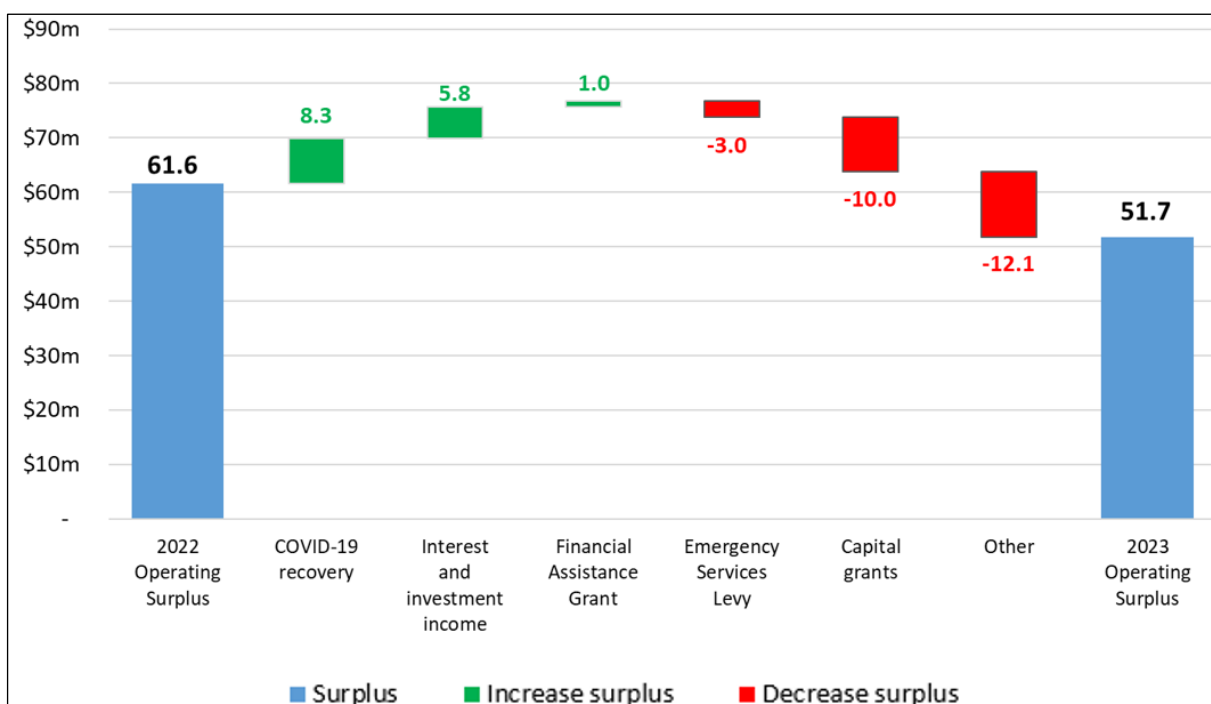
Asset performance indicators	2023	2022	2021	2020
Building and infrastructure renewals	130.77%	112.67%	117.19%	121.34%
Infrastructure backlog ratio	1.49%	1.53%	1.50%	1.37%
Asset maintenance ratio	109.69%	100.55%	106.52%	107.92%
Cost to bring assets to agreed service level	1.22%	1.26%	1.24%	1.15%

Green font indicates performance indicator has achieved the Office of Local Government benchmark. The Office of Local Government (OLG) set benchmarks for all indicators, apart from the 'Cost to bring assets to agreed service level'.

Operating Result from Continuing Operations – 2022/23 compared to 2021/22

The Operating Result from Continuing Operations for the 2022/23 financial year is \$51.7 million surplus (2021/22 \$61.6 million).

Change in surplus (incl. capital grants and contributions) 2021/22 to 2022/23 (\$'m)



The primary differences between the two financial years being:

- **COVID-19 recovery:** \$8.3m net favourable improvement in result (Income \$9.4m ▲ less expenses \$1.1m ▲) as a result of COVID-19 impacted services returning to pre-COVID levels, especially aquatic centres (\$1.8m ▲), Sydney Lakeside Holiday Park (\$1.8m ▲) and paid parking (\$2.7m ▲). Community support through subsidies were also reduced (\$2.0m ▼).
- **Interest and investment income:** was \$5.8m higher than the previous financial year as a result of rapidly increasing interest rates (half of the returns on investments relate to restricted funds).
- **Financial Assistance Grant:** \$1.0m more grant income was recognised in 2023 mainly due to changes in the portion of the grant that is paid in advance. Specifically, 25% of the 2023 grant was paid in the year (\$2.3m) along with 100% of the 2024 allocation (\$9.4m).
- **Emergency Services Levy:** the net cost of the levy was \$3.0m higher in 2023. The levy increased by \$1.4m to \$7.8m and no grant was received from the NSW Government in the financial year to assist in offsetting the cost (the \$1.6m grant was paid in June 2022, and so was recognised as income in that year).
- **Capital grants and contributions:** capital grants and contributions decreased by \$10m in 2022/23. The 2021/22 year included several large grant funded projects including Local Roads & Community Infrastructure program (\$7.4m – decrease of \$5.9m) and Safer Schools Infrastructure (\$4.7m – decrease of \$4.3m).
- **Other:** includes one off favourable items in the 2021/22 financial year including remeasurement of employee leave entitlements and a confidential insurance settlement.

CONSULTATION

Council's external auditor has conducted audit procedures during the year and at year end.

The draft Financial Statements for the year ended 30 June 2023 were reported to the Audit, Risk and Improvement Committee on 11 October 2023. The Committee considered them suitable for presentation to Council with minor amendments. These amendments were reflected in the draft Financial Statements considered by Council at its meeting on 24 October 2023.

Public notice of the date of this Council meeting for presentation of the audited Financial Statements was placed on Council's website on 17 November 2023. These audited Financial Statements have been available for public inspection at Council's customer service centres and libraries along with the website. They are now presented to Council in accordance with section 419(1) of the Act.

The period for submissions on the auditor's reports and the audited Financial Statements closes on 5 December 2023, 7 days after this Council meeting in accordance with the Act. Any submissions received will be referred to the auditor.

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. This requirement has been satisfied. The other timings referred to in this report are in accordance with the Act.

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 2022 to 30 June 2023 and accord with relevant accounting records.

The operating result for the year was a surplus of \$51.7 million (\$17.8 million surplus after excluding grants and contributions received for capital purposes). The financial result for the year included several favourable items including higher investment returns, stronger returns from COVID impacted services and the early payment of the 2023/24 Financial Assistance Grant.

There are several restrictions on funds within this operating result. When these are removed, the underlying operating result was a surplus of \$4.1 million.

Council met all financial and asset performance ratios and working capital is sufficient to meet Council's operating requirements. However, the Long-Term Financial Plan forecasts a declining position due to increasing costs and constraints on rates income. The Long-Term Financial Plan provides an alternative pathway to improve working capital to provide funding to respond to unexpected events, invest in new opportunities, and ensure a financially sustainable position into the future.

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

SOCIAL CONSIDERATIONS

Various social initiatives and projects were funded and undertaken in the year ended 30 June 2023. There are no adverse social impacts arising from the recommendations of this report.

ENVIRONMENTAL CONSIDERATIONS

Various environmental initiatives and projects were funded and undertaken in the year ended 30 June 2023. There are no adverse environmental impacts arising from the recommendations of this report.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Financial Statements for the year ended 30 June 2023 were reported to the Audit, Risk and Improvement Committee. The Committee considered them suitable for presentation to Council with minor amendments which have been made. The Financial Statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the *Local Government Act 1993* and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting.

ITEM 9.2	QUARTERLY REVIEW - SEPTEMBER 2023
REPORTING MANAGER	EXECUTIVE MANAGER FINANCIAL PLANNING AND SYSTEMS & ACTING EXECUTIVE MANAGER STRATEGY AND PERFORMANCE
TRIM FILE REF	2023/592141
ATTACHMENTS	1 ⇒Quarterly Report on Service Performance - September 2023 (Included In Attachments Booklet) 2 ⇒Quarterly Budget Review Statement - September 2023 (Included In Attachments Booklet) 3 ⇒Stronger Communities Funds - September 2023 (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to present financial and service performance results for the period ended 30 September 2023, and a progress report on the expenditure from the \$36.1 million Stronger Communities Fund (SCF) provided by the New South Wales (NSW) Government.

EXECUTIVE SUMMARY

- This report details Council's service performance results and the consolidated financial position for the period ended 30 September 2023.
- The Quarterly Report on Service Performance is a progress report on the implementation of the Operational Plan 2023/24.
- The Quarterly Budget Review Statement provides an update on the financial performance and position of the Council as at 30 September 2023. The operating result (which includes capital grants and contributions) for the financial year is forecast to increase by \$10.9 million to a surplus of \$40.0 million. Excluding capital grants and contributions the result is forecast to improve by \$5.4 million, from a deficit of \$4.8 million to a surplus of \$0.6 million. While the revised result is a small surplus, if restrictions related to domestic waste, stormwater and other items are removed this reduces to a deficit of \$4.1 million.
- Investment returns are strong following rising interest rates, with an additional \$3.2 million expected. A \$1.7 million claim for natural disaster related restoration works was approved by NSW Public Works. An additional \$1.1 million from development contributions is anticipated and capital grants have increased \$4.4m. Parking fine income remains low and has been reforecast down to \$5.9 million (a \$2.2 million reduction).
- Capital expenditure is proposed to increase by \$1.4 million to \$112.7 million for the full financial year, primarily due to new grants for traffic facilities less the rephasing of projects into the 2024/25 financial year. Council's budget remains balanced, with all adjustments matched by funding.
- Council's 2023/24 Operational Plan contains 171 actions relating to operational and capital projects. Of the 171 actions, the majority (94%) are progressing on schedule, including nine completed. The Plan also contains 38 performance measures, of which 76% have met or approached their targets this quarter.
- The report also details expenditure associated with the implementation of Council's SCF projects supported by NSW Government funds.

RECOMMENDATION

That Council:

1. Note the Quarterly Report on Service Performance for the period ended September 2023.
 2. Note the September 2023 Quarterly Budget Review Statement.
 3. Approve the changes to the Current Forecast in the September 2023 Quarterly Budget Review Statement, including:
 - A. An increase in the forecast surplus from Continuing Operations, which includes Capital Grants and Contributions, of \$10.895 million to \$40.030 million.
 - B. An increase in Capital Expenditure of \$1.426 million to \$112.716 million.
 4. Note the Quarterly Report on expenditure of funds from the Stronger Communities Fund for the period ended September 2023.
-

REPORT

BACKGROUND

Northern Beaches Council's Operational Plan 2023/24 was adopted on 27 June 2023. The Operational Plan is for the period 1 July 2023 to 30 June 2024.

The Quarterly Budget Review Statement is a regular progress report against the Operational Plan 2023/24. It has been prepared in accordance with the requirements of the Local Government (General) Regulation 2021 (section 203) and essential element 4.9 of the Integrated Planning and Reporting Guidelines (September 2021), namely that the Responsible Accounting Officer report quarterly on a budget review statement and the Chief Executive Officer report at least every six months on the principal activities.

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

The Quarterly Report on Service Performance discloses the progress of key services in the delivery of projects and against performance measures.

This report includes updates for the period ending 30 September 2023 on:

- Service performance
- Financial performance and position, contracts listing and recommended changes to the budget
- The outcomes delivered from the \$36.1 million Stronger Communities Fund (Attachment 3).

Overview of service performance

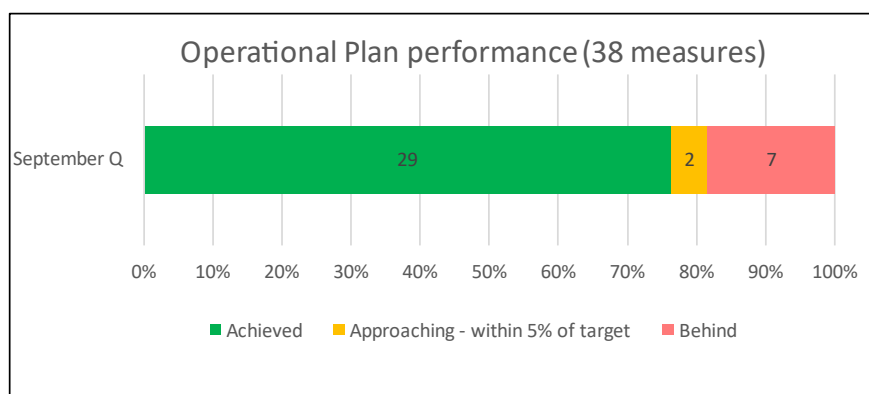
A report on Council's service performance is provided at Attachment 1. This is a comprehensive report on Council's 171 operational and capital projects, 38 service performance measures, 12 workload measures and service highlights across our 16 key services.

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

A summary of our performance is outlined below.

Performance measures

Overall 82% of Council's 38 performance measures met or were approaching the target. Of the seven measures that did not achieve the target, the majority were impacted by reduced demand for the service or resourcing constraints.

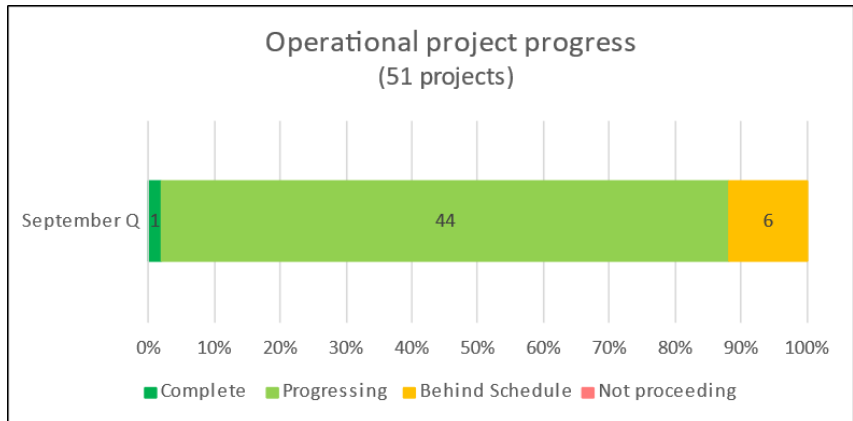


Operational project progress

Of the 51 operational projects, 88% are progressing on schedule.

Of the six projects behind schedule, four were delayed awaiting third party advice/concurrence, the others required additional studies and extended internal engagement.

Target: 80% complete/on schedule as at 30 June 2024



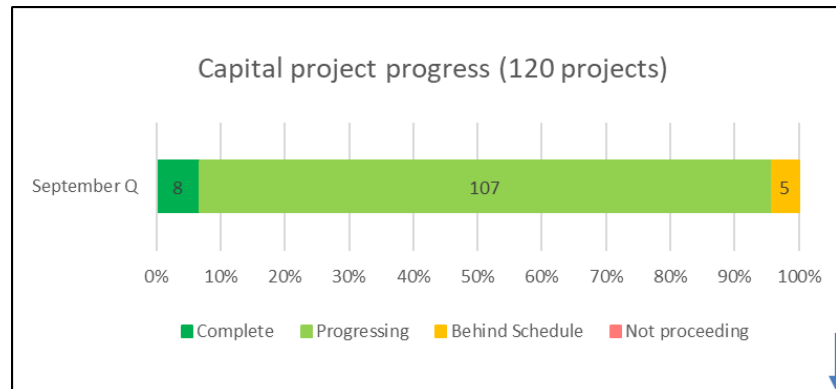
One operational project was completed this quarter - the Tree Canopy Plan has been adopted

Capital project progress

Of the 120 capital projects, 96% are complete or progressing on schedule.

Of the five projects behind schedule, four were delayed due to extended consultation and the final one due to difficulties in appointing a contractor.

Target: 80% complete/on schedule as at 30 June 2024



Eight capital projects were completed this quarter:

- Kimbriki clean water diversion system construction
- Delivery of two electric vehicles for Kimbriki
- Sydney Road fencing renewal completed as part of the Ivanhoe Park Masterplan Implementation
- Clontarf tidal pool refurbishment
- Dee Why Town Centre – construction phase 1
- Church Point Masterplan boardwalk extension
- Manly Cemetery Columbarium new works
- Bike Plan implementation – Addiscombe Road, Manly Vale

Stronger Communities Fund (SCF)

Attachment 3 outlines the progress of projects funded by the NSW Government's SCF. Work is continuing on the remaining projects being Wakehurst Parkway flood mitigation and Connecting Northern Beaches Coast Walk pathway. Council has submitted a request seeking an extension of time on the funding agreement to enable the delivery of these projects.

Overview of Financial Performance

Responsible Accounting Officer Budget Review Statement

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

"It is my opinion that the Budget Review Statement for Northern Beaches Council for the period ending 30 September 2023 indicates that Council's projected financial position at 30 June 2024 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure."

David Walsh, Chief Financial Officer, Northern Beaches Council.

Income Statement – progress and forecast changes

The attached Quarterly Budget Review Statement (QBRS) provides an overview of Council's progress against the annual budget at the end of the September 2023 quarter and provides explanations for major variations that result in recommendations for budget changes.

For the three months to 30 September 2023, the operating result (including capital grants and contributions) is \$13.2 million favourably ahead of budget. User charges and fees, development contributions and investment revenues are favourably ahead of budget. However, parking fine income is lower than anticipated and expenditure on some projects including the Enterprise Resource Planning system replacement and natural disaster recovery works have been delayed.

The operating surplus which includes capital grants and contributions for the financial year is forecast to increase by \$10.9 million to \$40.0 million for the full year. Income is forecast to increase by \$9.3 million while operating expenses will decrease \$1.6 million (primarily due to higher-than-expected investment income and capital grants and contributions partially offset by reduced fine revenue). The budget was also revised to transfer \$30,000 from the Family Events program to the Special Events program to fund the live screenings of the FIFA Women's World Cup.

The operating result excluding capital grants and contributions is forecast to improve by \$5.4 million to a \$0.6 million surplus. These overall movements are summarised in the table below, under the 'Recommended Changes' column.

Operating budget as at 30 September 2023 – annual budget and actual result to date summary

\$'000	Annual*				Year to date			
	ORIGINAL Budget	REVISED Budget	Recommended changes	CURRENT Forecast	Actual	YTD Budget	Variance	
Income	437,384	436,825	9,300	446,126	289,055	284,490	4,566	2%
Operating expenses	(404,689)	(407,690)	1,595	(406,095)	(88,447)	(97,108)	8,661	9%
Surplus / (Deficit)	32,695	29,136	10,895	40,030	200,609	187,382	13,227	7%
Surplus / (Deficit) before Capital Grants & Contri	406	(4,764)	5,366	602	194,972	183,714	11,257	6%

* Original Budget (adopted June 2023), Revised Budget (adopted August 2023 including rollovers and Financial Assistance Grant adjustment), Current Forecast (proposed for adoption in this report)

Attachment 2 'Quarterly Budget Review Statement - September 2023' provides further information on the proposed variations to the budget.

Income Year to Date (YTD) Analysis

Total income at the end of September 2023 is \$289.1 million which is \$4.6 million above the forecast. The principal reasons for this variance are as follows:

Income as at 30 September 2023 – Variance to Approved YTD Budget

YTD Variance	Details – Favourable / (Unfavourable)
\$'000	Rates and Annual Charges
(159)	
3,145	User Charges & Fees <ul style="list-style-type: none"> • Stronger than anticipated income: <ul style="list-style-type: none"> ○ Cemeteries \$0.5m ○ Parking areas \$0.5m ○ Planning and building regulatory \$0.4m ○ Aquatic centres \$0.3m • Earlier than expected income from sporting facilities bookings \$0.4m • Income from Kimbriki Waste & Recycling Centre was favourably \$0.7m ahead of budget, however this related to a higher utilisation of the service by non-Council customers compared to Council's internal use. Actual income for the service (before inter-entity eliminations is consistent with the budget)
820	Investment Fees and Revenues <ul style="list-style-type: none"> • Stronger than anticipated income due to higher interest rates and higher investment balances
(325)	Other Revenue <ul style="list-style-type: none"> • Lower income including: <ul style="list-style-type: none"> ○ Parking fines (\$0.6m) remains low due to resourcing issues • Timing of revenue recognition for advertising on Council structures \$0.1m and sale of inventory \$0.1m
(1,276)	Grants and Contributions – Operating Purposes <ul style="list-style-type: none"> • Timing of revenue recognition of grants to match expenditure of funds including Natural Disaster reconstruction works and the Regional and Local Road Repair program.
1,970	Grants and Contributions – Capital Purposes <ul style="list-style-type: none"> • Development contributions higher than expected \$2.2m • Timing of revenue recognition of grants to match expenditure of funds including: <ul style="list-style-type: none"> ○ Road Resheeting Program (\$0.4m) ○ New traffic facilities (\$0.3m) ○ New Footpaths works \$0.6m ○ Bayview seawall and path \$0.3m

YTD Variance	
\$'000	Details – Favourable / (Unfavourable)
34	Other Income
357	Gain on disposal of assets <ul style="list-style-type: none"> • Timing of proceeds on sale of plant & equipment
4,566	TOTAL INCOME VARIANCE – YTD ACTUALS WITH YTD BUDGET

Operating Expenses Year to Date (YTD) Analysis

Total operating expenses at the end of September 2023 is \$88.5 million, which is \$8.7 million under the forecast. The principal reasons for this variance are as follows:

Operating expenses as at 30 September 2023 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable)
1,006	<p>Employee Benefits and Oncosts Lower primarily due to vacancies in Corporate Support, Environment Compliance, Transport and Library Services. This was partially offset by higher expenditure on casual staff in Children's Services due to the unavailability of agency staff and trainees.</p>
8	<p>Borrowing Costs</p>
6,410	<p>Materials and Services</p> <ul style="list-style-type: none"> • Timing of works: <ul style="list-style-type: none"> ○ Storm related damage clean up \$2.7m ○ IT and communications \$1.9m ○ Environment and floodplain \$0.6m (incl grant funded projects) ○ Bush regeneration \$0.2m • Lower than anticipated expenditure: <ul style="list-style-type: none"> ○ Waste disposal & processing costs \$0.2m ○ Legal services \$0.2m ○ Printing, postage and stationery \$0.1m • Higher than anticipated expenditure: <ul style="list-style-type: none"> ○ Agency staff (\$0.2m)
1,039	<p>Depreciation and Amortisation</p> <ul style="list-style-type: none"> • Due to the timing of the completion and capitalisation of new assets.
199	<p>Other Expenses</p> <ul style="list-style-type: none"> • Timing of Waste and Environment Levy payments \$0.1m • Timing of the PCYC payment \$0.1m
8,662	<p>TOTAL OPERATING EXPENSES VARIANCE - YTD ACTUALS WITH YTD BUDGET</p>

Capital Budget Statement

Capital expenditure is forecast to increase by \$1.4 million to \$112.7 million, primarily due to the re-phasing of \$6.7 million into the 2024/25 financial year offset by an increase in capital works of \$8.6m including new grant funded projects.

Capital budget as at 30 September 2023 – annual budget and actual result to date summary

\$'000	Annual				Year to date			
	ORIGINAL Budget	REVISED Budget	Recommended changes	CURRENT Forecast	Actual	YTD Budget	Variance	
Renewal Works	44,292	50,664	2,119	52,783	9,192	6,534	(2,658)	(41%)
New Works	57,806	60,626	(694)	59,933	6,036	6,080	44	1%
Total Capital Expenditure	102,098	111,290	1,426	112,716	15,228	12,614	(2,614)	(21%)

Proposed variations to the capital expenditure budget are outlined in Attachment 2 'Quarterly Budget Review Statement - September 2023' and include:

- Budgets increased:
 - \$5.2m New traffic facilities - Black Spot and Safe Speed grant programs
 - \$1.6m Road re-sheeting program - Local roads and community infrastructure grant
 - \$0.6m Manly Dam boardwalk – Additional development contribution funds allocated due to an increase in construction prices to construct the link trail and boardwalk
- Budgets rephased to future years include:
 - \$4.7m Warriewood Valley Community Centre - Project funding has been rephased in line with construction contract
 - \$2.0m Frenchs Forest precinct park upgrades - The project is behind schedule due to delays in finalising detailed design

Capital Expenditure Year to Date (YTD) Analysis

Expenditure on capital works for the three months ended 30 September 2023 is \$15.2 million against a year-to-date budget of \$12.6 million.

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

Capital expenditure as at 30 September 2023 – Variance to Approved YTD Budget

YTD Variance \$'000	Details – Favourable / (Unfavourable) YTD Variance
44	Capital Expenditure – New Projects <ul style="list-style-type: none"> Primarily due to the timing of works including the Warringah recreation Centre \$0.7m, new footpaths \$0.3m, Kimbriki clean water diversion system (\$1.4m) and new traffic facilities works (\$0.6m).
(2,658)	Capital Expenditure – Renewal Projects <ul style="list-style-type: none"> Timing of works including the road resheeting program (\$1.5m), major plant renewal (\$1.5m) and foreshores renewal program \$0.3m.

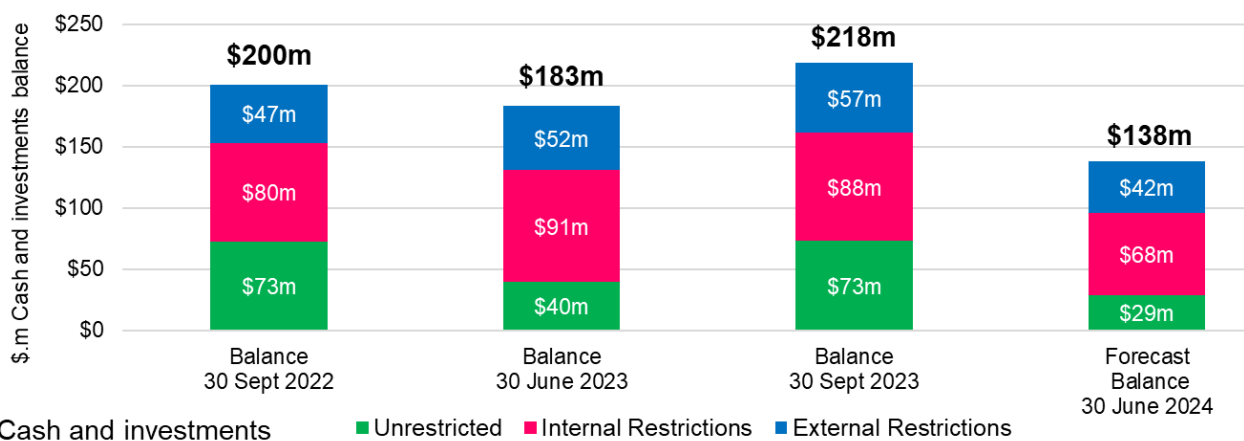
YTD Variance \$'000	Details – Favourable / (Unfavourable) YTD Variance
(2,614)	TOTAL CAPITAL EXPENDITURE VARIANCE – YTD ACTUALS WITH YTD BUDGET

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

Cash and Investments

The balance of cash and investments as at 30 September 2023 was \$218 million. The projected balance on 30 June 2024 has been revised to \$138 million, \$20 million higher than the Original Budget forecast of \$118 million, primarily due to the proposed rephasing of expenditure to the 2024/25 financial year, new grants and contributions and an increase in restricted funds including development contributions.

Cash and investments – as at 30 September 2023



Further information is available on cash and investments within Attachment 2 'Quarterly Budget Review Statement - September 2023' to this report.

Financial Performance Measures

The financial performance measures indicate that Council will meet the following Office of Local Government's benchmarks.

\$ '000	Forecast result 30/6/2024	Forecast indicator 30/6/2024	Benchmark
1. Operating Performance			
Total continuing operating revenue ¹ excluding capital grants and contributions less operating expenses	287	0.07%	✓ >0%
Total continuing operating revenue ¹ excluding capital grants and contributions	406,301		
¹ Excludes fair value adjustments, reversal of revaluation decrements and net gain on sale of assets.			
This ratio measures Council's achievement of containing operating expenditure within operating revenue. It is important to distinguish that this ratio is focusing on operating performance and hence capital grants and contributions, fair value adjustments, net gain on sale of assets and reversal of revaluation decrements are excluded.			
For the 2023/24 financial year, the forecast result is just above the benchmark. The ratio is impacted by the early payment of the 2023/24 Financial Assistance Grant in the 2022/23 financial year along with the project costs for the replacement of the Council's core IT system.			
\$ '000	Forecast result 30/6/2024	Forecast indicator 30/6/2024	Benchmark
2. Unrestricted Current Ratio			
Current assets less all external restrictions	113,317	1.86x	✓ >1.5x
Current liabilities less specific purpose liabilities	61,068		
The Unrestricted Current Ratio is specific to local government and is designed to represent a Council's ability to meet short term obligations as they fall due. Restrictions placed on various funding sources (e.g., development contributions and domestic waste income) complicate the traditional current ratio used to assess liquidity of businesses as cash allocated to specific projects is restricted and cannot be used to meet a Council's other operating and borrowing costs – these funding sources are removed from this ratio.			
For the 2023/24 financial year, the forecast result will continue to meet the benchmark.			

TIMING

The Quarterly Budget Review Statement meets the requirements of the *Local Government Act 1993* and *Local Government (General) Regulation 2021* (section 203), namely that Council report quarterly on a budget review statement, and at least every six months on the principal activities of its Operational Plan.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

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

FINANCIAL CONSIDERATIONS

The operating surplus (which includes capital grants and contributions) for the financial year is forecast to increase by \$10.9 million to a surplus of \$40.0 million, primarily due to an increase in

grants and contributions along with higher investment revenue. Excluding capital grants and contributions the result for the year is forecast to improve by \$5.4 million, from a deficit of \$4.8 million, to a small surplus of \$0.6 million.

There are several restrictions on funds within the operating result. When these are removed, the underlying operating result is forecast to be a deficit of \$4.1m.

	<u>\$'mil</u>
Underlying result	
Surplus / (deficit) excluding capital grants and contributions	0.6
Less:	
Interest on restricted Council funds	(3.5)
Domestic Waste	(1.2)
Stormwater Charge net opex	(1.8)
Special Rates	(0.2)
Externally restricted grants (net)	0.6
Kimbriki (less dividend)	(0.2)
Mona Vale Cemetery	(0.2)
Gain on the disposal of assets	(0.4)
Financial assistance grant advance payment (net)	5.0
Recovery of natural disaster expenditure in prior year	(1.0)
Enterprise Resource Planning system replacement - rephase to 2024/25	(1.8)
Underlying surplus / (deficit) excluding capital grants and contributions	(4.1)

Capital Expenditure is forecast to increase by \$1.4 million to \$112.7 million, primarily due to new grants less the proposed rollover of projects into the 2024/25 financial year.

Council's budget remains balanced and is expected to meet all financial performance benchmarks this financial year. However, the Operating Performance Ratio remains weak due to the low operating surplus forecast. Strengthening this position in the future is explored in the Long-Term Financial Plan.

SOCIAL CONSIDERATIONS

The report discloses progress on implementing the Operational Plan. This includes the continued delivery of services and capital works that support our community and economy. These initiatives will have a positive social and economic impact on the community.

ENVIRONMENTAL CONSIDERATIONS

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

GOVERNANCE AND RISK CONSIDERATIONS

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

ITEM 9.3	MONTHLY INVESTMENT REPORT - SEPTEMBER 2023
REPORTING MANAGER	CHIEF FINANCIAL OFFICER
TRIM FILE REF	2023/770262
ATTACHMENTS	NIL

SUMMARY

PURPOSE

The purpose of this report is to provide details of all money that Council has invested under section 625 of the *Local Government Act 1993* (Act).

EXECUTIVE SUMMARY

- In accordance with section 212 of the Local Government (General) Regulation 2021 (Regulation), the responsible accounting officer must provide Council with a written report on a monthly basis setting out details of all money that the Council has invested under section 625 of the Act.
- The responsible accounting officer has certified that the investments listed in the report have been made in accordance with the Act, the Regulation and Council's Investment Policy.
- As at 30 September 2023, Council had total cash and investments of \$220,000,804 comprising:

Trading Accounts	\$609,033
Investments	\$219,391,771
- The portfolio achieved a return of 0.414% for the month of September, which was 0.074% above the benchmark AusBond Bank Bill Index return of 0.34%.
- The weighted average interest rate of the portfolio at month end is 5.00% compared to 4.90% for the prior month.
- Total investment income for September was \$947,096 compared to budgeted income for the month of \$613,665. Year to date income is \$2,427,350 compared to budget of \$1,633,531.

RECOMMENDATION

That Council note the Investment Report as at 30 September 2023, including the certification by the Responsible Accounting Officer

REPORT

BACKGROUND

In accordance with section 212 of the Local Government (General) Regulation 2021 (Regulation), 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 *Local Government Act 1993*, the Regulation and Council's Investment Policy.

The details of the report (the key aspects of which are in the Executive Summary) are set out below, together with the Responsible Accounting Officer's certification.

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in this report 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.

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 2023 to date was \$2,427,350 compared to budgeted income of \$1,633,531, a positive variance of \$793,819

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. It was reviewed by the Committee at their meeting in December 2022, and no changes to the Policy were proposed, with the next review by the Committee due by December 2023.

Council's Investment Strategy was reviewed in November 2022 by Council's Investment Advisors, Laminar Capital Pty Ltd, who confirmed that the current policy "remains consistent with the Ministerial Investment Order and guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet" and that they "do not recommend any changes to the list of approved investments or credit limit frameworks".

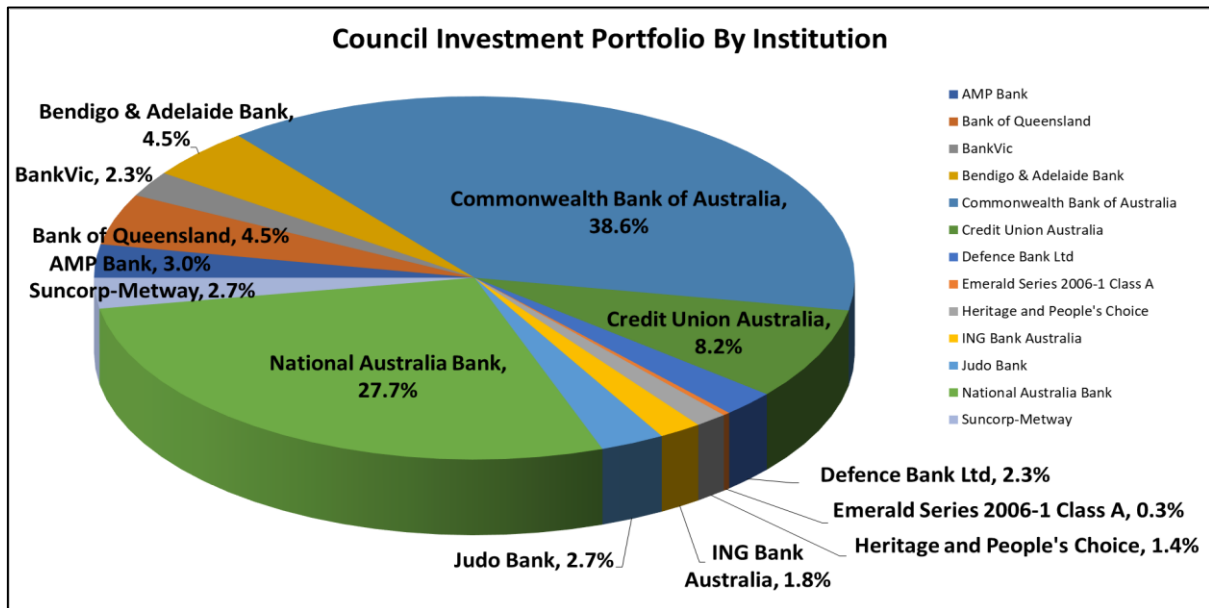
Investment Balances

INVESTMENT BALANCES						
As at 30-Sep-2023						
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE	
Trading Accounts						
National Australia Bank Ltd	A1+	<u>8,973</u>			4.10%	
		8,973				
At Call Accounts						
Commonwealth Bank of Australia Ltd	A1+	<u>6,733,711</u>		At Call	4.15%	
		6,733,711				
Mortgage Backed Securities						
Emerald Series 2006-1 Class A	A*	<u>652,243</u>	17-Jul-06	21-Aug-51	4.5943%	
		652,243				
Term Deposits						
National Australia Bank Ltd	A1+	2,000,000	23-Feb-23	03-Oct-23	4.59%	
National Australia Bank Ltd	A1+	2,000,000	23-Feb-23	05-Oct-23	4.60%	
National Australia Bank Ltd	A1+	3,000,000	23-Feb-23	10-Oct-23	4.61%	
National Australia Bank Ltd	A1+	2,000,000	28-Feb-23	12-Oct-23	4.67%	
National Australia Bank Ltd	A1+	2,000,000	16-Feb-23	17-Oct-23	4.60%	
National Australia Bank Ltd	A1+	2,000,000	28-Feb-23	19-Oct-23	4.68%	
AMP Bank Ltd	A2	1,100,000	25-Oct-22	24-Oct-23	4.85%	
AMP Bank Ltd	A2	900,000	25-Oct-22	24-Oct-23	4.85%	
Bank of Queensland Ltd	A2	1,000,000	23-Mar-23	24-Oct-23	4.60%	
National Australia Bank Ltd	A1+	2,000,000	23-Feb-23	26-Oct-23	4.65%	
National Australia Bank Ltd	A1+	2,000,000	28-Feb-23	31-Oct-23	4.71%	
National Australia Bank Ltd	A1+	2,000,000	01-Mar-23	02-Nov-23	4.72%	
Bank of Queensland Ltd	A2	3,000,000	06-Apr-23	07-Nov-23	4.80%	
AMP Bank Ltd	A2	2,500,000	20-Apr-23	09-Nov-23	4.95%	
Bendigo & Adelaide Bank Ltd	A2	2,000,000	27-Apr-23	14-Nov-23	4.50%	
Judo Bank	A3	2,000,000	04-May-23	16-Nov-23	4.90%	
Bank of Queensland Ltd	A2	1,000,000	23-Mar-23	21-Nov-23	4.60%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Dec-22	21-Nov-23	4.52%	
Judo Bank	A3	2,000,000	09-May-23	23-Nov-23	4.90%	
Judo Bank	A3	2,000,000	09-May-23	28-Nov-23	4.90%	
ING Bank Australia Limited	A1	4,000,000	31-Jan-23	05-Dec-23	4.57%	
Bendigo & Adelaide Bank Ltd	A2	1,000,000	27-Apr-23	07-Dec-23	4.50%	
Credit Union Australia Ltd	A2	3,000,000	16-May-23	12-Dec-23	4.83%	
Credit Union Australia Ltd	A2	3,000,000	16-May-23	14-Dec-23	4.83%	
BankVic	A2	3,000,000	16-Mar-23	19-Dec-23	4.80%	
Defence Bank Ltd	A2	2,000,000	23-May-23	21-Dec-23	4.90%	
Defence Bank Ltd	A2	3,000,000	23-May-23	02-Jan-24	4.90%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-May-23	04-Jan-24	5.00%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-May-23	09-Jan-24	5.02%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	31-May-23	11-Jan-24	5.02%	
Commonwealth Bank of Australia Ltd	A1+	3,000,000	31-May-23	16-Jan-24	5.02%	
Suncorp-Metway Ltd	A1	2,000,000	29-Jun-23	18-Jan-24	5.47%	
National Australia Bank Ltd	A1+	2,000,000	29-Jun-23	23-Jan-24	5.40%	
Suncorp-Metway Ltd	A1	2,000,000	29-Jun-23	25-Jan-24	5.47%	
Credit Union Australia Ltd	A2	3,000,000	31-Jan-23	30-Jan-24	4.65%	
Bank of Queensland Ltd	A2	2,000,000	29-Jun-23	01-Feb-24	5.50%	
National Australia Bank Ltd	A1+	2,000,000	29-Jun-23	06-Feb-24	5.40%	
Suncorp-Metway Ltd	A1	2,000,000	29-Jun-23	08-Feb-24	5.47%	
Bank of Queensland Ltd	A2	3,000,000	29-Jun-23	13-Feb-24	5.50%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Aug-23	15-Feb-24	5.41%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Aug-23	20-Feb-24	5.41%	
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Aug-23	22-Feb-24	5.41%	
Commonwealth Bank of Australia Ltd	A1+	3,000,000	28-Feb-23	27-Feb-24	5.02%	
National Australia Bank Ltd	A1+	2,000,000	01-Mar-23	29-Feb-24	5.00%	

INVESTMENT BALANCES					
As at 30-Sep-2023					
INSTITUTION	RATING	AMOUNT \$	DATE INVESTED	MATURITY DATE	INTEREST RATE
Term Deposits (continued)					
AMP Bank Ltd	A2	2,000,000	28-Mar-23	05-Mar-24	4.90%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	03-Aug-23	07-Mar-24	5.43%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	03-Aug-23	12-Mar-24	5.43%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	08-Aug-23	14-Mar-24	5.44%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	08-Aug-23	19-Mar-24	5.44%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	10-Aug-23	21-Mar-24	5.44%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	08-Aug-23	26-Mar-24	5.45%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	17-Aug-23	28-Mar-24	5.44%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	17-Aug-23	02-Apr-24	5.45%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Aug-23	04-Apr-24	5.37%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	10-Aug-23	09-Apr-24	5.46%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Aug-23	11-Apr-24	5.38%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Aug-23	16-Apr-24	5.51%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	15-Aug-23	18-Apr-24	5.51%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Aug-23	22-Apr-24	5.39%
Bendigo & Adelaide Bank Ltd	A2	3,000,000	27-Jul-23	23-Apr-24	5.45%
Commonwealth Bank of Australia Ltd	A1+	2,000,000	22-Aug-23	30-Apr-24	5.40%
National Australia Bank Ltd	A1+	2,000,000	29-Aug-23	02-May-24	5.10%
National Australia Bank Ltd	A1+	3,000,000	29-Aug-23	07-May-24	5.10%
National Australia Bank Ltd	A1+	2,000,000	29-Aug-23	09-May-24	5.11%
National Australia Bank Ltd	A1+	2,000,000	29-Aug-23	14-May-24	5.10%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	29-Aug-23	16-May-24	5.05%
Credit Union Australia Ltd	A2	3,000,000	23-May-23	21-May-24	5.11%
Bendigo & Adelaide Bank Ltd	A2	2,000,000	29-Aug-23	23-May-24	5.05%
BankVic	A2	2,000,000	05-Sep-23	28-May-24	5.11%
National Australia Bank Ltd	A1+	3,000,000	29-Aug-23	04-Jun-24	5.10%
National Australia Bank Ltd	A1+	2,000,000	05-Sep-23	06-Jun-24	5.15%
National Australia Bank Ltd	A1+	2,000,000	05-Sep-23	11-Jun-24	5.15%
National Australia Bank Ltd	A1+	2,000,000	05-Sep-23	13-Jun-24	5.15%
National Australia Bank Ltd	A1+	3,000,000	05-Sep-23	18-Jun-24	5.15%
National Australia Bank Ltd	A1+	2,000,000	12-Sep-23	20-Jun-24	5.12%
National Australia Bank Ltd	A1+	2,000,000	12-Sep-23	25-Jun-24	5.12%
National Australia Bank Ltd	A1+	2,000,000	12-Sep-23	27-Jun-24	5.12%
National Australia Bank Ltd	A1+	3,000,000	31-Aug-23	02-Jul-24	5.15%
National Australia Bank Ltd	A1+	3,000,000	31-Aug-23	16-Jul-24	5.16%
Heritage and People's Choice Limited	A2	3,000,000	25-Jul-23	30-Jul-24	5.65%
Credit Union Australia Ltd	A2	2,000,000	31-Aug-23	01-Aug-24	5.20%
Credit Union Australia Ltd	A2	2,000,000	31-Aug-23	06-Aug-24	5.20%
Credit Union Australia Ltd	A2	2,000,000	31-Aug-23	08-Aug-24	5.20%
Commonwealth Bank of Australia Ltd	A1+	3,000,000	15-Aug-23	13-Aug-24	5.60%
National Australia Bank Ltd	A1+	3,000,000	12-Sep-23	10-Sep-24	5.20%
		190,500,000			
Kimbriki Environmental Enterprises Pty Ltd					
Trading Accounts					
Commonwealth Bank of Australia Ltd	A1+	600,060			4.05%
		600,060			
At Call Accounts					
Commonwealth Bank of Australia Ltd	A1+	137,108		At Call	4.10%
Commonwealth Bank of Australia Ltd	A1+	1,772,351		At Call	4.10%
		1,909,460			
Term Deposits					
Commonwealth Bank of Australia Ltd	A1+	1,500,000	04-May-23	03-Oct-23	4.51%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	01-Aug-23	01-Nov-23	4.85%
Commonwealth Bank of Australia Ltd	A1+	1,000,000	02-Sep-23	06-Nov-23	4.42%
Commonwealth Bank of Australia Ltd	A1+	16,096,356	28-Aug-23	28-Aug-24	5.41%
		19,596,356			
Total Cash and Investments		220,000,804			

*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

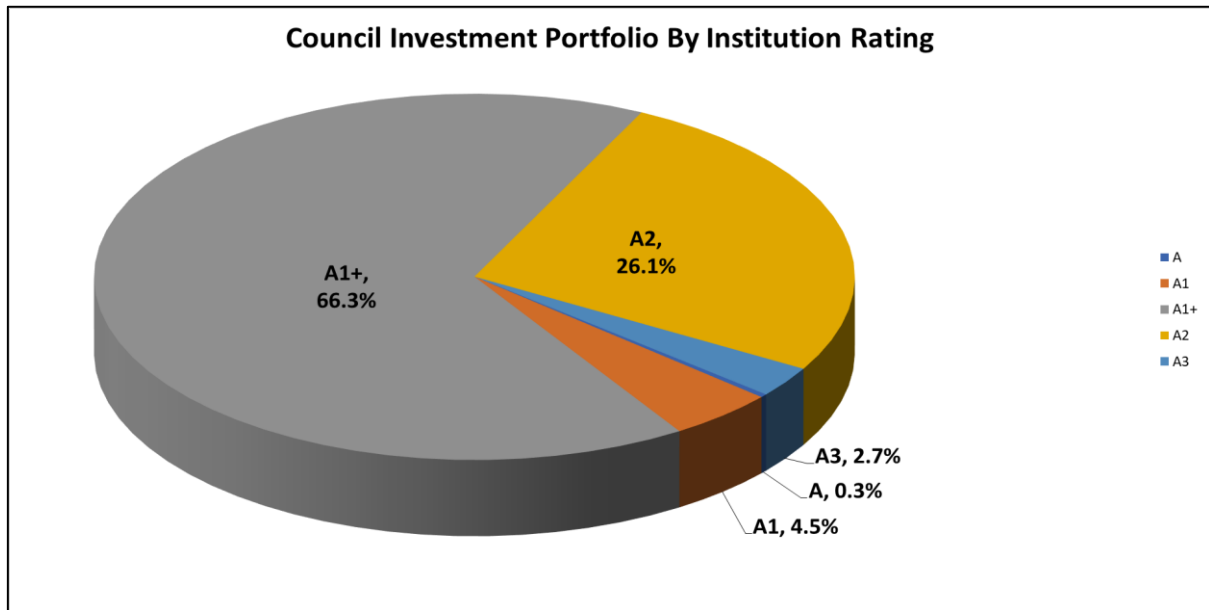
Clause 4.2.2 of Council's Investment Policy requires that the exposure to an individual institution be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

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+	A-1	40%	Yes
A			
A-			
BBB+	A-2	30%	Yes
BBB			
BBB-			
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.



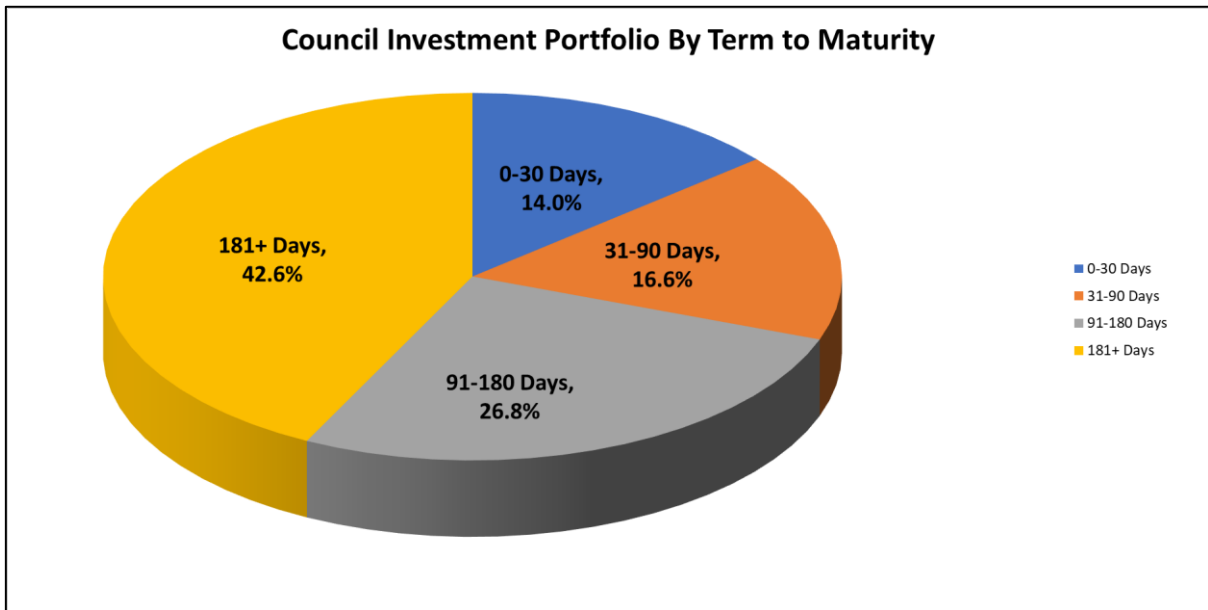
Overall Portfolio Credit Framework – Compliance with Investment Policy Requirements

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

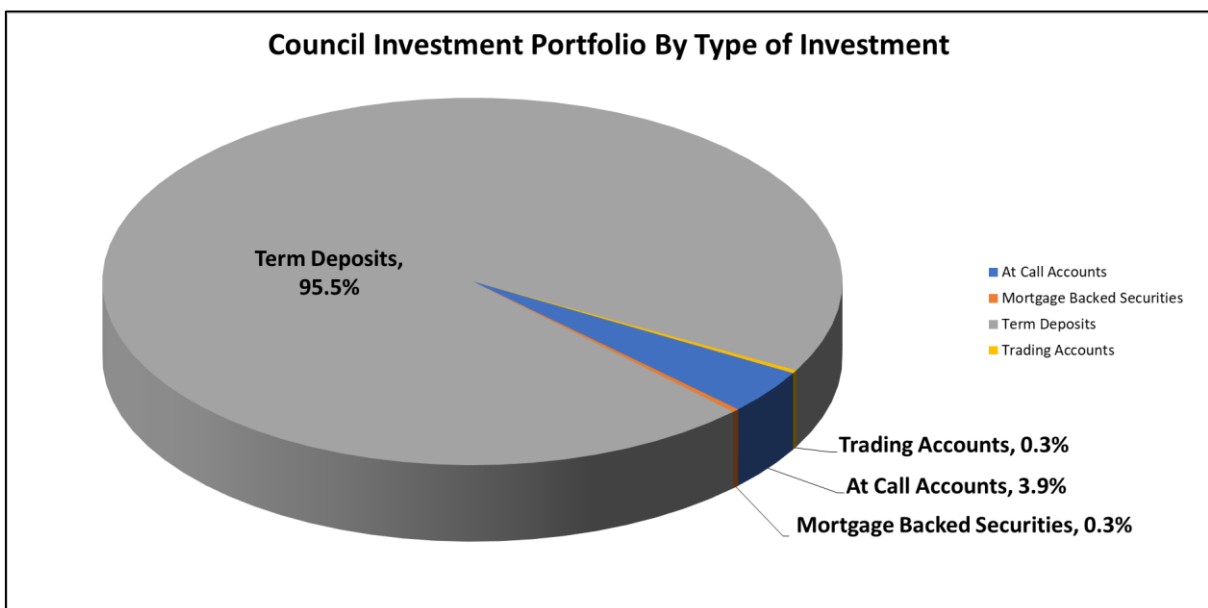
** Unrated Category is restricted to eligible managed funds such as the NSW Treasury Corporation Hour Glass Facilities and ADIs covered by the government guarantee scheme.



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	0.414%	0.34%
3 Months	1.229%	1.08%
FYTD	1.229%	1.08%
12 Months	4.241%	3.56%

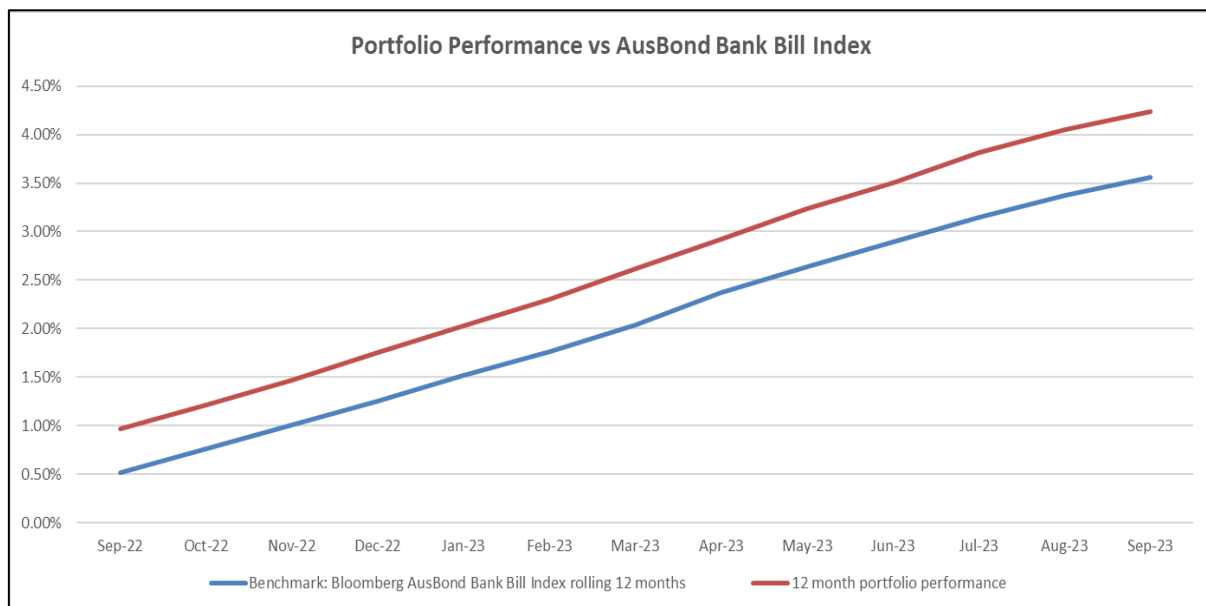
* Excludes trading account balances

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 0.414% for the month of September which was 0.074% above the benchmark AusBond Bank Bill Index return of 0.34%. For the past 12 months the portfolio achieved a return of 4.241% which was 0.681% above the benchmark AusBond Bank Bill Index return of 3.56%.



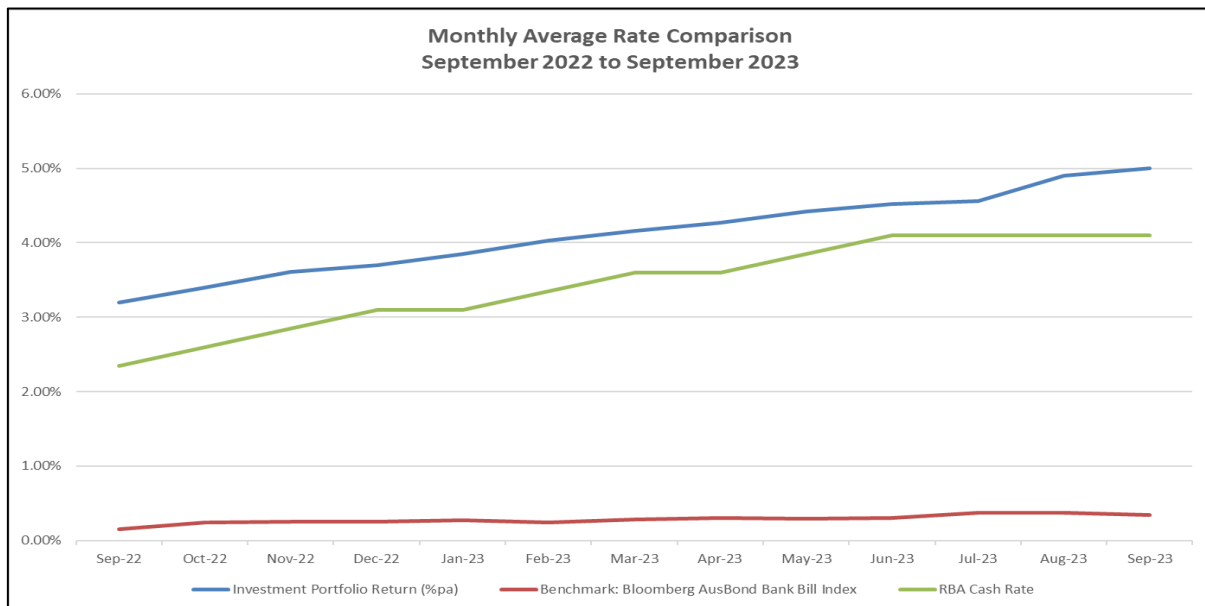
b) Portfolio Interest Rate vs Benchmarks

	Weighted Average Portfolio Interest Rate (%pa) *	Average Benchmark: AusBond Bank Bill Index	Average RBA Cash Rate
1 month	5.00%	0.34%	4.10%
3 Months	4.82%	0.36%	4.10%
6 Months	4.61%	0.33%	3.98%
FYTD	4.82%	0.36%	4.10%
12 Months	4.20%	0.29%	3.54%

* 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 Reserve Bank of Australia Cash Rate for the same period.

The weighted average interest rate of the portfolio is 5.00% compared to 4.90% for the prior month. For the past 12 months the weighted average interest rate of the portfolio was 4.20% compared to the average Ausbond Bank Bill movement of 0.29% and the average Reserve Bank of Australia Cash Rate of 3.54%.

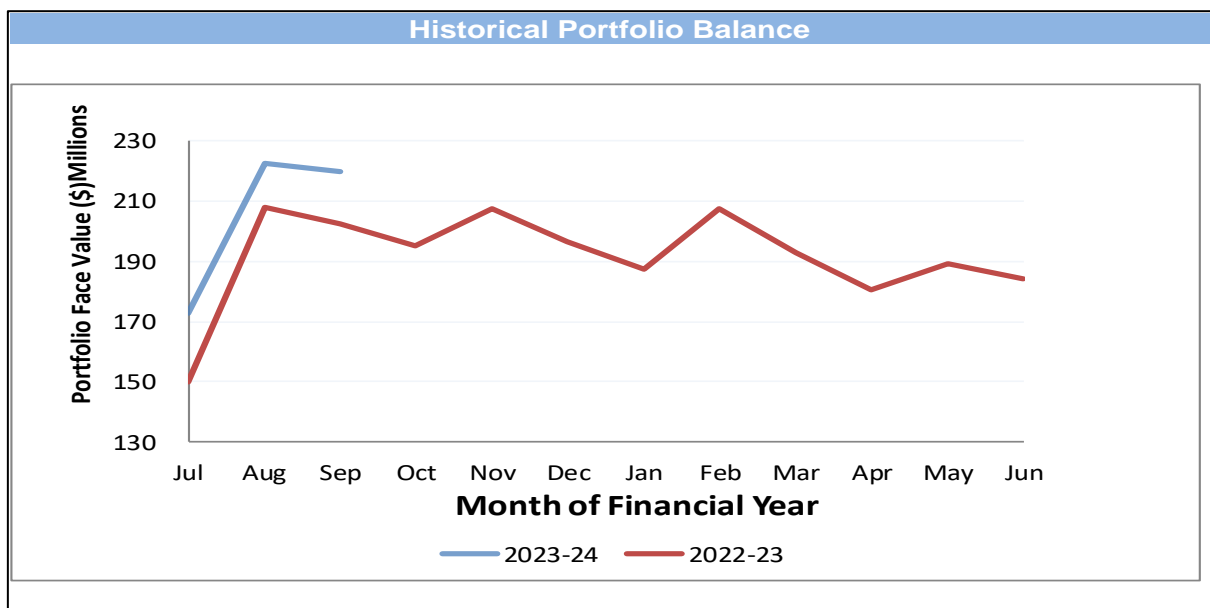


Monthly Investment Income* vs Budget

	Sep 2023 \$	Year to Date \$
Investment Income	947,101	2,420,796
Adjustment for Fair Value	(5)	6,554
Total Investment Income	947,096	2,427,350
Budgeted Income	613,665	1,633,531

*Includes all cash and investment holdings

Historical Portfolio Balance		
	2023-24	2022-23
Jul	172,792,796	150,084,380
Aug	222,700,387	207,972,249
Sep	220,000,804	202,385,068
Oct		195,360,642
Nov		207,563,253
Dec		196,306,324
Jan		187,257,340
Feb		207,336,465
Mar		192,847,150
Apr		180,536,376
May		188,995,234
Jun		184,295,641
Average Portfolio Balance	205,164,662	191,745,010



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

The breakdown of restrictions is generally not available for the current month within the timeframe for the completion of the Monthly Investment Report. Accordingly, the total cash and investments and restrictions related thereto are presented for the previous month.

At the end of August 2023 total cash and investments were \$222,700,387 and were made up of the following reserve allocations.

Allocation of Funds	Amount (\$)	Percentage
Externally Restricted	56,956,448	25.58%
Internally Restricted	89,676,935	40.27%
Total Restricted	146,633,383	65.84%
Unrestricted	76,067,004	34.16%
Total	222,700,387	100.00%

ECONOMIC NOTES

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

Risk assets weakened again in September as central banks reaffirmed that interest rates would need to stay higher for longer. Bond markets continued to build the growing possibility that official interest rates are likely to stay at least as high as they are currently for an extended period. More signs that US inflation has stopped falling for the time being added to upward pressure on bond yields. Wrangling over US government budget spending raised the prospect of a lengthy shutdown of payments to government workers, adding greater uncertainty to US economic prospects and another reason to sell risk assets. A temporary deal sealed at month end came after market close for the month but may provide some boost early in October.

Most major share markets extended their August falls in September. Britain's FTSE 100 was the odd one out showing a gain of 1.9% in September. Otherwise falls in major share markets ranged from 2.5% for Europe's Eurostoxx 50 to down 5.0% for the US S&P 500. Australia's ASX200 fell by 3.2%. High interest rates are presenting an increasing headwind to share markets particularly amid an uncertain economic and earnings outlook.

US headline inflation is inconveniently rising for the time being with the CPI annual rate pushing up to 3.7% y-o-y in August from 3.2% in July and 3.0% in June. It is mostly higher energy prices, especially higher oil prices that are driving up inflation and in other times the Fed might be able to pass off the rise as temporary and focus on underlying inflation which is still edging down. The core annual CPI reading, excluding food and energy prices fell to 4.3% y-o-y in August from 4.7% in July.

Current times are proving more challenging for the Fed. Constrained global oil supply is proving to be longer lasting as two big global suppliers of oil, Russia and Saudi Arabia have different reasons to keep supply tight that ultimately converges to one reason. Both need high oil prices to stay in place. The longer that high and rising oil prices persist, the less reason the Fed (and other central banks including the RBA) have to be able to regard the impact on inflation as temporary.

US bond yields lifted substantially in September and bond yields sit above 5.0% out to 2 years on the curve. The 2-year bond yield rose in September by 18 basis points (bps) to 5.04%. Longer-term US bond yields pushed up further above 4.0% with the 10-year bond yield up 46bps to 4.57% and the 30-year yield up 48bps to 4.70%. Given the stickiness of US inflation we see the Fed under pressure to keep the Funds rate at least where it stands currently (5.50%) for an extended period. With the Fed Funds rate lodged above 5.0% probably through 2024 and into 2025 we see little chance of US long term bond yields rallying below 4.0%, other than briefly, over the next year or so and a growing likelihood they could spend some time above 5.0%. High long-term US bond yields are also likely to influence the path of longer-term bond yields elsewhere, including in Australia.

In Australia, bond yields also rose sharply in September. The 2-year bond yield rose by 32bps to 4.08% while the 10-year bond yield lifted by 49bps to 4.48%. Back in August, signs of a less tight labour market and moderating inflation allowed the RBA to declare that it could see a credible path to return inflation to 2-3% target by late 2025. That declaration now seems premature after developments through September – Q2 GDP on the strong side of expectations at 0.4% q-o-q, 2.1% y-o-y; a big employment lift in August, +64,900; rising monthly CPI inflation to 5.2% y-o-y in August from 4.9% in July; evidence of a lengthier than usual period developing in high petrol prices; and national house prices making a record high.

Moving through September, those developments among others have altered market perceptions from expecting the RBA to keep the cash rate on hold at 4.10% for the next few months ahead of a series of rate cuts, to the possibility of another rate hike or two ahead and no reduction from the peak until late 2024 at earliest. This change in perception about the course of the RBA cash rate has helped to pressure Australian bond yields higher matching and, in some cases, beating the pace of increase in US bond yields.

ITEM 9.4	DRAFT POLICY FRAMEWORK
REPORTING MANAGER	EXECUTIVE MANAGER GOVERNANCE & RISK
TRIM FILE REF	2023/679410
ATTACHMENTS	1 ↓Draft Policy Framework

SUMMARY

PURPOSE

The purpose of this report is to establish a Policy Framework.

EXECUTIVE SUMMARY

- A draft Policy Framework (draft Framework) has been prepared (Attachment 1) to outline the strategic principles for all Council policies and set out the governance arrangements for the establishment and review of Council policies and other internal facing corporate documents.
- The draft Framework deals with three tiers of corporate documents:
 1. Council policies
 2. Determinations
 3. Guidelines
- The draft Framework contemplates that Tier 1 documents are established or revoked by resolution of the elected Council, and the management of Tier 2 and 3 documents is the operational responsibility of the Chief Executive Officer.
- The draft Framework is generally consistent with current practice and sector standards.
- It is proposed that, due to the high level strategic intent of the draft Framework, it be adopted as a Council policy.
- Due to the corporate nature of the document and its alignment to standard industry practice, staff are not proposing to publicly exhibit the draft Framework. However, if Council considers the likely benefit of doing so outweighs the cost, impact on resources and associated time involved it may resolve to do so.

RECOMMENDATION

That Council adopt the Policy Framework.

REPORT

BACKGROUND

The draft Policy Framework (draft Framework) provides the strategic principles for Council policies and outlines the tiers of corporate policy related documents.

The draft Framework consists of three tiers of corporate documents, referred to as:

1. Council policy
2. Determination
3. Guideline

The draft Framework identifies that a Council policy has high level strategic intent, is linked to Council's Community Strategic Plan and/or is required by relevant legislation and has community focus and/or significant public interest.

The draft Framework contemplates that a Council policy is adopted by Council resolution and published on Council's website. It provides that a Council policy may only be revoked or amended by Council resolution.

The draft Framework proposes that Council policies are reviewed at least once per Council term, or more frequently if required due to material changes to Council's operating environment such as legislative amendment, Council resolution or a variation to Council's strategic direction. Where appropriate Council will formally engage with the community in accordance with Council's Community Engagement Strategy when developing and reviewing Council policies.

The draft Framework provides that the other tiers of corporate documents (determinations and guidelines) are operational in nature and their purpose is to assist staff in the administration and discharge of their Council duties. Accordingly, the preparation, approval and review of determinations and guidelines is the responsibility of Council's Chief Executive Officer.

The draft Framework is generally consistent with current practice and the current operational guidance material prepared by staff to govern how staff deal with policies. This governance approach is also very common across the local government sector. It is proposed that, due to the high level strategic intent of the draft Framework, it be adopted as a Council policy.

The draft Framework proposes some changes to the naming conventions of operational, internal corporate documents. This will be implemented across the organisation should the draft Framework be adopted by Council. The change will see 'operational policies', or 'operational management standards' become known as 'determinations'. The change in nomenclature is to reduce the chance for confusion between a Council policy (which is defined as having high level strategic intent) and operational guidance.

Should the draft Framework be adopted, all Council policies, determinations and guidelines will be categorised by a numbering system for ease of identification. This will also assist the systematic review and tracking of the documents which are maintained within Council's policy register.

CONSULTATION

The draft Framework contemplates that, where appropriate, Council will engage with the community in accordance with Council's Community Engagement Strategy when developing or reviewing Council policies.

Given the nature of the document and its alignment with current practice, staff are not proposing to publicly exhibit the draft Framework. However, Council may resolve to publicly exhibit the draft Framework if it considers the likely benefit of doing so outweighs the cost and impact on resources and the associated time involved.

TIMING

Should the draft Framework be adopted by Council, it will be placed on a review schedule to ensure its review once per Council term.

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 recommendations of this report pose no financial impact on Council.

SOCIAL CONSIDERATIONS

Policies are an important tool for Council to communicate its strategic direction to the community and provide visibility of the governance framework in line with Council's key Community Strategic Plan outcome of Good Governance.

ENVIRONMENTAL CONSIDERATIONS

No adverse environmental impacts arise from the recommendations of this report.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Framework provides the strategic direction and governance framework for the ongoing management, establishment and review of Council policies, determinations and guidelines. The review principles proposed in the draft Framework are a control to ensure Council's core corporate documents remain relevant, effective and in keeping with community expectations.

Draft Council Policy NB001/2024

Policy Framework

Purpose

The purpose of this policy is to establish the framework for the hierarchy, creation, amendment and review of corporate documents being Council policies, determinations and guidelines.

Policy framework overview

Council's policy framework consists of three tiers of corporate documents that inform the community on Council's strategic direction and provide guidance for Council staff on the purpose and process for undertaking particular activities.

The three tiers of documents are:

1. Council policy
2. Determination
3. Guideline

All Council policies, determinations and guidelines will be categorised by a numbering system for ease of identification.

Council policy

A Council policy is a strategic document outlining the position of Council on a particular subject matter and is adopted by Council resolution.

A Council policy:

- provides high level strategic direction;
- is linked to Council's Community Strategic Plan and/or is required by relevant legislation; and
- has community focus and/or significant public interest.

Council policies may only be adopted, amended or revoked by Council resolution.

Council policies must be reviewed once per Council term, or more frequently if required due to material changes to Council's operating environment such as legislative amendment, Council resolution or a variation to Council strategic direction.

Council will, where possible and appropriate, adopt and implement relevant model NSW Government policies which have been prepared for local government, rather than establish discrete Council policies on the same topic.

Council policies will not simply duplicate or re-state legislative requirements but, where appropriate, may expand on Council's application of legislation.

All Council policies are published on Council's website for public inspection and recorded in Council's policy register.

Where appropriate Council will formally engage with the community in accordance with Council's Community Engagement Strategy when developing and reviewing Council policies.

Depending on the circumstances, public exhibition of a draft or revised Council policy may not be necessary (such as where the policy is only proposed to be re-adopted or is consistent with a model policy provided by the NSW Government), however Council may resolve to publicly exhibit a draft or revised policy in circumstances where it considers the likely benefit of doing so outweighs the costs and impact on resources and the associated delay.

Determination

A determination is an internal facing document providing a mandatory set of principles.

A determination:

- is operational in nature;
- does not have significant policy implications for the community; and
- provides direction to Council staff in the administration and discharge of their Council duties.

The preparation, approval and review of determinations is the responsibility of Council's Chief Executive Officer (or delegate).

Determinations are to be reviewed by the Chief Executive Officer (or delegate) at least once per Council term, or more frequently if required.

Determinations are recorded in Council's policy register and published for staff on Council's intranet and will be made available to councillors as required.

Guidelines

A guideline is an internal facing document to support the implementation of a Council policy or determination.

A guideline:

- is not a stand alone document; and
- is only utilised where further information is necessary to support the implementation of policies or determinations.

The preparation, approval and review of guidelines is the responsibility of Council's Chief Executive Officer (or delegate).

Guidelines are to be reviewed by the Chief Executive Officer (or delegate) at least once per Council term, or more frequently if required.

Guidelines are recorded in Council's policy register and published for staff on Council's intranet and will be made available to councillors as required.

Scope and application

All Council officials shall have regard to this Policy Framework in relation to the development, review and revocation of Council policies, determinations and guidelines.

References and related documents

- Community Strategic Plan
- Community Engagement Strategy
- Northern Beaches Council Code of Conduct

Community Strategic Plan

This Council policy 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.

Responsible Officer

Executive Manager Governance & Risk

Review Date

Four years from date of Council adoption (once per Council term)

Revision History

Policy number	Date	Detail	TRIM #
NB001/2024	15 November 2023	Draft for Council review	2023/679812

10.0 COMMUNITY AND BELONGING DIVISION REPORTS

ITEM 10.1	RESPONSE TO NOTICE OF MOTION NO 17/2023 - PROPOSAL FOR PAVING ARTWORK ON MARINE PARADE, MANLY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS & CULTURE
TRIM FILE REF	2023/501310
ATTACHMENTS	NIL

SUMMARY

PURPOSE

The purpose of this report is to investigate a paving artwork for Marine Parade in Manly, in response to Council's resolution of 27 June 2023 and to seek endorsement for this project.

EXECUTIVE SUMMARY

- Marine Parade runs from Manly Beach to Shelley Beach and is one of Sydney's top rated walks.
- A small public artwork is able to be embedded into the footpath at the entrance to the steps into the water at Cabbage Tree Bay, at the intersection of Bower Lane and Marine Parade, as part of the footpath replacement program due to be undertaken in 2024.
- The proposal demonstrates consistency with Council's adopted Arts and Creativity Strategy, its associated action plans and aligns with the adopted Public Art Policy.
- The location is well suited to a small, embedded public art installation, with high pedestrian traffic and easy access for the community and visitors.
- The design, fabrication and installation of an embedded artwork into the footpath at Marine Parade, Manly, could be funded from the existing Arts and Culture program budget.
- Community engagement regarding this project will occur prior to the development of the artist brief and with the selected artist.
- The project could be delivered between June and August 2024.

RECOMMENDATION

That Council endorse the installation of a small embedded public art installation at Marine Parade, corner of Bower Lane adjacent to the pedestrian steps to Cabbage Tree Bay, Manly.

REPORT

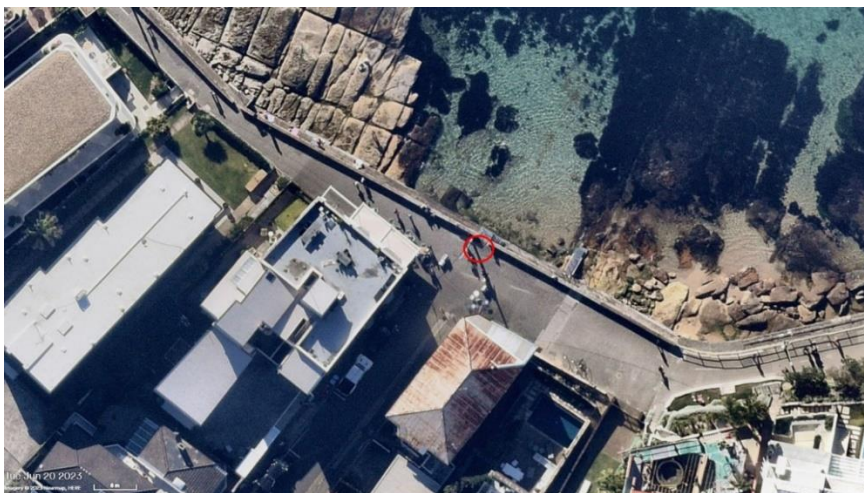
BACKGROUND

Council resolved the following in response to Notice of Motion No 17/2023 – Proposal for Public Art on Marine Parade, Manly (Ordinary Council Meeting - Item Number 15.2 - 27 June 2023):

That Council:

1. *Explore the opportunity to install a vibrant public footpath artwork, reflecting the marine life at Cabbage Tree Bay Aquatic Reserve, on the walkway at the entrance to the steps leading down into the Bay at Marine Parade and Bower Street, Manly.*
2. *Consider the proposal in tandem with the replacement of a larger area of asphalt pathway, and stormwater works, in this location.*
3. *Bring back a full report to the August meeting of Council on what would be needed for this project to proceed.*

Resurfacing of the footpath at the intersection of Marine Parade and Bower Lane in Manly is planned for June to August 2024, providing the opportunity for a small artwork to be incorporated in the paving, creating a focal point at the steps leading down to the water of Cabbage Tree Bay. Images of the site are below.



Proposed artwork location – aerial view



Marine Parade looking east

The footpath area runs in front of a restaurant and local shops. At present the walkway is covered in asphalt that can be hot and rough on bare feet.

A site visit and review of other artworks in similar high traffic locations has been undertaken. Located in a marine environment that is often wet, the footpath is regularly used by pedestrians, personal mobility vehicles, and larger service vehicles. Suitable artwork materials for this specific location include etched concrete or granite pavers, marine grade metal inlays, and oxide-coloured concrete.

Should Council resolve to proceed with this project, community engagement would be undertaken with key stakeholders, including neighbouring businesses and the Friends of Cabbage Tree Bay. Following this community engagement, an artist's brief would be prepared with a maximum project budget of \$10,000. An artist and fabricator team will be directly appointed to deliver the project in conjunction with the footpath replacement. The replacement footpath is programmed for winter 2024.

STRATEGIC CONTEXT

The installation of a small artwork along Marine Parade will complement an area where there are already numerous public art works installed over time that create interest and complement the striking natural features along the walkway. Council's Arts and Creativity Strategy provides strategic direction with respect to art in public places. The location at Marine Parade is consistent with both:

- Outcome 1 "Infusing public places with creativity"
- Outcome 3 "Engaging local communities by sharing stories"

The associated Action Plan from the Arts and Creativity Strategy also supports the progression of this project through Action 1.1.3 "Developing the Coast Walk Public Art Trail from Manly to Palm Beach" and 1.1.6 "Embedding creative expression in the public domain through art in public places, such as street art and other projects."

The proposal aligns to the principle of the Public Art Policy:

"Enhance the design and functionality of the public domain through public art; and Deliver robust, durable public art that will retain its quality and integrity over time."

The proposal is also consistent with the following Public Art Policy statement:

"Council will deliver and encourage public art that responds to the unique natural, social, and built environments of the Northern Beaches"

as this project will reflect the unique marine environment of Cabbage Tree Bay Marine Reserve.

CONSULTATION

Community engagement would be undertaken prior to the development of an artist brief, to gather community input on the project. Following the selection of an artist, the artwork will be installed. The project would be promoted through Council's newsletters, website, and media channels.

TIMING

The project would be undertaken to coincide with footpath replacement works which are scheduled for winter 2024. Should Council approve this proposal an artist/fabricator for the artwork will be engaged to meet the timeframe for the footpath replacement works.

The Stage 2 stormwater improvement works at Marine Parade (near Bower Lane) are anticipated to commence in early December and be completed by the end of this year. The artwork installation will be undertaken in conjunction with footpath resurfacing which is expected to commence in autumn 2024.

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
- Housing, places and spaces - Goal 12 Our community has access to spaces that enable healthy and active living and allow for a broad range of creative, sporting and recreational opportunities to be enjoyed

FINANCIAL CONSIDERATIONS

Funding for the embedded artwork has been identified from the Arts and Culture budget at a maximum cost of \$10,000. Funding for the wider footpath replacement has been separately budgeted and approved as part of the 2023/24 operational plan.

SOCIAL CONSIDERATIONS

This project would have positive social impacts, including connection to the marine life of the aquatic reserve and to encourage members of the community enjoying recreation in the area.

ENVIRONMENTAL CONSIDERATIONS

The marine environment requires high quality materials that can withstand extreme conditions in this site. The artwork themes will encourage community and visitor connection to the natural environment.

Appropriate assessments of any environmental impact have been undertaken in connection with the footpath renewal program. Council has recently completed numerous other paving replacements and reconstructions in this area with minimal environmental impact.

GOVERNANCE AND RISK CONSIDERATIONS

The project would be undertaken in accordance with Council's public art procurement process. Under Council's procurement thresholds, the maximum project cost of \$10,000 permits the direct appointment of an artist/fabricator.

A detailed risk assessment would be undertaken to ensure the project complies with Australian Standards for slip resistance and safety. Materials suitable for wet environments with a very low slip risk equivalent to P4 or P5 slip rating would be specified as part of the procurement process.

ITEM 10.2	PUBLIC EXHIBITION - DRAFT CHAMPIONING DIVERSITY - MULTICULTURAL INCLUSION PLAN 2029
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS & CULTURE
TRIM FILE REF	2023/585026
ATTACHMENTS	1 ⇒ Draft Championing Diversity - Multicultural Inclusion Plan 2029 (Included In Attachments Booklet) 2 ⇒ Community Engagement Report - Championing Diversity - Multicultural Inclusion Plan 2029 (Included In Attachments Booklet) 3 ⇒ Easy Read - Draft Multicultural Inclusion Plan 2029 (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to seek Council's endorsement to publicly exhibit the draft Championing Diversity – Multicultural Inclusion Plan 2029 (the draft Plan), Attachment 1.

EXECUTIVE SUMMARY

- Council's Better Together Social Sustainability Strategy 2040 (Better Together) was adopted in August 2021 and captured Council's commitment to identify the unique challenges we face over the next twenty years and a plan to build on our collective strengths.
- A key action included in Better Together was to undertake further consultation and develop a targeted plan to enhance the experience and inclusion of those from multicultural backgrounds in community life. The draft Plan is the result of this action.
- Over 500 community members, including many from a multicultural background, told us about their experiences living, working or visiting the Northern Beaches.
- The draft Plan has seven outcomes and two strategic directions - Welcoming and Participating.
- Actions identified within the draft Plan are supported by an internal implementation plan that could be delivered through re-prioritisation of future operational budget allocations.
- It is proposed to place the draft Plan on public exhibition for six weeks from mid-January to the end of February 2024, during which time additional engagement will be undertaken with the multicultural community and the broader community.

RECOMMENDATION

That the draft Championing Diversity – Multicultural Inclusion Plan 2029 be placed on public exhibition for a period of 6 weeks with the outcome to be reported to Council.

REPORT

BACKGROUND

The draft Championing Diversity – Multicultural Inclusion Plan 2029 (the draft Plan) was identified as a priority action in the Better Together 2040 Social Sustainability Strategy, seeking to ensure that people on the Northern Beaches can participate fully in community life and have a sense of belonging.

This was further supported when the Community Strategic Plan was reviewed in 2022, with community feedback resulting in the inclusion of 'diverse' in the community's vision for the Northern Beaches - *a safe, **diverse**, inclusive, and connected community that lives in balance with our extraordinary coastal and bushland environment.* The draft Plan will assist in achieving the community's vision.

During an extensive consultation process, involving over 500 community members, the multicultural community expressed a deep desire to participate and share their unique ways of thinking, doing and sharing with others. Overall, the community wants everyone who lives in the community to feel like they belong.

A multicultural Northern Beaches

The Northern Beaches has always been home to a diverse multicultural community and continues to be called home by both established and emerging multicultural communities. The purpose of the draft Plan is:

To ensure the Northern Beaches is a place where those from multicultural communities feel welcome and can participate in community life.

Developed in consultation with the multicultural community and the broad community, the draft Plan will set the direction and prioritise action for the next 5 years.

The draft Plan has two strategic directions that represent the two areas of greatest significance to the community.

Direction 1: Welcoming

The Northern Beaches celebrates diversity and cultural expression.

Direction 2: Participating

The Northern Beaches is a place where everyone feels safe, connected, and included in community life.

CONSULTATION

The draft Plan was developed through an extensive engagement phase conducted between 25 March and 18 May 2023. The detailed reporting of this engagement is provided in Attachment 2 Community Engagement Report - Championing Diversity - Multicultural Inclusion Plan 2029.

A summary of activities and findings is provided in the table below.

Table 1 - Engagement activities, methods, and participants

Delivery	Activity	How we engaged	Who we engaged
Survey/In person	Northern Beaches Key Stakeholders Consultation	Planning workshop and survey	10 Cultural Leaders 6 Survey respondents

Delivery	Activity	How we engaged	Who we engaged
Event/Pop-up	Harmony Day performance	Council run pop up stall with open ended question cards and dot voting activity.	12 members of community participated in dot voting activity. 3 children participated in 'draw your future' activity.
Online	Social services providers	Modified workshop in a box activity workshop	2 workshops 15 Leaders of Multicultural communities and organisations 10 social services from Better Together Leadership group
Pop-up/ In-person	Have your Say Pop-up	Council run pop up stall with: <ul style="list-style-type: none"> open ended question cards dot voting activity draw your future card. 	10 pop ups - two in each Council ward Approximately 253 members of the community voted or talked to us 57 children participated in 'draw your future' activity
In-person	Workshop In a Box	Workshop facilitated by community leaders with their own groups	14 Workshops 121 participants across 11 diverse priority groups
Online	Council hosted Workshop in a Box	Workshop in a Box session hosted by Council, available for previously booked participants.	1 workshop 3 community members
Online	Your Say page	Share your thoughts form in Council 'Have your say' page	19 community members shared their thoughts through the online form

Key themes and opportunities

The feedback received highlights seven key themes and areas of opportunity for making the Northern Beaches an even more welcoming and inclusive place for all. These emerged from the engagement and represent areas of significant strength and opportunity for the local community. These directly align with the seven outcomes in the draft Plan.

1. **Cultural expression** – Diverse cultural expression is visible and present in the community.
2. **Goodwill, respect and equity** – Everyone is treated with respect and feels valued as part of the community.
3. **Workforce** – Opportunities and visibility of multicultural communities in our local workforce.
4. **Services, programs and activities** – Social infrastructure is inclusive and accessible for multicultural communities.
5. **Community languages** – Language is important for being able to access information, as well as contributing to an overall sense of belonging.

6. **Planning & engagement** – Decision making needs to ensure that multicultural communities have a place at the table.
7. **Partnerships** – Multicultural communities want to have relationships with people from their community, with other multicultural communities and with the broader community.

A further phase of consultation is proposed during the public exhibition period and will include:

- Information on the Your Say project page, including an online submission form and photo board for community feedback.
- A range of translated material provided on the Your Say page in the 6 identified key community languages – Arabic, Hindi, Nepali, Chinese, Spanish, and Tibetan.
- An easy read version of the draft Plan (attachment 3) to support people living with disability to participate.
- An online booking option for community members who prefer to speak directly with Council staff to provide feedback. This includes ability to use the Translation and Interpretation Service (TIS).
- Workshops with local service providers and community and cultural leaders.

TIMING

It is recommended that the draft Plan be placed on public exhibition for six weeks from mid-January to the end of February 2024. Following the public exhibition period all submissions received will be reviewed and any necessary changes made to the draft Plan.

The submissions and the final draft Plan will be reported back to Council in 2024, where its adoption will be sought.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes 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
- Housing, places and spaces - Goal 11 Our local centres are vibrant and healthy, catering for diverse economic and social needs
- Transport, technology and connectivity - Goal 18 Our community can easily connect and communicate through reliable communication technologies
- Good governance - Goal 19 Our Council is transparent and trusted to make decisions that reflect the values of the community
- Good governance - Goal 20 Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community
- Partnership and participation - Goal 21 Our community is engaged in decision making processes

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

This draft Plan is a supporting document for the Better Together 2040 Social Sustainability Strategy and supports the delivery of the ten social sustainability outcomes for those from culturally and linguistically diverse backgrounds.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with the exhibition of the draft Plan. The implementation of a final Plan, if ultimately adopted, will have financial implications in relation to actions identified over the next five years. The actions and outcomes within the draft Plan have been developed with each relevant business unit of Council and will be delivered within operational budgets that are set annually by Council.

No additional funding is proposed to implement the actions of this plan, rather a consideration of relative priorities to other project work during the development of the annual operational plan and budget would need to occur.

SOCIAL CONSIDERATIONS

The draft Plan was developed in consultation with the community and is our first step together in ensuring the needs of those from culturally and linguistically diverse backgrounds can access the same opportunities as others living in the community. It provides the direction and guidance required to ensure that Council systems and processes can support the unique needs of those who speak community languages as well as equipping and supporting the community to achieve the same outcomes.

The implementation of the draft Plan will ensure that those from multicultural communities have a seat at the decision-making table and are able to be active and engaged members of the community. This is essential for the long-term viability of the area and ability to remain a socially sustainable Northern Beaches.

It is important to note that the draft Plan does not make comment on the merits of multiculturalism. It is well established that the Northern Beaches has long been home to a diverse multicultural community, and this is an important part of our shared local history.

The purpose of the draft Plan is to acknowledge and preserve the Northern Beaches as a place where people from different cultural and linguistic backgrounds live together and have a shared sense of belonging and feel safe to celebrate and share their unique culture.

ENVIRONMENTAL CONSIDERATIONS

The draft Plan will support more effective environmental messaging and communication to multicultural communities. This will enable them to be better engaged and participate in the initiatives and targets outlined in the Protect. Create. Live. Northern Beaches Environment and Climate Change Strategy 2040.

It will also ensure that the multicultural community is engaged and activated in local emergency management planning.

GOVERNANCE AND RISK CONSIDERATIONS

The draft Plan identifies ways that multicultural communities can be better informed and involved in decision making. This will further enhance Council's role in hearing from and responding to all community members.

During the consultation to develop the draft Plan Council received comments and feedback from the community about experiences of direct and indirect racial discrimination in the community.

Council has a zero-tolerance policy to racial discrimination, including through the public exhibition process. Council is committed to supporting the community to collectively address racial discrimination with actions in the draft Plan working towards that outcome.

ITEM 10.3	COMMUNITY SAFETY ADVISORY COMMITTEE - CONFIRMED MINUTES OF 17 AUGUST 2023 MEETING
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS & CULTURE
TRIM FILE REF	2023/678032
ATTACHMENTS	1 Confirmed Minutes - Community Safety Advisory Committee - 20230817 (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to present the minutes of the Community Safety Advisory Committee meeting held on 17 August 2023.

EXECUTIVE SUMMARY

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 17 August 2023 included discussion on the following items:

- Community safety related concerns raised by young people at Have Your Say Day 2023
- Police report
- Environmental compliance report
- Police and Council Operational Meeting update
- Sexual Assault Prevention and Response Working Group update
- Northern Beaches Suicide Prevention Working Group update.

The minutes of the Community Safety Advisory Committee meeting of 17 August 2023 were confirmed by the Committee at the meeting of 16 November 2023.

RECOMMENDATION

That Council note the minutes of the Community Safety Advisory Committee meeting held on 17 August 2023.

REPORT

BACKGROUND

This Community Safety Advisory Committee (Committee) meets 4 times per year to provide guidance to Council on crime prevention and community safety issues impacting the Northern Beaches. The Committee monitors the implementation of the Community Safety Plan and informs actions within the plan.

CONSULTATION

Council seeks the guidance of this Committee on issues relating to the development of Council strategies and services aimed at enhancing and improving community safety.

TIMING

Draft minutes are confirmed at the following Committee meeting prior to being reported to Council.

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

Funding to support the Committee is included in the existing budget.

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.

ENVIRONMENTAL CONSIDERATIONS

The minutes of the Committee do not present matters that will create adverse environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

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

ITEM 10.4	OUTCOME OF PUBLIC EXHIBITION - DRAFT CULTURAL POLICY
REPORTING MANAGER	EXECUTIVE MANAGER COMMUNITY, ARTS & CULTURE
TRIM FILE REF	2023/684251
ATTACHMENTS	1 ⇒ Draft Cultural Policy (Included In Attachments Booklet) 2 ⇒ Community Engagement Report - Draft Cultural Policy (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to inform Council of the outcomes of the public exhibition and seek the adoption of the Cultural Policy.

EXECUTIVE SUMMARY

- The draft Cultural Policy (draft Policy) was considered at the Council meeting held on 22 August 2023, prior to being placed on public exhibition.
- The draft Policy sets out Council's commitment to fostering the unique culture of the Northern Beaches and was developed based on community feedback, relevant policies and frameworks from State and Federal Government agencies.
- The draft Policy was exhibited on Council's Your Say webpage from 25 August to 24 September 2023. In this period, 302 visitors viewed the page and 22 submissions were received.
- The majority of submissions support the draft Policy. Some submissions in Attachment 2 have been redacted due to their content.
- It is proposed that one amendment is made to the draft Policy in response to the submissions made.

RECOMMENDATION

That Council adopt the Cultural Policy.

REPORT

BACKGROUND

The draft Policy sets out Council's commitment to fostering the unique culture of the Northern Beaches and was developed following consideration of the community feedback on the draft Arts and Creativity Strategy, internal stakeholders, relevant policies and frameworks from other Councils, State and Federal Government agencies and the UNESCO Universal Declaration on Cultural Diversity 2001.

At the Ordinary Council Meeting held on 22 August 2023, Council resolved:

That:

- A. *Council places the draft Cultural Policy on public exhibition for a minimum of 28 days.*
- B. *The outcomes of the public exhibition be reported to Council.*

Following a review of community feedback received during the public exhibition period, it is proposed that one amendment is made to the draft Policy, being the inclusion of an additional principle as follows:

Collaboration, partnership, and open communication between Council and residents fosters understanding of the role and impacts of arts and culture on community wellbeing and a thriving creative economy.

The references and related documents listed in the draft Policy have also been updated. It is recommended that the remainder of the draft Policy to remain as exhibited.

CONSULTATION

Community consultation was undertaken from 25 August to 24 September 2023. In this period, Council's Your Say webpage had 302 visitors (376 visits) with 22 submissions received. Of these submissions, there was majority support for the draft Policy.

Key feedback themes included:

- Enhanced communication and engagement regarding cultural planning, projects and outcomes.
- Concern that the draft Policy is too vague and therefore unlikely to be effective.
- Increased emphasis on support for Aboriginal artists, culture, and heritage.
- Enhanced support for cultural diversity, including LGBTIQ+ and Culturally and Linguistically Diverse communities.
- Enhanced support for artists and creatives on the Northern Beaches.

The Community Engagement Report provides full details of the feedback received (Attachment 2).

TIMING

The draft Policy will take effect once adopted.

LINK TO STRATEGY

The draft Policy aligns with the Community Strategic Plan outcomes as follows:

- 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
- Housing, places and spaces - Goal 11 Our local centres are vibrant and healthy, catering for diverse economic and social needs

FINANCIAL CONSIDERATIONS

Resourcing the implementation of the draft Policy will be met within operational budgets. The recommendations of this report pose no financial impact on Council.

SOCIAL CONSIDERATIONS

The draft Policy provides a clear statement of intent for the Council in developing local arts, culture and creativity, unique to the Northern Beaches.

ENVIRONMENTAL CONSIDERATIONS

The draft Policy acknowledges the importance of the arts, culture and creativity in contributing to a thriving environmental future.

GOVERNANCE AND RISK CONSIDERATIONS

Once adopted all policies are placed on a review schedule to ensure they remain relevant, effective and in keeping with community expectations.

11.0 ENVIRONMENT AND SUSTAINABILITY DIVISION REPORTS

ITEM 11.1	2023/24 ENVIRONMENTAL GRANTS PROGRAM - FUNDING RECOMMENDATIONS
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT & CLIMATE CHANGE
TRIM FILE REF	2023/586441
ATTACHMENTS	1 ↓ Environmental Grants Assessment Panel 23/24 - Funding recommendations

SUMMARY

PURPOSE

The purpose of this report is to seek approval to allocate funding under Council's 2023/24 Environmental Grants Program.

EXECUTIVE SUMMARY

- The Environmental Grants Program (Program) provides grants of up to \$5,000 to eligible applicants to support projects and initiatives that deliver direct benefit to the environment of the Northern Beaches Local Government Area.
- There is a total funding pool of \$50,000 for the 2023/24 Program.
- Applications opened on 29 June 2023 and closed on 7 August 2023. 17 applications were received of which 16 proceeded to assessment (one was ineligible).
- 12 applications were considered to have sufficient merit to be awarded funding (either partial or full funding). A summary of recommended applications, including a brief project description and assessment feedback, are detailed in Attachment 1.
- The 2023/24 Program Guidelines state that eligible applicants may submit more than one application for consideration, however, they cannot receive funding for more than one application.
- Accordingly, the panel recommends \$32,451 be allocated to the top 8 projects (Table 1 of Attachment 1) based on their merit, in line with the Program Guidelines. This includes an application from Northside Enterprise Incorporated.
- The remaining 4 projects (Table 2 of Attachment 1) that were deemed to have sufficient merit for funding, were also submitted by Northside Enterprise Incorporated. Under the Program Guidelines, an entity cannot receive funding for more than one application.
- Council could decide to a) vary the Program Guidelines on this occasion and allocate the remaining funding to those 4 projects, or b) use the remaining funding to improve Council's financial position.

RECOMMENDATION

That Council, pursuant to section 356 of the *Local Government Act 1993*, approve the allocation of \$32,451 (excluding GST) under the 2023/24 Environmental Grants Program as set out in Table 1 of Attachment 1 of this report.

REPORT

BACKGROUND

Council’s Environmental Grants Program (Program) was established in 2020/21 to support the community to deliver the aspirations and commitments in the Council adopted Protect. Create. Live – Northern Beaches Environment and Climate Change Strategy.

The 2023/24 [Environmental Grant Program Guidelines](#) were published on Council’s website, and set out the details of the program, relevant criteria, priorities and requirements.

The Program covers three different categories:

1. Restoration and protection projects that support:
 - A. Bushland and biodiversity
 - B. Coastal and estuarine environments
 - C. Natural creeks and waterways
2. Resource efficiency and sustainability projects, including climate change initiatives, environmental resilience projects, and projects that support energy efficiency and carbon emission reductions, water savings and re-use, and waste reduction and recycling.
3. Sustainability education and community engagement across all areas.

The priority areas for funding in the 2023/24 Program are:

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

Assessment process

The 2023/24 Program accepted applications from 29 June 2023 until 7 August 2023. A total of 17 applications were received of which 16 proceeded to assessment. One application was ineligible.

Applications received	Eligible applications	Eligible applications amount requested	Funding available
17	16	\$73,427	\$50,000

Applications were assessed against the following criteria:

Essential criteria:

1. Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas
2. Demonstrates a positive environmental impact in the short and long-term including how this will be measured and maintained

3. Capacity and demonstrated ability of the individual or organisation to manage a well-planned project
4. A realistic budget with all income and expenditure identified

Highly regarded criteria:

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

Proposed funding allocations

As shown in the table below, 8 applications are recommended for funding with 7 projects recommended for full funding and 1 for partial funding (as some aspects of the proposal were not considered to be as well aligned to program objectives).

Applicant	Project Title	Recommended Funding (ex GST)
Catholic Parish of Frenchs Forest	Stage Three: Creek Bank Stabilisation and Restoration	\$1,951
Christina Kirsch	Online Solar Ambassador Training and Solar Champion Award Program Development	\$5,000
Hazel Malloy	Pittwater and Wagstaffe Spotted Gum Forest (PWSGF) Rehabilitation at intersection of Thompson and Fitzpatrick Streets, Scotland Island	\$5,000
Jane Bennett	Collaroy Slopes coastal rainforest E2 zone weed reduction	\$5,000
Northside Enterprise Incorporated	Bicentennial Walkway Mona Vale Bush Regeneration Project	\$5,000
Peninsula Community Gardens Inc	Sustainable Water Usage and Maintenance Project	\$2,500
Pittwater Community Gardens Association Incorporated - changed to Avalon Community Garden Association Incorporated.	Avalon Community Garden (ACG) Facility refurbishment for a sustainable future	\$5,000
Molly Gourley	Surfboard Souls Growth Strategy	\$3,000 (partial funding)
TOTAL		\$32,451

Additional funding option

The table below shows 4 additional projects that the panel considers have sufficient merit to be funded with the \$17,549 remaining in the funding pool. In order to be funded, these highly regarded applications from Northside Enterprise Incorporated would require a variation to the Program Guidelines that limit the allocation of funding to one project per applicant.

Applicant	Project Title	Recommended Funding (ex GST)
Northside Enterprise Incorporated	Moore Rd Freshwater Dune Bay Restoration Project	\$5,000
Northside Enterprise Incorporated	Greendale Creek/John Fisher Park Curl Curl Bush Regeneration project	\$5,000
Northside Enterprise Incorporated	Flora Ritchie/ Roberts Reserve Curl Curl Dune Management Project	\$5,000
Northside Enterprise Incorporated	Alan Newton Reserve Bush Maintenance Project	\$2,549 (partial funding)
TOTAL		\$17,549

CONSULTATION

The 2023/24 Program was open for applications from 29 June 2023 until 7 August 2023.

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

Council staff were also available to assist applicants navigate the application process.

Assessment panel

Council staff conducted eligibility checks on all applications received prior to progressing to assessment by the Environmental Grants Assessment Panel (Assessment Panel).

The Assessment Panel comprised two representatives from Council's Environment and Climate Change unit, and two community representatives selected via an expression of interest process.

The Assessment Panel members undertook individual online assessments via the SmartyGrants platform and submitted a score for each application against the assessment criteria, resulting in a priority ranking. The Assessment Panel met to discuss the priority ranking and reach consensus on the projects recommended for funding.

The Assessment Panel discussed the merit of each application in line with the Program Guidelines and the principles of the Community Grants and Partnerships Policy. The Assessment Panel found they were unable to recommend the allocation of the full funding pool to applicants, as the Program Guidelines limit the allocation of funding to one project per applicant.

Council could decide to allocate the remaining portion of the funding pool to the highly regarded applications submitted by Northside Enterprise Incorporated, should it wish to do so.

TIMING

Funding will be distributed as soon as practicable following Council approval. Grant funded projects are to be completed by 31 December 2024 and acquitted by 31 January 2025.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes 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
- Protection of the environment - Goal 3 Our community is well-supported in protecting and enhancing the environment to ensure safe and sustainable use
- Environmental sustainability - Goal 6 Our Council is recognised as a leader in environmental sustainability

FINANCIAL CONSIDERATIONS

Funding of \$50,000 to support the Program is included in the 2023/24 Operational Budget. Eligible applications requested a total sum of \$73,427. Following assessment, 8 applications worth \$32,451 are proposed to be awarded funding. The remaining \$17,549 could potentially be allocated to the remaining 4 projects noting it would involve a variation to the Guidelines. Alternatively, these funds could be used to improve Council's financial position.

Community representatives for the Assessment Panel were selected, and paid a lump sum of \$400 each, through an expression of interest process to assist staff and provide significant experience and expertise in the grant review process.

SOCIAL CONSIDERATIONS

The 2023/24 Program has been developed to enable the community to facilitate the delivery of environmental initiatives across the Northern Beaches. The funding of these grants will have a positive impact on our local community. While it is difficult to quantify the precise social and economic value of grant funding, Council's resourcing of local individuals, community groups, services and organisations enables them to achieve community and environmental outcomes that far exceeds Council's capacity to achieve these outcomes alone.

ENVIRONMENTAL CONSIDERATIONS

The projects supported by the 2023/24 Program will contribute to achieving the goals (aspirations and commitments) set out in the Council adopted Protect.Create.Live Northern Beaches Environment and Climate Change Strategy and the Protection of the Environment and the Environmental Sustainability outcomes within the Northern Beaches Community Strategic Plan 2040.

GOVERNANCE AND RISK CONSIDERATIONS

Submissions to the Expression of Interest for community assessment panel members were assessed in accordance with the [Appointment of Committee Members Policy](#), and the Assessment Panel itself operated in accordance with the Environmental Grants Assessment Panel 2023 Terms of Reference.

All Assessment Panel members reviewed the list of applicants for potential conflicts of interest and made declarations via Council's Disclosures App.

The Program is being implemented in accordance with the Community Grants and Partnerships Policy, and section 356 of the *Local Government Act 1993*.

2023/24 Environmental Grants Program – Applicant Overview

Council received seventeen (17) applications for the Environmental Grants Program with sixteen (16) applications proceeding to assessment (one application being ineligible). The 16 eligible applications requested a total of \$73,427. The Environmental Grants Program had the following assessment criteria:

Essential criteria:

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

Highly regarded criteria:

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

Projects recommended for funding:

Following the assessment of the sixteen (16) applications, the Panel recommends twelve (12) for grant funding totalling \$50,000.

- Seven (7) for full funding
- One (1) for partial funding, and
- Four (4) for additional funding through the recommendation of an amendment to the program guidelines that limits the allocation of funding to one project per applicant.

The following table details the projects recommended for funding. All these projects met the criteria. Comments in the following table reflect where they scored highest against the criteria.

Table 1: Projects recommended for funding:

Applicant	Project	Requested funding (excl GST)	Recommended funding (excl. GST)	Comment
Northside Enterprise Incorporated	Bicentennial Walkway Mona Vale Bush Regeneration Project	\$5,000	\$5,000	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas. Capacity and demonstrated ability of the individual or organisation to manage a well-planned project.
Catholic Parish of Frenchs Forest	Stage Three: Creek Bank Stabilisation and Restoration	\$1,951	\$1,951	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas. Capacity and demonstrated ability of the individual or organisation to manage a well-planned project. Represents excellent value for money.
Christina Kirsch	Online Solar Ambassador Training and Solar Champion Award Program Development	\$5,000	\$5,000	Capacity and demonstrated ability of the individual or organisation to manage a well- planned project. A realistic budget with all income and expenditure identified.
Hazel Malloy	PWSGF Rehabilitation at intersection of Thompson and Fitzpatrick, Scotland Island	\$5,000	\$5,000	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas.
Jane Bennett	Collaroy Slopes coastal rainforest E2 zone weed reduction	\$5,000	\$5,000	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas. Experimental, innovative ideas and approaches.
Peninsula Community Gardens Inc	Sustainable Water Usage and Maintenance Project	\$2,500	\$2,500	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas.

Applicant	Project	Requested funding (excl GST)	Recommended funding (excl. GST)	Comment
Pittwater Community Gardens Association Incorporated - changed to Avalon Community Garden Association Incorporated.	Avalon Community Garden (ACG) Facility refurbishment for a sustainable future	\$5,000	\$5,000	Capacity and demonstrated ability of the individual or organisation to manage a wellplanned project. A realistic budget with all income and expenditure identified. Evidence of partnerships with other organisations. Applications that address more than one category and/or priority.
Molly Gourley	Surfboard Souls Growth Strategy	\$5,000	\$3,000 (partial funding)	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas. Experimental, innovative ideas and approaches.
TOTAL			\$32,451	

Table 2: Additional projects demonstrating sufficient merit for funding, which would require a variation to the Program Guidelines.

Applicant	Project	Requested funding (excl GST)	Recommended funding (excl. GST)	Comment
Northside Enterprise Incorporated	Moore Rd Freshwater Dune Bay Restoration Project	\$5,000	\$5,000	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas. Capacity and demonstrated ability of the individual or organisation to manage a well-planned project.
Northside Enterprise Incorporated	Greendale Creek/John Fisher Park Curl Curl Bush Regeneration Project	\$5,000	\$5,000	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas. Capacity and demonstrated ability of the individual or organisation to manage a well-planned project.

Applicant	Project	Requested funding (excl GST)	Recommended funding (excl. GST)	Comment
Northside Enterprise Incorporated	Flora Ritchie/Roberts Reserve Curl Curl Dune Management Project	\$5,000	\$5,000	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas. Capacity and demonstrated ability of the individual or organisation to manage a well-planned project.
Northside Enterprise Incorporated	Alan Newton Reserve Bush Maintenance Project	\$5,000	\$2,549 (partial funding)	Demonstrates a clear rationale for the initiative with key deliverables stated that address at least one of the funding priority areas. Capacity and demonstrated ability of the individual or organisation to manage a well-planned project.
TOTAL			\$17,549	

ITEM 11.2	ANNUAL ELECTRICITY CHARGES 2022/23
REPORTING MANAGER	EXECUTIVE MANAGER ENVIRONMENT & CLIMATE CHANGE
TRIM FILE REF	2023/650177
ATTACHMENTS	NIL

SUMMARY

PURPOSE

The purpose of this report is to advise Council of the electricity charges it has incurred over the 2022/23 financial year.

EXECUTIVE SUMMARY

- In 2021 Council entered into a power purchasing agreement (PPA) for 100% renewable energy for its facilities and streetlights. Council resolved to receive annual reports on our electricity expenditure to determine whether the projected savings were being achieved.
- In the 2022/23 financial year Council spent \$5,042,345 on electricity charges.
- This was an increase of \$106,790 or 2.2% on last financial year's costs, noting this is less than CPI of 6.6% (Sydney All Groups CPI June 2023).
- Notwithstanding the year on year increase, the cumulative savings against the Long-Term Financial Plan since the PPA began are now \$1.73 million, almost delivering the projected \$1.9 million savings in just the first 3 years of the 7-year contract.
- The purchase of 100% renewable electricity through the PPA results in an annual reduction in overall corporate carbon emissions by approximately 20,000 tonnes.

RECOMMENDATION

That Council note the information contained in the report.

REPORT

BACKGROUND

At its meeting of 23 July 2019, Council resolved (in part) that:

Staff report to Council each year for noting its annual electricity charges year on year.

In accordance with this resolution, the annual electricity charges for the 2021/22 and 2022/23 financial years are provided below.

During the 2021/22 financial year Council spent:

- \$2,390,500 on electricity across its large and small sites
- \$2,545,055 on streetlighting electricity and maintenance comprising:
 - \$1,136,831 for electricity usage
 - \$1,408,224 for maintenance costs.

In the most recent year, 2022/23, Council spent:

- \$2,326,338 on electricity across its large and small sites
- \$2,716,007 on streetlighting electricity and maintenance comprising:
 - \$1,243,913 for electricity usage
 - \$1,472,094 for maintenance costs.

Items that have impacted the electricity charges between the last two years include:

- Network and service charges increased in the 2022/23 financial year.
- Electricity retail charges were increased by CPI.
- The increase in overall expenditure between 2022/23 and 2021/22 was 2.2%, which is less than CPI of 6.6% (Sydney All Groups CPI June 2023).

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Environmental sustainability - Goal 4 Our community is supported in the transition towards net zero emissions and a local circular economy
- Good governance - Goal 19 Our Council is transparent and trusted to make decisions that reflect the values of the community

FINANCIAL CONSIDERATIONS

In 2021, the first year of the 100% renewable power purchasing agreement (PPA) contract, the Long-Term Financial Plan (LTFP) included \$5.7 million for 2022/23 of annual expenditure for large sites, small sites and streetlighting electricity and streetlighting maintenance. The actual total expenditure for those items in 2022/23 was approximately \$5.04 million, representing a significant annual saving of nearly \$700,000 against the forecast. The cumulative savings against the LTFP since the PPA began are now \$1.73 million, almost delivering the projected \$1.9 million savings in just the first 3 years of the 7-year contract. The savings have been used to inform Council's

subsequent LTFP which captures these savings moving forward, allowing for expenditure on other Council services.

SOCIAL CONSIDERATIONS

The source of the Large-scale Generation Certificates as part of the 100% Renewable Electricity PPA is the Iberdrola-owned Bodangora Wind Farm. This wind farm is located in regional NSW and therefore is supporting the NSW regional economy and renewable electricity entering the grid. The wind farm also provides community funding through:

- The Bodangora Wind Farm Community Fund for a minimum of \$50,000 each year. This program funds local initiatives and local not-for-profit organisations that deliver social or environment projects or services to residents in the community. This arrangement is in place for at least the first 25 years of the operation of the wind farm, until 2044.
- The Bodangora Wind Farm Community Enhancement Fund which contributes \$17,000 each year to sponsor local events.

ENVIRONMENTAL CONSIDERATIONS

The purchasing of 100% renewable electricity through the PPA results in an annual reduction in overall corporate carbon emissions by approximately 20,000 tonnes.

GOVERNANCE AND RISK CONSIDERATIONS

The PPA was entered into following a competitive procurement process.

12.0 PLANNING AND PLACE DIVISION REPORTS

ITEM 12.1	OUTCOME OF PUBLIC EXHIBITION - DRAFT BROOKVALE STRUCTURE PLAN
REPORTING MANAGER	EXECUTIVE MANAGER STRATEGIC PLACE & PLANNING
TRIM FILE REF	2023/561876
ATTACHMENTS	1 ⇒ Consultation Outcomes Report (Included In Attachments Booklet) 2 ⇒ Brookvale Structure Plan (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to provide Council with the outcome of the public exhibition of the draft Brookvale Structure Plan (draft BSP) and seek adoption of the Brookvale Structure Plan (BSP).

EXECUTIVE SUMMARY

- The draft BSP was exhibited from 1 December 2022 to 28 February 2023.
- 344 submissions were received. There was positive response to the draft BSP with 73% of submissions generally supportive of the proposal. 26% of the submissions were not supportive and 1% were neutral.
- Key themes in the submissions included concerns with existing and future traffic congestion, current limited availability of parking for workers and retailers, varying views on height and density (for and against), questions on noise mitigation measures for new residential uses and existing breweries/live music activities and questions on the capacity of the existing B-line service to support the additional growth.
- Several amendments to the draft BSP are proposed based on submission feedback and a review process, which is detailed in the body of the report.
- The draft BSP and BSP align with Council's Community Strategic Plan and allow Council to respond to development proposals and housing targets set by the State Government.

RECOMMENDATION

That Council:

1. Note the outcomes of the public exhibition of the draft Brookvale Structure Plan.
2. Adopt the Brookvale Structure Plan.
3. Write to the Minister for Planning and Public Spaces seeking funding for implementation of the Brookvale Structure Plan and to highlight the various implementation pathways available.
4. Prepare and/or amend the following documents in accordance Brookvale Structure Plan:
 - A. Warringah Development Control Plan 2011 or the Development Control Plan in force.
 - B. Section 7.11 Development Infrastructure Contributions Plan.
 - C. Northern Beaches Affordable Housing Contributions Scheme.

REPORT

BACKGROUND

Context

Brookvale forms part of the Brookvale-Dee Why Strategic Centre and is the Northern Beaches' largest employment hub and most accessible centre. It includes the greatest concentration of industrial land in northern Sydney, a regional shopping complex, an older commercial strip along Pittwater Road, schools, a TAFE campus, a major sports oval, regional Community Health facility, and the Keolis Downer bus depot. In recent years, Brookvale has become known for its growing micro-brewery industry, emerging arts scene, and creative and innovative small businesses.

Pittwater Road runs north-south through Brookvale and is part of a major arterial transport corridor through the Northern Beaches to the Sydney CBD, with the B-line bus service operating along this route as a high frequency, limited stops rapid transit service. The B-line stop in Brookvale, next to Warringah Mall shopping centre, is the most heavily used stop and is closely linked to an important interchange with local buses. This represents the pre-eminent public transport infrastructure on the Northern Beaches and is a key reason why planning for Brookvale has progressively focused more housing growth in the area with the highest densities closest to the B-line stop.

Project history

Structure planning for Brookvale began in 2015 when it was identified by the NSW Government as a key Strategic Centre. The former Warringah Council resolved to prepare a plan to encourage revitalisation and guide future growth of housing and employment.

The 2017 draft Brookvale Structure Plan was endorsed by Northern Beaches Council in October 2017 for the purposes of public exhibition and was subsequently placed on hold pending a comprehensive review of traffic and transport aspects and the implications for growth in Brookvale.

In 2018, Council commissioned the preparation of a Transport Management and Accessibility Plan for Brookvale-Dee Why (TMAP). At the same time, the State Government finalised its North District Plan which set a strong mandate to retain and manage industrial land and tasked local councils with planning for and meeting housing and employment targets over the next 20 years.

Strategic planning for the Northern Beaches continued to evolve with Council adopting its Towards 2040 Local Strategic Planning Statement and Local Housing Strategy (LHS) which further highlighted the importance of Brookvale's growth as an employment and innovation centre, along with its role supporting housing supply, choice, and affordability.

On 22 November 2022, the revised draft BSP was presented to Council. The 2022 iteration of the draft BSP considered previous community feedback, further technical analysis (including the comprehensive traffic modeling) and the changing State and Local Government policy context. Council's resolution was that:

1. *Council place the revised draft Brookvale Structure Plan on public exhibition for 12 weeks with the following amendment at Point 4 to be made to the draft plan prior to public exhibition.*
2. *The outcomes of the public exhibition of the revised draft Brookvale Structure Plan be reported to Council.*
3. *As part of the consultation process an event similar to "Spotlight on Brookvale" be held which actively engaged the business community and land owners.*
4. *Action 23 Develop an environmental sustainability strategy for Brookvale to inform future planning controls for all new development, and are to include new buildings*

being net zero emissions and the development of a low carbon community with high energy and wastewater efficiency.

Northern Beaches Local Housing Strategy (LHS)

The LHS forecasts housing demand to the year 2036 and identifies a deficit in capacity under the current planning controls of 275 dwellings across the Northern Beaches. The LHS estimates of capacity to meet housing demand factored in 1,000 new dwellings in Ingleside. In response to the State Government's decision to not proceed with Ingleside Place Strategy, Brookvale has potential to meet the 275 dwellings deficit identified in the LHS and a major portion of the 1,000 dwellings no longer being planned in Ingleside.

The LHS identifies Brookvale as a Centre Investigation Area where the aim is to build in long term capacity for new dwellings in and around centres with transport infrastructure. Brookvale's role in delivering on housing targets was further heightened by the State Government decision in 2022 to abandon Ingleside Place Strategy and the need to find alternative locations for 1,000 dwellings that the LHS had factored in at Ingleside.

The BSP growth targets have been adjusted to 1,350 homes and 900 jobs, commensurate with the review findings for the road network capacity outlined in the next section.

Road Network Capacity and Limits to Growth

The imperative to plan for growth in Brookvale has been carefully balanced with traffic and transport considerations. The traffic carrying capacity of the road network, particularly the Pittwater Road corridor, is fundamental to the amount of growth that can occur.

A 2019 audit by Infrastructure Australia found the A8 corridor between the Northern Beaches and North Sydney, which includes Pittwater Road, to be one of five most congested roads in Sydney. Traffic flow through the corridor is impeded by several pinch points with queuing and delays costing the economy many millions in lost time every year. The intersection of Pittwater Road and Warringah Road is one of the worst performing with queues 500-600 metres long during the AM and PM peaks.

In August 2021, Infrastructure Australia added Northern Beaches (A8) corridor capacity: Seaforth to Mona Vale to its Priority List as an 'Early-Stage' project. The listing identifies the Pittwater Rd/Warringah Rd/Harbord Rd intersection as a key pinch point and states '[...growth in the Brookvale - Dee Why Strategic Centre is likely to require improvements in the transport network to enable more intensive land use and to achieve NSW Government dwelling and employment targets.](#)'

Council has made submissions in support of a major road upgrade in the form of grade separation at the Pittwater Rd/Warringah Rd/Harbord Rd intersection. This project will have substantial cost implications, and without any formal commitment from State or Federal agencies, the project remains uncertain.

Council's TMAP involved comprehensive modelling of growth scenarios for Brookvale to identify growth limits in terms of the amount of additional housing and jobs that could be supported by the road network with certain upgrades taking place. Although the TMAP identified an ultimate growth budget for Brookvale that could be possible with major upgrades such as the grade separation at Pittwater Rd/Warringah Rd/Harbord Rd intersection, the draft BSP could only definitively plan for an amount of growth in Brookvale that could be supported by the road network with a limited suite of upgrades identified by the TMAP that were considered realistic in the short to medium term and could be funded in part through developer contributions.

Based on the TMAP findings, with a modest adjustment for mode shift away from private vehicles enabled by the B-line service, reduced parking rates and improved pedestrian and cycle paths, the draft BSP planned for growth in the order of 1,300 homes and 975 jobs.

In response to feedback received through the public exhibition further feasibility analysis was undertaken. Based on this work the growth target has been adjusted to 1,350 homes and 900 jobs.

To support this level of growth, the BSP proposes the following upgrades:

- Willandra Road upgrades
- new short left turn lane on Harbord Road northbound north of Abbott Road
- Beacon Hill Road / Warringah Road intersection upgrade
- extending the right turn bay from Warringah Road to Allambie Road
- laneway adjustment to Cornish Avenue
- extended parking restrictions on the southern side of Abbott Road
- new traffic signals at Allambie Road / Rodborough Road
- the adoption of peak period parking restrictions along the eastern side of Harbord Road and on both sides of Pittwater Road
- new traffic signals at Harbord Road / Brighton Street.

Road network capacity remains the primary consideration for the total amount of growth that can be envisioned by the structure planning process.

CONSULTATION

The draft BSP was exhibited from 1 December 2022 to 28 February 2023 (12 weeks).

Engagement activities included:

- workshops and briefing sessions with key government stakeholders
- meetings with key landowners
- meetings with key business / community groups
- a Business Briefing and networking event held at Brookvale Oval on 7 February 2023
- Warringah Chamber of Commerce & Manly Business Chamber briefings/presentations
- LGNSW Conference Presentation – Destination & Visitor Economy
- a community drop-in session on 8 February 2023
- an online question and answer forum
- an online webinar gallery to view and listen to an overview the plan as well as further detail in relation to different precincts
- displays at Warringah Mall Library
- postcards were sent to over 4,500 properties that were within 1.5km of the B-line bus stop, which included properties in Dee Why, North Curl Curl, North Manly and Allambie Heights
- notification letters to property owners that were within 1.5km of the B-line bus stop, which included properties in Dee Why, North Curl Curl, North Manly and Allambie Heights

- social media across Council's Facebook, Linked platforms and print advertisement editorials, newsletters and email lists were used to promote the project's Your Say webpage and form.

The reach of the engagement was extensive with 118 people attending in person sessions, over 12,000 visits logged to the YourSay page, the letterbox drop distributing over 11,700 postcards in a 1.5km radius of the Brookvale B-line bus stop, the promotional video receiving over 1,300 views, over 1,500 views across the two webinars, social media platforms receiving over 16,900 views and email notifications sent to more than 200,000 subscribers.

Three hundred and forty-four submissions were received including eight from State Government agencies, and ten prepared by consultants on behalf of individual or groups of landowners.

Submissions from the community were mainly via the online submission form which included space for comment and the opportunity to attach detailed comment. Some submissions were also received via email and letters to Council.

Feedback was also provided by internal business units of Council including Community Arts and Culture, Development Assessment, Development Infrastructure, Environment Resilience and Climate Change, Heritage, Library Services, Property, Transport Network and Waste Management.

Submission feedback

The draft BSP received positive feedback, with 73% of submissions generally supportive. Of the 73%, 13% provided full support, while 60% supported elements with changes. 26% of the submissions were not supportive and 1% were neutral.

Figure 1 illustrates the main themes and how often each theme was mentioned in the submissions.

A Consultation Outcomes Report (Attachment 1) prepared by consultants Ethos Urban and Council's Strategic Planning team, details the engagement process, the issues raised and the considered response to each issue, including, where appropriate, revisions made to the draft BSP.

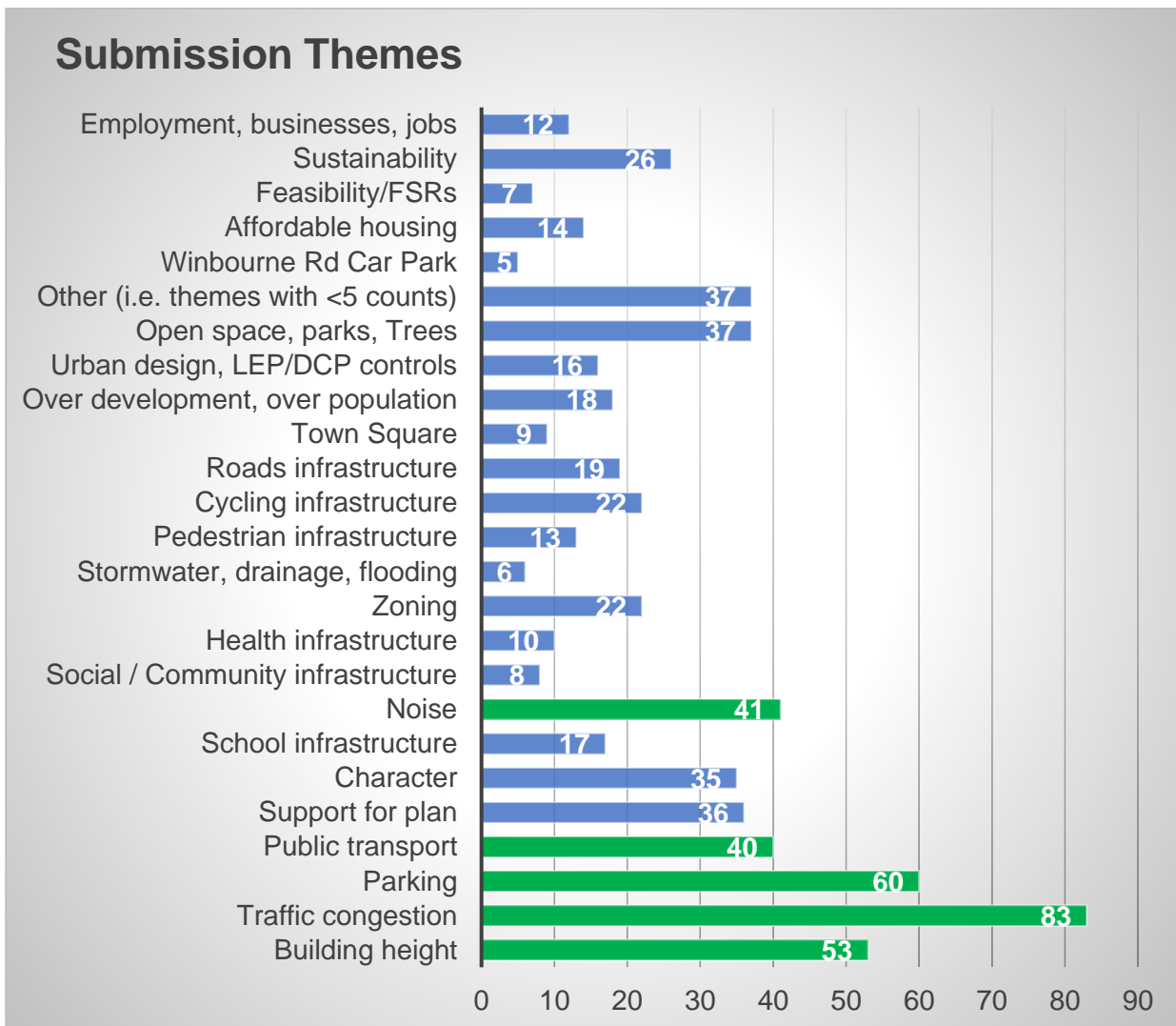


Figure 1: Main themes and number of times each theme was raised in submissions (top 5 in green)

A response to the top five themes is set out below.

Rank	Theme	Response
1	<p>Traffic congestion</p> <p>Community and local business owners raised concern over current traffic congestion and how the existing street network could accommodate the proposed growth.</p>	<p>The BSP sets clear limits to the amount of growth that can occur in Brookvale based on comprehensive traffic modelling and a realistic view of road upgrades that can be funded and implemented as redevelopment occurs over the next 15 years. Growth is carefully distributed to locate the highest densities close to the B-line bus stop and allocate sufficient potential along Roger Street and Pittwater Road to ensure renewal and revitalisation of these important mixed-use precincts.</p> <p>With a growing population, Council must endeavor to meet its employment and housing targets. The best approach to meeting these targets without exacerbating traffic congestion and parking issues is to plan an urban structure</p>

Rank	Theme	Response
		<p>with housing located close to jobs, shops and services, and facilities that support public transport use, walking, cycling and car share.</p> <p>As the most accessible centre on the Northern Beaches, Brookvale has real potential to support lifestyles that move away from reliance on private vehicles. Developer contributions will be allocated towards works to improve safety and amenity for pedestrians and cyclists, and various other recommendations of the BSP such as maximum car parking rates, dedicated car share spaces, and end of trip facilities are all aimed at minimising private vehicle trip generation.</p>
<p>2</p>	<p>Parking</p> <p>Some submissions highlighted the current limited availability of parking spaces for workers and retailers. Suggestions were made for recommendations to apply more restrictive parking schemes, while others suggested higher car parking rates for both residents and visitors within new developments to off-set on street parking congestion.</p>	<p>Further investigation into parking requirements will be undertaken by Council as part of the implementation phase. Time restricted parking will also be considered to ensure there is sufficient turnover in available car parking spaces for visitors and customers to visit their respective retailer.</p> <p>As part of the implementation phase, a detailed transport study will need to be prepared which identifies suitable parking rates. Maximum parking rates are likely to be proposed, as well as a minimum number of car share and electric vehicle charging spaces, to ensure that parking is not oversupplied and promote the use of sustainable forms of transport.</p>
<p>3</p>	<p>Building height</p> <p>Varying viewpoints on height and density were noted. This included those in support of the greater heights and density to revitalise the area, while others objected to the proposed heights.</p>	<p>The heights and floor space ratio (FSR) limits recommended by the BSP are consistent with other strategic centres of a similar size and function. Feasibility analysis has shown that redevelopment would not be financially viable at lesser heights and FSRs. The tallest building height (up to 15 storeys) is in the north-east part of the Warringah Mall site, a location that benefits from being closest to the B-line and sufficiently set apart from other properties that might otherwise be affected by overshadowing or privacy impacts. It is important for built form to be prominent here, including landmark buildings, to visually identify Brookvale's core. The recommended increase to 15 storeys in this location (from 12 storeys as exhibited) responds to the landholder's evolving site masterplan and allows for variation in heights to maximise solar access to the town square and reduce the overall visual bulk of buildings.</p>

Rank	Theme	Response
		A development control plan will be prepared in the next phase of work to guide site layout and building design to ensure high standards of amenity and aesthetics.
4	<p>Noise</p> <p>Questions were raised over the acoustic impacts of new development as well as existing land use tensions between residential development and breweries and live music venues. Several noise mitigation measures were suggested such as double glazed windows for existing and new housing.</p>	The next phase of work will involve investigation of measures to mitigate the impacts of noise and vibration from traffic and industrial activities on existing and future dwellings. This is likely to include acoustic features in apartment design, along with controls for new noise generating activities such as new entertainment venues, enforced through the development approval process and included in a Development Control Plan.
5	<p>Public transport</p> <p>Questions were raised with the existing B-line bus service and whether it would be able to support the additional growth (noting existing operational issues). Submissions also queried potential lane reductions to accommodate a 24-hour bus lane and highlighted the need for advocacy for private and public investment into transport infrastructure.</p>	Connectivity to the B-line stop will be an important part of the design of the adjacent town square and an improved network of pedestrian and cycle paths throughout the broader area. Concerns have been raised with Transport for NSW regarding the frequency of the B-line service and Council can continue to advocate for improved services. The proposed cycleway along Pittwater Road will not reduce the existing bus lane or its potential to become a continuous 24-hour dedicated bus lane. Bus interchange facilities will be required to be incorporated in the layout of all future development on the Warringah Mall site.

Review process

Council staff carried out a comprehensive review of the submissions based on alignment with the vision and aspirations set out the BSP, updated transport and traffic analysis and additional development feasibility testing.

Proposed changes to the draft BSP

The proposed changes are summarised below and included in the BSP (Attachment 2).

- moderate increases to recommended floorspace for the mixed use precincts, and to building heights at the north end of Roger Street (8 storeys) and in the Core (up to 15 storeys)
- rebalancing of growth targets to: 1,350 homes and 900 jobs
- expanding the mixed-use area in the Core (northeast part of Warringah Mall site), while still limiting floorspace and potential dwelling yield to the identified road network capacity, enabling varied buildings heights for solar access to the town square and reduced visual bulk, and securing the delivery of public benefits in: a 5,000sqm town square, minimum 2,000-2,500sqm floorspace for a community facility, minimum 11,000sqm of employment floorspace and at least 5% affordable housing

- an alternative proposal for the east side of Dale Street to add permitted uses such as business and office premises and health services, to encourage transition and reduce land use conflict
- rectifying a zoning anomaly by rezoning the Winbourne Road car park and two drainage reserves in the eastern industrial area
- removing the bus depot and the Powells Road extension as potential future opportunities, and flagging a long term possibility of additional growth in the Core subject to traffic considerations
- refinement and consolidation of the Character Statements and Actions.
- The proposed changes respond to feedback and do not require re-exhibition. Further community engagement will be undertaken as part of any implementation phases of the BSP.

Update to recommended floor space ratios

Floor space ratio (FSR) is the maximum amount of floorspace relative to the site area and is used to control the size of a building. In a residential building, depending on the mix of apartment sizes, this will affect the number of dwellings that can be achieved.

Redevelopment must be financially feasible to enable the desired revitalisation of Brookvale, particularly the older, neglected parts along Pittwater Road. Preparation of the draft BSP included analysis conducted in 2020 by Atlas Economics of the feasibility of redevelopment for a sample of sites in the proposed mixed-use precincts. The analysis considered existing land values, potential building envelopes, employment and residential floorspace mix, affordable housing contribution, standard infrastructure levies, and flooding constraints that necessitate above ground parking. This work informed the recommended FSRs.

Some submissions, primarily from or on behalf of owners of land in the areas proposed for uplift (i.e. mixed use precincts along Roger Street, Pittwater Road and the Warringah Mall site) raised concerns over the feasibility of redevelopment under the recommended Floor Space Ratios. In response, Atlas Economics reviewed the feasibility and, taking into account the higher construction cost and the changes in interest rates since 2020, recommended a moderate increase to the FSRs which have been incorporated in the BSP as follows:

Character sub-precinct	Recommended Floor Space Ratio	
	As exhibited	Proposed change
Roger Street	2.3:1 northern end 2.4:1 southern end	2.5:1
Pittwater Road	2.4:1	2.5:1
Core (Warringah Mall)	1.9:1 (comprising 1.2:1 residential, and 0.7:1 employment)	2.3:1* (comprising 1.6:1 residential, and 0.7:1 employment)

* Note: instead of an FSR, the floorspace controls for the Core will be expressed as a maximum residential floorspace of 26,000sqm, with a minimum employment floorspace of 11,000sqm.

As exhibited



Proposed change



Atlas' review confirmed that affordable housing contributions higher than 5% would not be viable in the Roger Street and Pittwater Road sub-precincts. It is possible that a higher contribution of up to 10% could be pursued on the Warringah Mall site as part of a negotiated development outcome. Such negotiations would take place in the next phase of work, at which time detailed feasibility analysis could look closely at existing land value inputs based on the site's long-term ownership.

The increased FSRs are sufficient to encourage redevelopment, while still ensuring that the total amount of growth is commensurate with the capacity of the road network with a limited suite of upgrades that can realistically be funded and implemented over the next 15 years.

Update to recommended building heights

To accommodate the increased floorspace ratios, a moderate increase to the maximum building heights is recommended as follows:

Character sub-precinct	Recommended Maximum Building Height	
	As exhibited	Proposed change
Roger Street	7 storeys northern end 8 storeys southern end	8 storeys
Pittwater Road	8 storeys	8 storeys
Core (Warringah Mall)	12 storeys	15 storeys

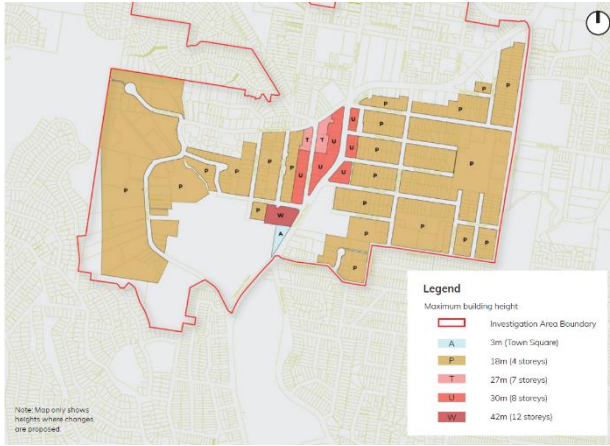
Where the recommended building height is unchanged, but the recommended FSR has increased slightly (i.e. Roger Street southern end and Pittwater Road), the result will be buildings that are a little more bulky in form. Regardless, these buildings will still need to comply with design requirements for apartment buildings regarding natural light and ventilation, private and common open space areas, landscaping, and other features that help achieve a good standard of amenity and livability.

The increase in building height for the Core sub-precinct from 12 to 15 storeys is proposed to allow for variation in building heights in a way that improves solar access to the town square and breaks up the visual bulk of buildings. Instead of a single 12 storey building mass, building components could have variable heights of say 5, 7, 12 and 15 storeys, with placement of shorter components according to shadow analysis with the aim of maximising winter sunlight in the town square. The height increase responds to Scentre Group's evolving masterplan concepts for future development

in the north-east corner of the Warringah Mall site, north of the proposed town square. Any building components that reach 15 storeys will be relatively slender as the overall scale of buildings will be limited also by the recommended maximum residential floorspace.

As exhibited

Proposed change



Two new conceptual illustrations for the Core sub-precinct have been prepared to reflect the height changes and feedback on the town square (see Figures 2 and 3).



Figure 2: View from Pittwater Road (looking West)



Figure 3: View of Town Square (looking North)

Rebalancing of growth targets

Reflecting the moderate increase to FSRs and building height, the BSP growth targets have been adjusted to 1,350 homes and 900 jobs, commensurate with the identified road network capacity.

The approximate split in terms of dwelling numbers across the three main precincts is:

Core (Warringah Mall)	290
Roger Street	520
Pittwater Road	540
Total	1,350 dwellings

The Core character sub-precinct (Warringah Mall) - expansion of Mixed Use Area

The area recommended for rezoning from E2 Commercial Centre to MU1 Mixed Use in the north-east corner of the Warringah Mall site has been expanded to allow more flexibility to accommodate the town square and the buildings around it, including a potential landmark building combining a community hub and commercial offices close to the B-line bus stop and central to the town square. The expansion responds to Scentre Group’s evolving masterplan concepts for the north-eastern corner of the site. The larger footprint allows more design flexibility, which could assist feasibility.

It is emphasised that redevelopment should begin in the north-east corner, to facilitate integration with the surrounding urban structure. The expanded footprint for mixed use development does not change the amount of residential floorspace or the potential scale of buildings that is achievable. This remains controlled by the residential floorspace and building height limits, which ensure that growth does not exceed the identified traffic carrying capacity of the road network. The maximum residential floorspace of 26,000sqm is based on the updated FSR of 1.6:1 applied to the previous mixed use area that was exhibited.

Scentre Group's submission requested a significantly higher amount of growth on its site, with its masterplan concepts indicating around 890 dwellings, in a series of buildings ranging up to 22 storeys.

The BSP adopts a considered approach to ensure new housing is located where it is best supported by existing public transport infrastructure, and it has sought to locate the highest density of housing closest to the B-line stop. Nevertheless, the total amount of the growth that the BSP can support is constrained by the road network capacity, and distribution of this growth must also pursue the important goal of bringing life back to streets and revitalising Pittwater Road. While shop-top housing has been permitted in the Roger Street and Pittwater Road sub-precincts for many years, the take up of this has been slow due to the existing height limits. This impediment is confirmed by Atlas Economics' feasibility analysis. Accordingly, an amount of growth is allocated to these sub-precincts, in line with recommended height and FSR, to stimulate redevelopment and at the same time boost the residential population to support ground level employment uses.

The amount of growth allocated in the BSP to the Warringah Mall site is the result of a carefully considered balancing of competing priorities.

Residential development in the form of residential flat buildings or shop top housing is not currently permitted anywhere on the Warringah Mall site under its E2 Commercial Centre zone. Rezoning to MU1 Mixed Use would give permissibility for residential development, which is a significant uplift in the value and development potential of the land. To ensure value capture for the community from this uplift, the BSP stipulates that any rezoning to allow residential development will be contingent upon securing via a Planning Agreement the delivery of public benefits, specifically: a 5,000sqm town square, 2,000-2,500sqm floorspace for a community facility, at least 5% affordable housing, and at least 11,000sqm of employment floorspace. In relation to affordable housing, the revised wording also flags the potential for Council to pursue up to 10% contribution as part of a negotiated outcome.

Dale Street East - change to recommended zoning

Instead of rezoning the east side of Dale Street to SP4 Enterprise, it is now proposed to retain the E4 General Industrial zone and add business premises, office premises, health services facilities and veterinary hospitals as additional permitted uses, to encourage the transition to less intrusive employment uses and reduce potential land use conflict between the mixed-use area to the east and the broader industrial area to the west.

Both the SP4 Enterprise and E3 Productivity Support zones were considered for their potential to serve this desired buffer function. However, these zones are unsuitable owing to the permissibility of Seniors Housing via the State Environmental Planning Policy (Housing) 2021.

Winbourne Road Car Park – recommended rezoning

Some submissions raised concerns over potential loss of car parking spaces at the Winbourne Road car park. One submission suggested the car park become a town square/open space in conjunction with redevelopment of adjacent land fronting Pittwater Road.

The Winbourne Road car park serves an important function for nearby businesses. The intention is that this land continues to provide public parking and rear-lane access to adjacent properties fronting Pittwater Road. The BSP flags the possibility of extending the use of the Winbourne car park land to support the growth of cultural and creative activities in Brookvale by facilitating temporary activation events, such as small-scale community events, markets and exhibitions where local businesses and artists can showcase their products and services. These 'pop up' events could take place at times when the car park is less utilised (e.g. night-time, weekends) and provide a place where people can meet, socialise and add vitality to the Brookvale neighbourhood, creating a better and more vibrant place to live and work. It is not the intention to permanently reduce or remove the existing public car parking spaces.

The existing zoning of the Winbourne Road car park land is RE1 Public Recreation and its existing and future use for car parking does not align with the objectives of this zone. It is now proposed to rezone the land to SP2 Infrastructure (Car Park) to better reflect its ongoing car parking function.

Drainage Reserves in eastern industrial area – recommended rezoning and reclassification

In response to a submission concerning the zoning and classification of a drainage reserve in the eastern industrial area, all drainage reserves in the industrial precinct were reviewed.

Two narrow drainage reserves identified (see Figure 4) are zoned RE1 Public Recreation and classified as Community Land.

These two drainage reserves were dedicated to Council in the original DP 6033 when the land was subdivided in 1910. Both lots are approximately 1.83 metres wide. Lot 2 originally ran between Winbourne Road and Chard Road, however the lower portion of the drainage reserve was sold to the adjacent property owner following reclassification to Operational Land, with Council retaining an easement for drainage over it if ever required in future. Neither site has drainage infrastructure, nor any potential to serve a public recreation function. The current zoning and classification are an anomaly and do not reflect the current use or the potential use given the adjacent industrial uses.

The BSP recommends that both drainage reserves be rezoned to E4 General Industrial and an 18m height limit is applied to match the adjoining industrial zoning and building height. It is also recommended that both drainage reserves be reclassified from Community to Operational Land to reflect the restricted access arrangements. These sites are not suitable nor are they intended for any community, public or recreational use.



Figure 4: Location of drainage reserves

Update to Potential Future Opportunity Sites

The submission from Transport for NSW was not supportive of relocation or redevelopment of the bus depot, or the extension of Powells Road through the bus depot site to connect with Cross

Street. As such, these items have been deleted from the BSP as potential future opportunities for investigation.

Additional commentary on the Warringah Mall site has been included in the BSP in response to Scentre Group’s evolving long-term vision for the site to deliver a ‘living centre’.

Future growth beyond that identified in the BSP may be considered in the longer term for the Warringah Mall site as this highly accessible location represents the best option for minimising private vehicle use and impacts on traffic congestion. However, this would need to be supported by comprehensive traffic analysis which considers the latest local population and employment forecasts, the capacity of the broader road network, and detailed assessment of localised road impacts. Future traffic analysis would also be able to capture the emerging impacts of redevelopment and intensification in the extensive industrial areas of Brookvale, under the increased height allowance, as the take up and traffic impact of such development is difficult to accurately predict at this stage.

The BSP allocates an amount of growth according to the identified capacity of the road network, with a realistic suite of upgrades, and distributes this growth through careful balancing of competing priorities to locate housing as close as possible to the B-line while also supporting revitalisation along Pittwater Road. This prudent approach ensures development keeps pace with infrastructure. It allows an ample amount of growth to occur in line with a foreseeable road network in the short to medium term, while flagging the best location for further growth that could potentially be supported in the longer term through commitment to major road upgrades or evolving circumstances in the way business and industry operate and in how people live, work and travel between places.

Character Statements

The desired future character statements have been modified and expanded to reflect the feedback received during the public exhibition, including:

Character Sub-Precinct	Character Statement Modifications
The Core	<ul style="list-style-type: none"> • clarification that any rezoning to allow for residential development will be contingent on securing delivery of public benefits via a Planning Agreement • highlighting that redevelopment should begin in the northeast corner first to facilitate the site’s integration with the surrounding urban structure • more detailed description of the vision for the town square, high street, and landmark commercial office building community hub
Roger Street	<ul style="list-style-type: none"> • reference to the existing motor vehicle sales and servicing industry which can continue as a key characteristic of the sub-precinct as it transitions to more mixed use formats, potentially with inclusion of residential uses above
Pittwater Road	<ul style="list-style-type: none"> • reference to the existing motor vehicle showrooms and dealerships which can continue their longstanding presence in Brookvale, recognising their important economic function for the broader area and linkages to mechanics, panel beaters and auto-parts manufacturers in the nearby industrial areas • identifying potential for goods repair and reuse premises to locate within the creative hub, and for consideration of streetscape and public domain initiatives that encourage creative businesses to locate in the creative hub

Character Sub-Precinct	Character Statement Modifications
Industrial East	<ul style="list-style-type: none"> defining creative industry and highlighting the importance of retaining industrial land for industrial purposes, including guidance that non-industrial activities such as live music and entertainment are only acceptable where ancillary to an industrial use
Industrial West	<ul style="list-style-type: none"> identifying high technology industries such as software designers and film production studios, as employment uses that are suited to the sub-precinct highlighting the importance of retaining industrial land for industrial purposes, including guidance that non-industrial activities such as offices are only acceptable where ancillary to an industrial use, or where existing lawful use rights persist on sites where offices were permitted under previous planning controls

Actions

The Actions set out in the BSP have been consolidated and refined, with the total number reduced from 61 to 45, and the following changes in response the feedback received:

- Action 1 - modified to include a heat resilience rating for Green Links as part of the Urban Tree Canopy and Greening Strategy, to establish a baseline for future monitoring
- Action 5 - modified to reflect increase in building height to 15 storeys on the Warringah Mall site
- Action 13 - modified to clarify that an 18-metre building height in the industrial area is the equivalent of 4 storeys
- Action 14 - modified to reflect the zoning intent for the east side of Dale Street to add business and office premises, health services, and veterinary hospitals as additional permitted uses to encourage transition to uses more compatible with the adjoining mixed use area
- Action 19 - modified to include consideration of urban heat and flooding hazards when improving local planning controls
- Action 24 - new action included identifying an option for Council to work collaboratively with the owner of the Warringah Mall site to deliver up to 10% affordable housing contribution levy
- Action 32 - modified to include an alternative option for the commercial office space in the Warringah Mall site to be integrated with a community facility building in a highly accessible and visually prominent location
- Action 34 - modified to include consideration of connections between the Warringah Mall site and key destinations in the broader area such as the B-line bus stop, Brookvale Community Health Centre, and TAFE campus
- Action 42 - new action included for Council to advocate for improvements to the frequency and reliability of the B-line bus service with Transport for NSW

TIMING

Should Council adopt the BSP, it will come into effect immediately. The BSP forms the overarching planning framework that will guide all future planning and investment decisions in Brookvale and sets a 15-year vision for the growth of the precinct.

The next phase of work is to implement the BSP in the statutory planning framework. This work will include preparation of:

- supporting technical studies
- a special area Development Control Plan which will provide detailed design and sustainability controls for the Brookvale precinct
- a Section 7.11 Contributions Plan which will detail new and upgraded local infrastructure required to support the growth in population and workers in Brookvale
- a 5% affordable housing levy for new residential development or a higher amount for the Warringah Mall site (subject to negotiation) in Council's Affordable Housing Contributions Scheme.

It is difficult to provide an estimated timeframe for when construction is expected to occur in the precinct. This is dependent on individual landowners and the implementation pathway that is ultimately pursued.

Implementation pathways

Several implementation pathways will be available which include a Council-led or Proponent-led Planning Proposal (rezoning process). Due to budget uncertainty and a desire to see the implementation of the BSP in a timely manner, there are various implementation pathways that can be explored.

Based on costs incurred by Council and the Department to implement the Frenchs Forest Place Strategy, implementation would be in the order of \$882,000. Adjusting for inflation, this could equate to approximately \$900,000 to \$1,000,000. The estimated timeframe for completion is approximately two years (indicative timing 2026).

If a Council-led process is pursued, Council would require at least four to five financial years to complete the volume of work, based on a long-term funding allocation program of \$200,000 per year. Council would also need to allocate internal staff resources to manage the project. Funds may be redistributed to a single financial year if this is considered a priority project for Council. The estimated timeframe for completion is approximately two to five years (indicative timing 2026-2029).

A Proponent-led rezoning process is another option that is available. This scenario is a fragmented approach that brings forward the opportunity to deliver any endorsed structure plan, whereby the costs of the supporting studies fall with the Proponent. Arguably a Proponent led process that **aligns** with an endorsed structure plan enables public benefit to be expedited. There is also a risk however that any Proponent may seek outcomes in their favor outside of any endorsed plan. If a Proponent disagrees with Council's assessment of their Planning Proposal, they may seek a 'Rezoning Review' as an appeal option. Despite this risk, the delivery of specific sites within the BSP area could be completed faster than a comprehensive Council-led rezoning process. The estimated timeframe for completion is around two years for each Planning Proposal received, dependent on the adherence to an endorsed structure plan.

It is therefore paramount that Council ensures that the objectives of the plan are met by having supporting planning controls come into effect simultaneously with any Proponent-led rezoning process.

It may be possible to implement some aspects of the BSP not requiring supporting technical studies as part of the comprehensive Local Environmental Plan (LEP), as a draft instrument is anticipated to be released in early 2024. This could include the increase in building heights for the industrial zone and rectification of zoning anomalies for Council owned land (Winbourne Road car

park and two drainage reserves). The reclassification of land would require a public hearing, which could be held at a later date or combined with another public hearing initiated by Council.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Environmental sustainability - Goal 5 Our built environment is developed in line with best practice sustainability principles
- Housing, places and spaces - Goal 10 Our community has access to diverse and affordable housing options to meet their current and evolving needs
- Housing, places and spaces - Goal 11 Our local centres are vibrant and healthy, catering for diverse economic and social needs
- Housing, places and spaces - Goal 12 Our community has access to spaces that enable healthy and active living and allow for a broad range of creative, sporting and recreational opportunities to be enjoyed
- Vibrant local economy - Goal 13 Our businesses are resilient, well-connected and thrive in an environment that supports innovation, entrepreneurialism and economic growth
- Vibrant local economy - Goal 15 Our centres are sustainable, encompassing a diverse range of businesses that attract visitation and provide work, education, leisure and social opportunities
- Transport, technology and connectivity - Goal 16 Our integrated transport networks meet the needs of our community and reduce carbon emissions
- Transport, technology and connectivity - Goal 17 Our community can safely and efficiently travel within and beyond the Northern Beaches.

FINANCIAL CONSIDERATIONS

This matter has financial implications for Council as an implementation pathway has not been confirmed.

Funding options available include:

- Council's operational budget – a total cost of approximately \$900,000 to \$1,000,000 will be required for the implementation phase. The operational budget has allowed for approximately \$143,000 per financial year to be available.
- State Government grants (where available) – whilst there are no current funding or grant opportunities there may be some in the future. Department staff are not able to provide any certainty on the likelihood of funding for this structure plan currently.

Costs will also be involved in the provision of infrastructure improvements required to support the redevelopment and growth proposed, as outlined in the BSP. Most of these costs can be recouped through developer contributions levied under Council's proposed/future Section 7.11 Development Infrastructure Contributions Plan and by entering into Planning Agreements with Proponents. It is possible State and/or Federal Government grant programs may be available to apply for funding for community facilities or enhancements to pathways, parkland, or other public domain areas.

SOCIAL CONSIDERATIONS

The BSP provides a logical framework to guide future development in a way that optimises the employment role and function of the strategic centre and ensures that growth takes place in line with infrastructure, particularly the road network.

Social benefits for the community will flow from job creation and access to goods and services through new and expanded employment floorspace in a revitalised town centre and flourishing industrial areas. The planned 1,350 additional dwellings, in the form of apartments, with a 5% affordable housing contribution and the potential to negotiate up to 10% on the Warringah Mall site, will improve housing diversity and affordability on the Northern Beaches.

In relation to affordable housing, feasibility analysis has indicated that redevelopment would not be viable with a requirement to contribute more than 5% affordable housing. To pursue higher rates would require increased building heights and densities, which would exceed the identified road network capacity. As master planning for the Warringah Mall site progresses and more detailed development proposals emerge, it may be that further feasibility testing finds contributions higher than 5% to be a viable prospect. The BSP recommends working with a site's owner to deliver up to 10% affordable housing contribution as part of a negotiated development outcome. Any higher development yields negotiated for a site, beyond that envisaged in the BSP, would be subject to traffic analysis which captures the latest local population and employment forecasts, the capacity of the broader road network, and detailed assessment of localised road impacts. The possibility of further growth in the longer term is addressed under Potential Future Opportunities in the BSP.

The arrangement, scale and form of buildings and streetscapes envisaged in the mixed-use areas will create an attractive, connected, transit-supportive centre with functional, high-amenity streets and public spaces that support social interaction, recreation, and business collaboration. Securing a large town square adjacent to the B-line bus stop is an opportunity to create an iconic 'heart' in Brookvale that boosts its appeal as a place to work, live, and visit. Requirements for provision of floorspace for a community facility adjacent to the town square will also deliver a valuable resource for the civic and cultural life of the community.

Brookvale's emerging creative and innovative sector will be supported through the investigation of opportunities for temporary activation events at the Winbourne Road car park or other locations, at times when demand for car parking is lower and there is minimal disruption to business operations.

ENVIRONMENTAL CONSIDERATIONS

Brookvale is the Northern Beaches' most accessible centre. By concentrating employment and housing growth close to the B-line bus stop, the BSP is supporting walkability and use of public transport, which reduces reliance on private cars and is one of the most effective ways of reducing carbon emissions on the Northern Beaches.

A key difference between the 2017 Structure Plan and the recently exhibited draft BSP is the allocation of planned residential capacity to the Warringah Mall site, in recognition that this highly accessible location, adjacent to the B-line stop and with the shopping complex a focus of trip destinations, is the logical best option to minimise private vehicle use and impacts on traffic congestion.

Sustainability will be supported not only in a broad sense by an urban structure that reduces emissions through less reliance on private vehicles, but also through a sustainability strategy prepared in the next phase of work to inform planning controls that aim for new buildings with net zero emissions and high levels of energy and water efficiency.

The BSP highlights the need to integrate best-practice environmental sustainability into the future planning controls including requirements for energy efficient buildings, encouraging precinct-scale solutions to reduce resource use, enhancing urban green-grid corridors, and providing green

infrastructure in future development to absorb flood runoff, cool the environment, clean the air, and provide spaces for local food production and habitat for plants and animals.

The proposed town square will be a significant area of open space for the growing population of residents and workers. The BSP sets out specific requirements for the town square including formal and informal areas, green space for passive recreation, hard and soft landscapes, trees, seating, public art, play elements, integration with a community facility, and good connections to the B-line stop and pedestrian overbridge. Improved pedestrian and cycle paths throughout Brookvale will also provide better access to public open space in the surrounding suburbs.

GOVERNANCE AND RISK CONSIDERATIONS

The public exhibition of the draft BSP was undertaken in accordance with Council's Community Participation Plan. Given the extensive reach of the engagement and media attention, there would be a high level of awareness amongst the local community and landowners. Feedback received has led to further refinement of the BSP and all issues raised have been given due consideration.

One of the key challenges for Brookvale has been the absence of a land use strategy for the centre, resulting in a lack of identity and heart. The BSP provides a clear vision for how the precinct should evolve over the next 15 years and guide future development outcomes. The adoption of the BSP will add to Council's strategic policy framework and allow Council to respond to development proposals and housing targets set by the State Government.

Whilst market forces and economic circumstances can be unpredictable, detailed feasibility work has informed the BSP to ensure as far as practicable that the planning controls proposed allow for development yields which are viable for landowners and developers and will stimulate renewal.

There is a degree of risk with regards to traffic congestion. The BSP allocates an amount of growth according to the identified capacity of the road network, with a realistic suite of upgrades, based on the best information available from comprehensive traffic modelling completed in the TMAP.

One aspect that is difficult to predict with accuracy at this stage is the likely traffic generation from redevelopment and intensification in the industrial areas in Brookvale. Redevelopment is expected to be incremental, depending on needs of landowners, and not all sites will immediately take up the increased building height allowance of up to 18 metres. There are also wide-ranging possibilities for the types of business that may wish to locate or expand in the industrial areas, and vast differences in the traffic generation of each. For example, warehouse and distribution centres may involve high freight movements, and high-tech, automated factories may involve low numbers of employees. The traffic modelling used to determine the BSP's growth limits is based on average employee and trip generation assumptions.

It will be important for Council to monitor the situation over time through traffic counts and tracking of development applications, and to continue to lobby State and Federal agencies to fund major upgrades such as the grade separation at the Pittwater Rd/Warringah Rd/Harbord Rd intersection, to optimise the long term growth potential of Brookvale as a centre of employment.

Likewise, it will be important to communicate to the State Government, when it reviews the housing and jobs targets contained in the North District Plan, that the potential to meet these broader targets in Brookvale is severely limited by the road network.

The town square is a critical feature of the vision for Brookvale to create an identifiable heart and a place for social interaction and recreation that workers, residents and visitors can enjoy. While there is a degree of risk in delivering a town square on private land, the site's owner has indicated a shared vision and willingness to collaborate with Council, and the BSP makes it clear that rezoning to allow any residential development on this site (a permissibility that does not currently exist), will be contingent upon securing delivery of public benefits, including the town square.

There is minimal risk associated with Council owned land in the area. The BSP identifies changes to the Winbourne Road car park and land at 521 Pittwater Road, which will work towards the vision for the precinct. The proposal for temporary after-hours activation of the Winbourne Road car park will support the growth of cultural and creative activities in Brookvale, while maintaining the car park and access functions of the land. Council can curate the activation to ensure it is compatible with the vision for the broader Pittwater Road sub-precinct and existing lease arrangements will not be affected. Changes to the zoning and land classification of the Winbourne Road car park and two drainage reserves in the eastern industrial area rectifies a zoning and land classification anomaly.

Risks associated with the implementation pathway will be managed in accordance with the legislative framework.

13.0 TRANSPORT AND ASSETS DIVISION REPORTS

ITEM 13.1	COUNCIL REPRESENTATION ON THE COMMITTEE OF THE FRIENDS OF THE BIBLE GARDEN MEMORIAL INC
REPORTING MANAGER	ACTING EXECUTIVE MANAGER PARKS & RECREATION
TRIM FILE REF	2023/531327
ATTACHMENTS	NIL

SUMMARY

PURPOSE

The purpose of this report is to endorse a nomination for the Committee of the Friends of the Bible Garden Memorial Inc.

EXECUTIVE SUMMARY

- The Committee of the Friends of the Bible Garden Memorial Inc. (Committee) has requested that a Councillor be appointed to represent Council on the Committee.
- This Committee manages and cares for the Bible Garden at Palm Beach on Council's behalf.
- Council is represented on this Committee by one Councillor and one Council Officer (Executive Manager Parks and Recreation) as per the Bible Garden's Plan of Management (2006).
- The previous Councillor representative was Councillor Amon. This position is now vacant.
- In September 2023 a memo was sent to all Councillors seeking nominations for this position. Nominations have been received from Councillor Korzy and Councillor Gencher.

RECOMMENDATION

That Council endorse the nomination of **one** Councillor as Council's representative on the Committee of the Friends of the Bible Garden Memorial Inc. for the remainder of this Council term.

REPORT

BACKGROUND

The Committee of the Friends of the Bible Garden Memorial Inc (Committee) has requested that Council nominate a Councillor to represent Council on the Committee. The Bible Garden, Palm Beach Plan of Management (2006) states that the Council representatives will be an elected Councillor and a Council Officer as nominated by the General Manager.

Since 2022 the position of Councillor representative was filled by the former Councillor Rory Amon. This position is currently vacant. The Council officer representative remains the Executive Manager Parks and Recreation.

The Committee is a volunteer group who successfully manages, conserves and cares for the Bible Garden on Council's behalf. The Bible Garden is in Palm Beach and features manicured lawn terraces, panoramic and iconic views of the full crescent of Palm Beach and plants referenced in the Bible. The Bible Garden is much loved as a place of contemplation, a meeting place for families and friends and is also well used for weddings and small gatherings.

The involvement of Council on the Committee ensures that the Bible Garden continues to be governed in the interests of the local community and in alignment with Council's strategic goals.

LINK TO COUNCIL STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Good governance - Goal 20 Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community

FINANCIAL CONSIDERATIONS

The recommendation within this report poses no financial impact on Council.

ENVIRONMENTAL CONSIDERATIONS

The recommendation within this report poses no environmental impact.

SOCIAL CONSIDERATIONS

The Bible Garden is much loved as a place for contemplation and family gatherings and for its manicured lawn terraces, panoramic views of Palm Beach and plants referenced in the Bible.

GOVERNANCE AND RISK CONSIDERATIONS

Under Council's Committee Framework (2022) a Council resolution is required for this Councillor appointment.

ITEM 13.2	OUTCOME OF PUBLIC EXHIBITION - PROPOSED NAMING OF THE VIEWING DECK ON CURL CURL LAGOON AT JOHN FISHER PARK THE RAY COX VIEWING DECK
REPORTING MANAGER	ACTING EXECUTIVE MANAGER PARKS & RECREATION
TRIM FILE REF	2023/558335
ATTACHMENTS	1 ⇒ Location of the Proposed Ray Cox Viewing Deck, Curl Curl Lagoon, John Fisher Park) (Included In Attachments Booklet) 2 ⇒ Community Engagement Report - Proposed Ray Cox Viewing Deck, John Fisher Park 2023 (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to inform Council of the outcome of public exhibition of the proposal to name the viewing deck on Curl Curl Lagoon at John Fisher Park, the Ray Cox Viewing Deck and seek the adoption of the proposal.

EXECUTIVE SUMMARY

- A proposal to name the viewing deck on Curl Curl Lagoon at John Fisher Park (Attachment 1) the Ray Cox Viewing Deck was reported to the Council meeting held on 27 June 2023 where it was resolved (Resolution 168/23) to place the proposal on public exhibition.
- Public exhibition occurred between 6 July and 20 August 2023 with 82 submissions received.
- The majority of the submissions were supportive of the proposal, with many commenting it was a fitting tribute to Mr Cox and his significant contributions and legacy in championing community, environmental and social justice causes within the local area over many years.
- There were a small number of objections to the proposal that were generally based around a preference for other names, primarily requesting names that reflected First Nations people and language.
- This proposal is consistent with Council's Naming Our Reserves, Facilities and Roads Policy and does not require the Geographical Names Board of NSW's approval as it is for a facility.
- This proposal is supported by the Cox family and Curl Curl Lagoon Friends.
- Key feedback and staff responses are outlined in this report and a more detailed summary of submissions can be found in the Community Engagement Report (Attachment 2).

RECOMMENDATION

That Council:

1. Adopt the proposal to name the viewing deck on Curl Curl Lagoon, at John Fisher Park, the Ray Cox Viewing Deck.
 2. Install an interpretive sign at the viewing deck in consultation with Mr Cox's family and Curl Curl Lagoon Friends.
-

REPORT

BACKGROUND

On 27 June 2023, Council resolved (Resolution 168/23) that:

1. Council place the proposal to name the viewing deck on Curl Curl Lagoon at John Fisher Park, the Ray Cox Viewing Deck on public exhibition for a minimum of 28 days.
2. The outcome of the public exhibition be reported back to Council.

The proposal to name the viewing deck at Curl Curl Lagoon, John Fisher Park as the Ray Cox Viewing Deck, was publicly exhibited between 6 July and 20 August 2023. During the exhibition period 82 submissions were received with the majority supportive of the proposal. Submissions supporting the proposal acknowledged it as a fitting tribute to Mr Cox and his legacy. The proposal recognises the significant contributions made by Mr Cox to community, environmental and social justice causes over many years and as an active member of many local groups.

Mr Cox was a long-standing committee officer and founding life member of the Curl Curl Lagoon Friends Inc. and was instrumental in the ongoing rehabilitation of Curl Curl lagoon and the local area including the bushland at Alan Newton Reserve, Stirgess Reserve and Greendale Creek. Mr Cox was also a member of the Save Manly Dam Catchment Committee and advocated for the heritage listing and ongoing conservation of Manly Dam as a place of tranquility and as a war memorial.

He is remembered for championing local causes, volunteering, inspiring and mentoring others and for his generosity. His legacy is reflected in the many people, that he inspired to get involved, who continue to care for our local environment and our Northern Beaches community.

This naming proposal is for the currently unnamed viewing deck overlooking Curl Curl Lagoon in John Fisher Park. This is an area of particular significance to Mr Cox and his family due to his enduring conservation work and legacy regarding the preservation of Curl Curl Lagoon. This proposal was made in consultation with and is supported by the Cox family and Curl Curl Lagoon Friends.

This proposal is consistent with Council's Naming Our Reserves, Facilities and Roads Policy, in particular that Council will consider honoring individuals if they have *"made a highly significant contribution to the specific area or community [including] Action by an individual to protect, restore, enhance or maintain an area that produces substantial long-term improvements for the community"*. This Policy applies to, among other things, naming of facilities on Council land. The viewing deck:

- is as per the Policy, considered to be a facility;
- is located on Council land; and
- does not have a formal name.

Given that this proposal is for naming a facility, it does not require the approval of the Geographical Names Board of NSW (GNB).

CONSULTATION

The naming proposal was publicly exhibited between 6 July and 20 August 2023. The community was informed of the proposal through an onsite sign at the viewing deck, a Your Say project page, letter box drop, Council weekly e-News and stakeholder emails. During the exhibition period 82 submissions were received, with a large majority being supportive of the proposal. Objections to the proposal were generally based on a preference for other names. A Community Engagement Report can be found at Attachment 2. Key themes that arose and staff responses are provided in Table 1.

Table 1: Issues raised and Council staff's response

Theme	Issues, change requests and other considerations raised	Council staff's response
Fitting tribute to Mr Cox	The majority of comments supported the naming proposal identifying it as an area of key significance to Mr Cox and his family in addition to being an appropriate commemoration of his work for the preservation of area and the local community.	<p>This naming proposal is consistent with Council's Naming our Reserves, Facilities and Roads Policy.</p> <p>In this instance, it is considered that the naming proposal is appropriate given the significant contributions by Mr Cox to the Northern Beaches community and his significance to this particular area.</p>
Preference for a First Nations name	Some comments acknowledged the contributions made by Mr Cox but expressed a preference for greater recognition of First Nations People and Language within naming proposals as per Council's Policy.	<p>This naming proposal is consistent with Council's Naming our Reserves, Facilities and Roads Policy.</p> <p>In this instance, it is considered that the naming proposal is appropriate given the significant contributions by Mr Cox to the Northern Beaches community and his significance to this particular area.</p> <p>The Policy provides guidance about and preference for the use of Aboriginal names particularly for parks and natural areas where appropriate.</p>
Greater recognition of gender equity in place names	Two comments requested greater recognition of gender equity within naming proposals referencing the contributions of women to the local area and community.	<p>Gender equity is a consideration in assessing naming proposals.</p> <p>In this instance, it is considered that the naming proposal is appropriate given the significant contributions by Mr Cox to the Northern Beaches community and his significance to this particular area.</p> <p>While the comments provided are reasonable, the overwhelming support for the proposed name indicates that most consider it suitable.</p>
Alternate name proposed.	One comment requested a more informal name of 'Ray's Raft' which correlated more directly to the use of the area by families and young children.	Our consultation process provides an opportunity for the community to indicate their level of support or non-support for a suggested name. The overwhelming support for the proposed name indicates that most consider it suitable.

TIMING

Should the naming proposal and recommendations within this report be approved, an interpretive sign will be installed at the viewing deck at John Fisher Park in 2023/24 in consultation with the Cox Family and Curl Curl Lagoon Friends.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Good governance - Goal 19 Our Council is transparent and trusted to make decisions that reflect the values of the community
- Partnership and participation - Goal 21 Our community is engaged in decision making processes

FINANCIAL CONSIDERATIONS

Should the naming proposal and recommendations within this report be approved, signage would be installed at the viewing deck at a cost in the order of \$4,000. There are funds available in the 2023/24 Parks and Recreation operational budget to meet this cost and the cost of a naming ceremony should this be required.

SOCIAL CONSIDERATIONS

This naming proposal is considered a fitting way to recognise the significant contributions made by Mr Cox to the Northern Beaches community.

ENVIRONMENTAL CONSIDERATIONS

There are no material environmental impacts posed by the recommendations within this report.

GOVERNANCE AND RISK CONSIDERATIONS

This naming proposal is consistent with Council's Naming Our Reserves, Facilities and Roads Policy and the GNB policy - Place Naming. Given that the proposal is for naming a facility it does not require the approval of the GNB. Nonetheless, should Council approve the naming proposal the GNB would be notified, and the name of the viewing deck added to its mapping database. The implementation of the new name would involve updates to Council's webpage, spatial information system and new signage on-site.

ITEM 13.3	OUTCOME OF PUBLIC EXHIBITION - PROPOSAL TO NAME A LOOKOUT AREA IN BALGOWLAH THE GUGANAGINA (KOOKABURRA) LOOKOUT
REPORTING MANAGER	ACTING EXECUTIVE MANAGER PARKS & RECREATION
TRIM FILE REF	2023/484802
ATTACHMENTS	1 ⇒Location Map - Proposed Guganagina 'Kookaburra' Lookout, Balgowlah (Included In Attachments Booklet) 2 ⇒Community Engagement Report - Naming Proposal Guganagina (Kookaburra) Lookout, Balgowlah (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to inform Council of the outcome of the public exhibition about the proposal to name a lookout area on the corner of Upper Beach Street and West Street in Balgowlah as Guganagina (Kookaburra) Lookout and to propose a dual naming for the lookout.

EXECUTIVE SUMMARY

- A proposal to name an unnamed lookout area in Balgowlah (Attachment 1) the Guganagina (Kookaburra) Lookout was considered at the Council meeting held 23 May 2023 and it was resolved (Resolution 135/23) to place the proposal on public exhibition.
- Public exhibition occurred from 30 May to 23 July 2023 with 149 submissions received. There was a slight majority of submissions that were either supportive of the proposal or supportive with changes. Key feedback and staff responses are outlined in this report with a more detailed summary of submissions in the Community Engagement Report at Attachment 2.
- Of the Aboriginal stakeholders who provided feedback there was no consensus. Communication with Professor Jakelyn Troy, linguist and advisor to the Geographical Names Board of NSW (GNB), confirmed that 'guganagina' is the correct Aboriginal word for kookaburra to use on the Northern Beaches.
- In response to feedback received through the public exhibition, it is recommended to adopt the dual name of Guganagina 'Kookaburra' Lookout.
- It is also recommended to install an interpretive sign to explain the differing Aboriginal words for kookaburra from across Sydney and elsewhere with the aim of, as best as possible, respectfully accommodating various views within the community and in particular our Aboriginal communities.
- This proposal is consistent with Council's Naming our Reserves, Facilities and Roads Policy and does not require approval from the Geographical Names Board of NSW as it is for a facility.

RECOMMENDATION

That Council:

1. Adopt the dual name Guganagina 'Kookaburra' Lookout for the lookout area on the corner of Upper Beach Street and West Street in Balgowlah.
 2. Install an interpretive sign at the lookout as outlined in the report for this item.
-

REPORT

BACKGROUND

A request was received from a local resident to name an unnamed lookout area in Balgowlah. This area has extensive views over North Harbour and Manly. The request expressed a preference for an Aboriginal name. The land consists of a section of road reserve at the corner of Upper Beach Street and West Street, Balgowlah (see location map at Attachment 1).

The name Guganagina (Kookaburra) Lookout was proposed. Guganagina is the Sydney Aboriginal word for kookaburra as outlined in the book 'The Sydney Language' by Professor Jakelin Troy (1993). The name was proposed following consultation with and support from the Northern Sydney Aboriginal Heritage Office. Feedback was also sought from the Metropolitan Local Aboriginal Land Council (MLALC) prior to recommending the proposal for public exhibition – no response was received at that time.

The proposed name aimed to recognise the area's Aboriginal history and connection to nature, with the kookaburra being commonly sighted in the area.

The proposal was considered at the Council meeting held on 23 May 2023 and it was resolved (Resolution 135/23) that:

1. *Council place the proposal to name the lookout at the corner of West Street, Balgowlah, as Guganagina (Kookaburra) Lookout on public exhibition for a minimum of 28 days.*
2. *The outcome of the public exhibition be reported to Council.*

CONSULTATION

Public exhibition aimed to obtain community feedback on the proposal and was conducted between 30 May and 23 July 2023. Public exhibition included:

- Your Say page with an online feedback form.
- Letterbox drop to neighbouring residences.
- Sign on-site.
- Council e-News and engagement newsletters.
- Emails and phone calls with key Aboriginal stakeholders including individuals and organisations such as the Northern Sydney Aboriginal Heritage Office, MLALC and the Aboriginal Education Consultative Group. Professor Jakelyn Troy was also consulted.

As a result of public exhibition one hundred and forty-nine submissions were received. A slight majority of submissions were either supportive of the proposal or supportive with changes.

There was no consensus among Aboriginal community representatives who provided feedback. Some Aboriginal stakeholders supported use of the word guganagina while others suggested that kookundi is the local Aboriginal word for kookaburra used on the northern side of Sydney Harbour. The MLALC responded during public exhibition, though did not indicate a position on the proposal. Following a review of submissions a phone meeting was held with Professor Jakelyn Troy, linguist and advisor to the Geographical Names Board of NSW (GNB), who advised that the coastal language (e.g. guganagina) is the appropriate language to use on the Northern Beaches.

A summary of the key themes raised through submissions received include:

- Supportive of the using the word guganagina and/or an Aboriginal word or representation generally.
- Guganagina is not the correct Aboriginal word for the area.
- Prefer the name Kookaburra Lookout.
- Guganagina is too hard to pronounce.
- Do not support using an Aboriginal word.

The key feedback received and staff responses are listed in the table below. A more detailed summary of submissions can be found in the Community Engagement Report at Attachment 2.

Theme	Issues, change requests and other considerations raised	Staff response
<p>Support for using the word guganagina and/or an Aboriginal word or representation generally.</p>	<p>“It is a wonderful way to recognise Aboriginal heritage in the area”</p> <p>“The names should always be Aboriginal as per Council policy ...”</p>	<p>The proposal is consistent with Council’s Naming our Reserves, Facilities and Roads Policy which adheres to the GNB Policy - Place Naming.</p> <p>The GNB Policy states: “Aboriginal names are encouraged as the name to be used for any feature that currently does not have a name recognised by the GNB” Item 9.2. p. 6.</p>
<p>Guganagina is not the correct Aboriginal word for this area.</p>	<p>Some submissions suggested that kookundi is the word for kookaburra north of the Harbour and that guganagina is for south of the Harbour.</p> <p>Others suggested the word guguburra or jilling.</p>	<p>There are many contentions regarding Aboriginal languages across Sydney and elsewhere.</p> <p>Guguburra (pronounced kookaburra) is itself an Aboriginal word although from Central NSW and not from Sydney.</p> <p>Kookundi is understood to be the word for kookaburra from further west along the Hawkesbury and north of Broken Bay.</p> <p>According to the GNB website a proposal from 1997 for a cove in North Harbour to be named ‘Jilling Cove’ has not been approved pending clarification of the meaning of ‘jilling.’</p> <p>Communication with Professor Jakelyn Troy, linguist and advisor to the GNB, advised that the coastal language, i.e. guganagina, is the correct language for the Northern Beaches.</p>

Theme	Issues, change requests and other considerations raised	Staff response
		<p>In response to feedback, it is recommended to adopt the dual name of Guganagina 'Kookaburra' Lookout.</p> <p>It is also recommended to install an interpretive sign to explain the differing Aboriginal words for kookaburra from across Sydney and elsewhere including guguburra, guganagina and kookundi, with the aim of respectfully accommodating various views within the community and in particular our Aboriginal communities.</p>
<p>Prefer the name kookaburra.</p>	<p>"The kookaburra is universally known and is a name people can relate to."</p>	<p>It is recommended to adopt the dual name of Guganagina 'Kookaburra' Lookout.</p>
<p>Guganagina is too hard to pronounce.</p>	<p>Guganagina is too hard to pronounce and remember.</p>	<p>There are already many Aboriginal words in circulation in our vocabulary.</p> <p>The GNB Policy – Place Naming states that "a traditional name may at first appear to be complex but will, over time, become more familiar and accepted by the community" p. 3</p> <p>Including pronunciation tips in signage can help and this will be considered as the interpretive sign is developed.</p>
<p>Do not support use of an Aboriginal word.</p>	<p>Australia belongs to all of us. Council is imposing "woke culture" onto the community.</p>	<p>The proposal for an Aboriginal name was requested by a local resident and many submissions were received in support of the proposal.</p> <p>Council's Naming our Reserves, Facilities and Roads Policy and the GNB Policy – Place Naming support the use of Aboriginal names where appropriate.</p> <p>In relation to the selection of names the GNB Policy – Place Naming states that "Aboriginal names are encouraged as the name to be used for any feature</p>

Theme	Issues, change requests and other considerations raised	Staff response
		that currently does not have a name recognised by the GNB” p. 6

In response to the feedback received through public exhibition it is recommended to adopt the dual name of Guganagina ‘Kookaburra’ Lookout. It is also recommended to install an interpretive sign explaining the differing Aboriginal words for kookaburra from across Sydney and elsewhere.

TIMING

Should this naming proposal be approved signage including an interpretive sign, explaining the differing Aboriginal words for kookaburra from around Sydney and elsewhere including guguburra, guganagina and kookundi, would be installed on-site in 2023/2024. The design and wording would be developed in consultation with key Aboriginal stakeholders such as the Northern Sydney Aboriginal Heritage Office.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcome of:

- Partnership and participation - Goal 21 Our community is engaged in decision making processes

FINANCIAL CONSIDERATIONS

Should this naming proposal be approved interpretive signage would be designed and installed. The cost of this signage would be in the order of \$2,000. There are funds available in the 2023/24 Parks and Recreation operational budget to meet this cost and the cost of a naming ceremony should this be required.

SOCIAL CONSIDERATIONS

This naming proposal aims to increase awareness and recognition of the Aboriginal culture, language groups and heritage on the Northern Beaches and more broadly. Recent consultation on naming projects has seen strong support for Aboriginal naming and nature-based names. Council’s Let’s Play – Open Space and Outdoor Recreation Strategy and Action Plan 2022 supports prioritising Aboriginal words in the naming of parks and natural areas in line with Council’s Naming our Reserves, Facilities and Roads Policy. This naming proposal is considered an appropriate way to name this viewing area for the benefit of the community and future generations and provides an educational opportunity through the installation of an interpretive sign explaining the name.

The proposal to adopt the dual name of Guganagina ‘Kookaburra’ Lookout and to provide an interpretive sign explaining the differing Aboriginal words for kookaburra from around Sydney and elsewhere respectfully accommodates, as best as possible, various views within the community including Aboriginal communities.

ENVIRONMENTAL CONSIDERATIONS

The recommendations in this report pose no substantive environmental impacts.

GOVERNANCE AND RISK CONSIDERATIONS

This naming proposal is consistent with Council's Naming our Reserves, Facilities and Roads Policy and the GNB Policy - Place Naming. Naming a facility such as a lookout does not require endorsement from the GNB, however, should Council approve the name the GNB would be notified, and the name added to its mapping database. The implementation of the new name would also involve updates to Council's mapping database and website.

ITEM 13.4	CONTRACT EXTENSION VIA ALTERNATIVE PROCUREMENT - BUS SHELTER ADVERTISING
REPORTING MANAGER	EXECUTIVE MANAGER TRANSPORT & CIVIL INFRASTRUCTURE
TRIM FILE REF	2023/590703
ATTACHMENTS	NIL

SUMMARY

PURPOSE

The purpose of this report is to seek Council approval to undertake an alternative procurement process for a contract extension with the existing supplier for the supply, cleaning and maintenance of bus shelters in accordance with section 55(3) of the *Local Government Act 1993*.

EXECUTIVE SUMMARY

- There are currently three contracts covering the supply, cleaning and maintenance of bus shelters across the Northern Beaches Council local government area.
- Council received a report in December 2019 regarding these contracts that were originally due to expire on 30 November 2019 (former Warringah and Pittwater area) and the former Manly area contract which was understood to expire in December 2023. The contract for the former Warringah area was previously reported to Council in December 2017 at which time Council resolved to extend the contract to 30 November 2019.
- Council resolved in 2019 to extend these contracts to bring them into line with the existing Manly contract expiry date which was understood to be in December 2023. Whilst the former Manly Council awarded JCDecaux Australia Pty Ltd the 20 year contract in October 2003, it has recently come to light that the Manly contract had a 9 month lead in phase from December 2003 making the expiry date September 2024.
- It is proposed that the existing former Warringah and Pittwater contracts with oOh!media Street Furniture Pty Ltd be extended to September 2024 to align their expiry date with that of the former Manly contract and allow for the provision of a single service and provide greater value for money and efficiencies for Council.
- Council has advertised for tenders for the service as a whole and this tender is due to close in November 2023 which will allow sufficient time for assessment of tenders and the transition and commencement of the new contract.

RECOMMENDATION

That Council:

1. Approve an extension of the term of the current contracts with oOh!media Street Furniture Pty Ltd for the supply, maintenance and operation of bus shelters and associated advertising in the former Warringah and the former Pittwater areas to September 2024.
2. Resolve, for the purpose of section 55(3)(i) of the *Local Government Act 1993*, that a satisfactory result would not be achieved by inviting tenders for the supply, maintenance and operation of bus shelters and associated advertising in the former Warringah and the former Pittwater areas because of extenuating circumstances by reason of the following:

- A. Council has an immediate and critical need to take the necessary steps to ensure that the service continues.
 - B. In order to align all three existing agreements, Council is required to continue the current service to September 2024.
 - C. Due to uncertainties in the market, the size and complexity of the service (including the capital expenditure required to modernise the service) and the short period of the contract, a tender process for an interim period would limit the utility and competitiveness of the tender process.
 - D. The proposed contractor has the experience, expertise and resources to satisfy the requirements of the contract for an interim period.
3. Delegate authority to the Chief Executive Officer to negotiate, execute and administer as necessary the contracts for supply, maintenance and operation of bus shelters and associated advertising to give effect to this resolution.
-

REPORT

BACKGROUND

Council has three contracts in place for the supply and maintenance of bus shelters that are not Council owned. In 2019, Council resolved to enter into a Deed extending the contracts of former Warringah and Pittwater Councils to September 2023 to allow for a consolidated tender for the whole local government area. As a result, the current agreements in place are as follows:

- Former Warringah Council area – February 1998 to February 2018 (Adshel Street Furniture Pty Ltd – advertising income received) extended to November 2019 by Council resolution in December 2017. Further extended to October 2023.
- Former Pittwater Council area – November 1999 to 2019 (Adshel Street Furniture Pty Ltd - no advertising income as the contractor pays for maintenance of other non-advertising shelters). Extended to October 2023.
- Former Manly Council area – December 2003 to December 2023 (JCDecaux Australia Pty Ltd – advertising income received).

Separate to these contracts Council owns and maintains an additional 191 bus shelters, which are not covered by the terms of these agreements.

In preparation for tendering the new service, Council recently became aware that the Manly contract with JCDecaux Australia Pty Ltd has an additional 9 months to run due to an initial start-up phase, making the expiry date 24 September 2024.

Whilst a request for tender has been issued and is due to close in November 2023, it will be necessary to continue to operate the provision of advertising and maintenance of bus shelters until the new contract is awarded and starts in October 2024. Given the circumstances and the short amount of time remaining, it is preferable to extend the existing contracts with oOh!media Street Furniture Pty Ltd (formerly Adshel Street Furniture Pty Ltd) to ensure that there is no interruption to the service.

This report requests an exemption from tendering for this extension based on extenuating circumstances being the requirement to continue an essential service and revenue generation for an interim period up to 30 September 2024 while developing tendering methodologies and allowing the review and consolidation of the contract. A satisfactory result would not be achieved by inviting tenders and potentially switching service providers for this short interim period.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Transport, technology and connectivity - Goal 17 Our community can safely and efficiently travel within and beyond the Northern Beaches
- Good governance - Goal 19 Our Council is transparent and trusted to make decisions that reflect the values of the community

FINANCIAL CONSIDERATIONS

Advertising income from the contract supports delivery of other Council services. Should the contract be extended, there would be a beneficial financial impact resulting from a potential increase in revenue. If the contract is not extended, there would be an increased requirement for maintenance and operations by Council as an associated financial impact.

SOCIAL CONSIDERATIONS

There is a significant risk that the existing bus shelters will not be maintained to the current standard if Council does not extend the service.

ENVIRONMENTAL CONSIDERATIONS

The contract for extension does not have material environmental implications.

GOVERNANCE AND RISK CONSIDERATIONS

A Council resolution is required to extend the bus shelter contracts as alternate procurement pursuant to section 55(3) of the *Local Government Act 1993*.

ITEM 13.5	OUTCOME OF PUBLIC EXHIBITION - PROPOSED LICENCE TO LONG REEF SURF LIFE SAVING CLUB
REPORTING MANAGER	ACTING EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2023/611289
ATTACHMENTS	1 ⇒ Summary Report of Public Notification - Proposed Licence - Long Reef Surf Life Saving Club (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to inform Council of the outcome of the public exhibition and seek approval, in accordance with sections 47(5) - (9) of the *Local Government Act 1993* to apply to the Minister for Local Government for consent to grant a five-year licence agreement to Long Reef Surf Life Saving Club (Long Reef SLSC) with three five-year options.

EXECUTIVE SUMMARY

- Public notice has been given of a proposal to grant a licence to Long Reef SLSC for a portion of the shared courtyard area around the Long Reef SLSC clubhouse to hold social fundraising events to support ongoing delivery of volunteer surf life saving services.
- Public notice of the proposal to grant the licence was given in accordance with section 47 of the *Local Government Act 1993* (Act) from 21 July 2023 to 20 August 2023, which resulted in a total of 322 submissions.
- Feedback indicated support for the proposed licence, however a number of respondents raised concerns including that they felt the operating hours were too long.
- Council staff recommend amending the terms of the proposed licence, by reducing the operating hours to 2pm-8pm during the Nippers Season (typically November – March) each year.
- As the term of the proposed agreement exceeds five years and objections to the proposal have been received, Ministerial consent is required to grant the licence.

RECOMMENDATION

That Council:

1. Note that it has considered all submissions received in respect of the proposed licence of part of Griffith Park Reserve, known as Lot 1 DP 1144187, for an initial term of five years with three option periods of five years with Long Reef Golf Club Limited (ACN 000 043 121).
 2. Apply to the Minister for Local Government in accordance with section 47 of the *Local Government Act 1993* for consent to grant the proposed licence.
 3. Subject to the consent of the Minister for Local Government, grant the proposed licence.
 4. Delegate authority to the Chief Executive Officer to do all things necessary to give effect to this resolution including execution of all necessary documentation.
-

REPORT

BACKGROUND

The newly constructed Long Reef Surf Life Saving Club (Long Reef SLSC) clubhouse, which includes a café, community storage, public amenities, a community BBQ and shared courtyard, along with the clubhouse itself, officially opened on 11 February 2023.

Public notice has been given by Council of a proposal to grant a licence for a portion of the shared courtyard area around Long Reef SLSC to support ongoing delivery of volunteer surf lifesaving services through social fundraising events. This licence is separate to the 30-year lease for use of the clubhouse by Long Reef SLSC.

The public notification period, conducted in accordance with section 47 of the *Local Government Act 1993*, took place from 21 July 2023 to 20 August 2023. During this time, 322 submissions were received. This report details the content of the submissions for Council's consideration with further detail provided in the attached Summary Report of Public Notification.

CONSULTATION

During the public notification period, a total of 322 submissions were received.

Whilst the majority of submissions received were positive, there were a number of submissions not in support. A full account of the submissions received is included in the Community Engagement Report found in the Attachment to this report.

The submissions by theme are summarised below along with Council staff responses.

Findings		
Theme	What we heard	Council staff's response
Support for Volunteer Surf Life Saving and Nippers Program	Respondents highly value the service provided by volunteer surf lifesavers and appreciate the educational benefits of the Nippers program in teaching children about beach safety. Many expressed support for raising funds through the Nippers BBQs to sustain the Club and the Nippers program.	Council recognises the valuable services offered by Long Reef SLSC to the community and the importance of promoting beach safety through the Nippers program and ancillary activities that encourage participation. Council understands the need to raise funds for the Long Reef SLSC's ongoing operations, with the Nippers BBQs being a significant part of fundraising efforts.
Social benefits and community inclusiveness	Comments in support of the licence indicated that respondents appreciate the social aspects of Long Reef SLSC, including the community bonding and camaraderie fostered by the Nippers BBQs. They believe that these events play a unique role in bringing both children and parents together to socialise and strengthen relationships. Some saw this as a point of difference and tradition for Long Reef SLSC in particular.	Council values the positive impact that surf life saving clubs like Long Reef SLSC have on community health and well-being as a whole. Council understands the concerns about the potential impact on culture and membership if the licence were not approved, potentially limiting the social element of the BBQs and fundraising for the Club.

	<p>Some submissions expressed concerns about the potential negative effects on their Club's culture and membership if the licence is not approved, fearing it could limit the social aspects of the BBQ events and possibly discourage members from remaining at the Club after Nippers for the early dinner BBQ.</p>	
Encroachment on public space	<p>Opponents of the proposal expressed concerns that the licence area encroaches on public space that they believe should remain accessible to the broader community.</p> <p>Additionally, some respondents felt there were sufficient facilities available to the Club, including a hall and bar area in the newly built clubhouse. They also voiced reservations about potential exclusivity for club members in these new facilities.</p>	<p>Council acknowledges the need to ensure that the new facilities cater to the broader community, encompassing various user groups, residents, and visitors.</p> <p>The BBQ in the courtyard adjacent to the training room was constructed for the Club and forms part of the Club's lease area. A second BBQ is available within the courtyard, intended for shared use by the broader community.</p> <p>The proposal is for a non-exclusive licence for the use of the courtyard area for specific times that align with the Nippers program.</p> <p>It is worth highlighting that the maximum capacity of the upstairs clubhouse area and balcony is 320 people. The Nippers BBQ often has over 500 attendees, exceeding the capacity of the main clubhouse.</p> <p>While granting open access to the entire building for the general public poses operational challenges, the Club intends to make the main hall and bar area available for hire in the future. This initiative aims to enhance community access to these spaces further.</p> <p>Long Reef SLSC offers an associate membership option for community members that would like to be involved without participating in patrolling activities.</p>
Responsible service of alcohol	<p>Comments opposing the proposal questioned the necessity of serving alcohol in an outdoor beach environment with minors present.</p> <p>Some comments raised the potential risks of anti-social behaviour that may be encouraged as a result of the licence being granted.</p> <p>Submissions by members talk to the history of Long Reef SLSC Nippers who have operated their Saturday afternoon Sippers for many years without incident. The</p>	<p>Council recognises the importance of responsible alcohol service.</p> <p>This proposal is for a licence for the use of the courtyard space only. Should the liquor licence be granted by Liquor & Gaming NSW, the Club would be required to operate under the strict guidelines of its licence to minimise the risk of anti-social behaviour. The liquor licence would be an extension of the clubhouse on-premises licence and only for the operating hours authorised under the courtyard licence.</p>

	<p>afternoon consists of a Nippers program commencing at 3pm followed by an early BBQ/dinner for the kids where the parents may have a drink and socialise with other parents.</p>	
Licence operating hours	<p>Some respondents felt an eight-hour operating window was too long for a community space.</p> <p>Further concerns were raised that the window does not align directly with the Nippers program times and dates.</p> <p>Some respondents proposed a compromise of a shorter timeframe commencing after the Nippers program concludes and only whilst the program is being run between November to March.</p>	<p>Council acknowledges the concerns around the length of the licence operating hours.</p> <p>Council proposes adjusting the licence hours to directly align with the Nippers Season such that the licence would be in place from 2pm to 8pm on days that the Nippers program is running each year.</p>
Impact to Long Reef Boardriders	<p>Members of the Long Reef Boardriders voiced concerns around the proposed licence impacting their access to the community BBQ area.</p>	<p>The newly built precinct has been designed to cater for multiple community groups.</p> <p>In light of concerns raised by user groups and the broader community, Council proposes adjusting the licence hours to directly align with the Nippers Season such that the licence would be in place from 2pm to 8pm on days that the Nippers program is running each year.</p>
Plan of Management	<p>One respondent felt the approval of the licence would be in breach of the Griffith Park Plan of Management.</p>	<p>It is the view of staff that the licence would be in accordance with the Griffith Park Plan of Management. Both leases and licences are permitted within Griffith Park, with surf life saving clubs specified and deemed consistent with the public recreation purpose of the reserve.</p>

TIMING

The proposal is that Council enters into a five-year licence with three five-year options to Long Reef SLSC, with a commencement of 1 November 2023, noting the new licence agreement is subject to Ministerial approval.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Good governance - Goal 19 Our Council is transparent and trusted to make decisions that reflect the values of the community
- Good governance - Goal 20 Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community

FINANCIAL CONSIDERATIONS

There is no material financial impact to Council as a result of entering into the proposed licence.

SOCIAL CONSIDERATIONS

Long Reef SLSC provides a valuable service to the community. Granting a licence over the shared courtyard will enable the Club to use the area for fundraising purposes to help fund the Club's ongoing operations. The benefits to the Club will have to be balanced with the right for the community to access the space, hence the proposed operating hours of the proposed licence have been reduced.

Council is not the consent authority for any proposed liquor licence or liquor licence extension. A liquor licence over the proposed licence area is subject to NSW Liquor and Gaming rules and regulations and Long Reef SLSC would need to apply to NSW Liquor and Gaming for the appropriate liquor licence to enable the sale and service of alcohol in this area.

ENVIRONMENTAL CONSIDERATIONS

If the licence were to proceed, terms of the agreement would be included regarding the disposal of rubbish, keeping the premises clean and adherence to Council policies such as Council's "Single use plastic policy" as well as its "Waste minimisation for functions and events policy".

The environmental impacts of the proposed use of the land have already been assessed and approved as part of the consent to DA2020/0021.

GOVERNANCE AND RISK CONSIDERATIONS

The Griffith Park Plan of Management (PoM) expressly authorises leases and licences to surf life saving clubs and the proposed licence for Long Reef SLSC's use of the courtyard adjoining the barbeque and training room is aligned with the public recreation purpose of the Griffith Park Reserve and the values outlined in the PoM.

As the proposed licence term exceeds five years and objections were received during public notification, the consent of the Minister for Local Government is required under section 47 of the *Local Government Act 1993* in order to enter into the proposed licence agreement.

ITEM 13.6	PROPERTY STEERING COMMITTEE - PROPOSED AMENDMENTS TO TERMS OF REFERENCE
REPORTING MANAGER	ACTING EXECUTIVE MANAGER PROPERTY
TRIM FILE REF	2023/696131
ATTACHMENTS	1 ↓Draft Property Steering Committee Terms of Reference

SUMMARY

PURPOSE

The purpose of this report is to seek approval for amendments to the Property Steering Committee Terms of Reference.

EXECUTIVE SUMMARY

- The Property Steering Committee (Committee) is a committee of Council, established to provide strategic direction and guidance to Council on property matters.
- At its meeting of 19 October 2023 the Committee recommended that amendments to the Terms of Reference be made as follows:
 - Include consultation with relevant Ward Councillors before initiating any preliminary market process
 - Increase the frequency of meetings to at least four times per year
 - Report meeting minutes to Council's Audit Risk and Improvement Committee (ARIC) and therefore no longer require the Chair of ARIC to attend as an observer on the Committee.

RECOMMENDATION

That Council endorse the proposed amendments to the Property Steering Committee Terms of Reference.

REPORT

BACKGROUND

The Property Steering Committee (Committee) is a committee of Council, established to provide strategic direction and guidance to Council on property matters impacting Northern Beaches Council.

The Committee was established in February 2022 with objectives, composition, roles and responsibilities and other governance arrangements detailed in the approved Terms of Reference. Since its inception, it has become clear that some amendment to the Terms of Reference is required.

At its meeting on 19 October 2023, the Committee agreed the following:

The Property Steering Committee endorsed minor updates to the Terms of Reference.

Updates to be made include:

- 1. the requirement to consult with relevant Ward Councillors before initiating any preliminary market process,*
- 2. meetings are to be held quarterly,*
- 3. the minutes of the meeting are to be reported to ARIC, and*
- 4. the Chair of ARIC be removed as an observer on the committee.*

The updated Terms of Reference are to be reported to Council for consideration and adoption.

Following the Committee's discussions at this meeting, the above changes have been made to the attached draft of the Terms of Reference with amendments highlighted in yellow for ease of reference.

CONSULTATION

Consultation was limited to discussion amongst Committee members at the meeting held on 19 October 2023.

TIMING

Updated Terms of Reference would come into effect immediately should Council resolve to endorse the proposed amendments.

LINK TO STRATEGY

This report relates to the Community Strategic Plan Outcomes of:

- Good governance - Goal 19 Our Council is transparent and trusted to make decisions that reflect the values of the community
- Good governance - Goal 20 Our Council is proactive, and efficiently and effectively responds to, and delivers on, the evolving needs of the community

FINANCIAL CONSIDERATIONS

The removal of the Chair of ARIC from the Committee would result in a reduction in fees paid for attendance at Committee meetings.

SOCIAL CONSIDERATIONS

No social impacts are anticipated.

ENVIRONMENTAL CONSIDERATIONS

No environmental impacts are anticipated.

GOVERNANCE AND RISK CONSIDERATIONS

The proposed requirement to consult with Ward Councillors prior to commencement of any market process allows the relevant Councillors to consult with and better understand the interests of members of the community within their respective wards.

The proposed increase in the frequency of meetings aims to ensure that the Committee initiatives are progressing according to plan.

Removal of the Chair of ARIC from non-voting membership of the Committee aims to separate ARIC from day-to-day operational decision-making and risk management/compliance, maintaining ARIC's audit function as a third line of defence. Committee minutes are to be distributed to ARIC to allow oversight of Committee activities.



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Property Steering Committee Terms of Reference

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Introduction

The Northern Beaches Council Property Steering Committee (the Committee) has been established to oversee governance and implementation of the Property Management Framework (the Framework). More specifically, the Committee will review and approve the annual Property Action Plan and ensure the items outlined in the Property Action Plan are implemented.

1. Committee Objectives

The objective of the Committee is to review and approve the annual Property Action Plan put forward for its consideration and to provide recommendations on other key property matters put forward to the committee for its consideration. If approved, the committee recommends the annual Property Action Plan to Council for adoption.

The Committee will then oversee the implementation of the approved Property Action Plan. The Plan will include an annual needs assessment outlining and prioritising Council's property portfolio requirements. As outlined in the Property Management Framework, these requirements can be addressed through acquisition of new assets or repurposing of existing Council owned or managed assets. Assets that are surplus to requirement or that no longer meet the needs of the community in their current form will also be identified for potential divestment or repurposing.

Final authorisation for the investment and / or divestment of any property will be determined by Council resolution.

2. Authority

The Property Steering Committee is convened in accordance with the Northern Beaches Council Committee Framework, adopted in February 2022, as a Joint Stakeholder Committee. The Committee has no executive powers and must at all times recognise that primary responsibility for management of Council rests with the Council and the Chief Executive Officer, in accordance with the Act.

Before initiating any preliminary market processes, regardless of the fact that the final decision will rest with Council, consultation will be undertaken with relevant Ward Councillors, and the elected Council will be informed as necessary.

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- (a) obtain any information it needs from any employee or external party (subject to their legal obligations to protect information);
- (b) discuss any matters with the Chief Executive Officer, Executive Manager, other external parties (subject to confidentiality considerations);
- (c) request the attendance of any employee at Committee meetings; and
- (d) liaise with the Chief Executive Officer to obtain external legal or other professional advice considered necessary to meet its responsibilities.

3. Composition and Tenure

3.1 Members (voting)

Voting Membership of the Committee includes:

- The Mayor
- Two nominated Councillors
- Chair of the Audit Risk and Improvement Committee
- An independent property specialist

(a) Councillor Members:

The two Councillor members of the Committee will be appointed by resolution of the Council, for the remainder of their elected term. The Council may also resolve to appoint alternative Councillor members to the Committee to attend meetings in the absence of one or more of the three Councillor members. The alternative Councillor members will have the same voting rights as the Councillor member being replaced. New Councillor members of the committee are to be appointed following Council election by resolution of the Council.

(b) Independent property specialist member

Appointments will be made in accordance with Council's Community Committee Framework and Appointment of Community and Stakeholder Representatives Policy. An Expression of Interest process will be conducted to appoint the Independent Property Specialist to sit on the Committee. The independent property specialist member will be appointed for a term of up to two years, after which they will be eligible for extension or re-appointment for one additional term following a formal review of their performance by Council.

Due consideration will be given to ensuring the continuity of independent membership as part of this process. The independent external members can also be removed by resolution of Council.

(c) Chair:

The Mayor will act as committee Chair.

(d) Vacancy:

In the case of resignation from the Committee, another independent member is to be appointed as soon as is practicably possible.

3.2 Attendees (non-voting)

Non-Voting Membership includes:

- CEO
- Director, Corporate and Legal
- Director, Transport and Assets
- Executive Manager, Property
- Manager, Property Commercial and Tourist Assets

As the committee will frequently be dealing with commercially sensitive matters, attendance will generally be restricted to members of the committee. However, Councillors not appointed to the Committee may attend as observers and Council Staff may be required to attend meetings from time to time and may be invited by the Committee Chair or Chief Executive Officer, to address any Agenda item.

4. Role and Responsibilities

The Committee will review and approve the annual Property Action Plan and ensure the items outlined in the Property Action Plan are implemented. The Committee will also provide recommendations on other key property matters put forward to the Committee for its consideration.

Members of the Committee are expected to:

- (a) Understand the relevant legislative and regulatory requirements
- (b) Contribute the time needed to study and understand the papers involved and attend meetings as required
- (c) Apply analytical skills, objectivity and good judgement
- (d) Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry
- (e) Meet the requirements as set out by this Charter; and
- (f) Abide by Council's Code of Conduct in performance of their duties on the Committee.

Committee meetings are to be held at least 4 times per year. Meetings are likely to be for a duration of 4 hours, incorporating a bus tour of properties to be considered from the Property Action Plan where required.

The responsibilities of the Committee may be revised or expanded by Council from time to time. The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time, an individual Committee member may request a meeting with the Chair of the Committee.

5 Administrative Arrangements

5.1 Meetings of the Committee

The Committee shall meet at least 4 times per year.

The need for any additional meetings will be directed by the Chair, although the other Committee members may make requests to the Chair for additional meetings.

Where priorities change between meetings or new urgent issues arise, and where it is not possible to schedule an additional meeting, the Committee will be kept fully informed of all changes via email.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Charter.

5.2 Attendance at meetings and Quorums

A quorum will consist of a majority of voting Committee members. Meetings will ordinarily be held in person but can be by telephone or by video conference.

5.3 Administrative Support

Council will provide secretariat support to the Committee. The Secretariat will ensure the Agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure Minutes of the meetings are prepared and maintained.

Draft minutes of Committee meetings shall be circulated to each member within two weeks of the meeting being held for review with minutes confirmed at the following Committee Meeting.

Confirmed minutes shall be distributed to all Councillors and the Audit Risk and Improvement Committee for their review and consideration.

5.4 Conflicts of Interest

Council staff and members of the Committee will comply with the Northern Beaches Council Code of Conduct and the Local Government Act in relation to confidentiality, privacy and reporting as part of carrying out their functions as council officials. It is the personal responsibility of each council official to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

Committee members must complete an annual written declaration of conflicts of interest as well as declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or attendees at Committee meetings are deemed by the Committee to have a real or perceived conflict of interest, it may be appropriate that they be excluded from deliberations on the issue where the conflict of interest may exist.

5.5 Decision Making

The Committee is expected to make decisions by consensus however, if voting becomes necessary, then the details of the vote are to be recorded in the minutes.

Each member of the Committee shall be entitled to one vote only. In the case of an equality of votes on any issue the Chair shall have the casting vote.

Between meetings, the Chair may circulate specific time-sensitive proposals by e-mail to members for adoption by the Committee. Members shall be given a set time, no less than 5 (five) days, in which to reply, to indicate their agreement with a particular proposal. A member's failure to respond within the timeframe given shall be taken as a vote against the proposal. Any decision taken by the Committee by email is to be noted and minuted at the commencement of the next meeting.

5.6 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

5.7 Assessment Arrangements

The Chair of the Committee shall initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

5.8 Charter Review

The Committee will review its Charter annually to confirm it remains current, relevant and accurately reflects the Committee's composition, role and responsibilities. The Committee will approve any changes to the Charter and refer the Charter to Council for adoption.

6 Document Control

Version	Date	Endorsed By	Summary of Changes	Author
1.0	26.04.2022	Council	Nil	Campbell Pfeiffer
2.0	21.11.2023		Consultation with relevant Ward Councillors before initiating any market process. Remove Chair of ARIC from Committee and report the minutes to ARIC for review and consideration. Increase frequency of meetings to quarterly.	Kristie Debney

14.0 WORKFORCE AND TECHNOLOGY DIVISION REPORTS

ITEM 14.1	ANNUAL REPORT 2022/23
REPORTING MANAGER	ACTING EXECUTIVE MANAGER STRATEGY & PERFORMANCE
TRIM FILE REF	2023/710527
ATTACHMENTS	1 Annual Report 2022/23 (Included In Attachments Booklet)

SUMMARY

PURPOSE

The purpose of this report is to table the Annual Report 2022/23 prior to providing to the Minister of Local Government and posting on Council's website.

EXECUTIVE SUMMARY

- The Annual Report 2022/23 details Council's achievements towards the objectives and performance targets contained in the Delivery Program 2022-2026 as well as providing legislative information required under the *Local Government Act 1993* and other acts and regulations as part of the statutory returns.
- Highlights for the year include:
 - Improvements to our transport network with 10.3 km of road resurfaced, 6.6km of new and renewed footpaths, 4.1km of new shared paths and a new pedestrian and cycle bridge over Narrabeen Lagoon.
 - New buildings for Long Reef Surf Life Savings Club, Duffys Forest Rural Fire Service Brigade and Marine Rescue Headquarters at Broken Bay, supporting the work of volunteers and the community.
 - Working with the community to plan for the future of the area and adopting key strategies and plans including the Youth Voice Action Plan 2028 – Shaping the Beaches Future, Economic Development Strategy - Business on the Beaches, Northern Beaches Resilience Strategy – Withstand. Adapt. Thrive and Community Engagement Policy and Community Engagement Strategy
 - Northern Beaches Council receiving 23 industry awards including the AR Bluett Memorial Award from Local Government NSW for being the most progressive metropolitan council in NSW.
- The 2022/23 Financial Statements are reported separately to Council within this Council meeting agenda and will be attached to the Annual Report following the Council meeting.
- The Annual Report must be posted on the Council's website and also provided to the Minister for Local Government by 30 November 2023.

RECOMMENDATION

That Council note the Annual Report 2022/23, and it be posted on Council's website and provided to the Minister for Local Government.

REPORT

BACKGROUND

Requirements

Section 428 of the *Local Government Act 1993* NSW relevantly provides that:

- A council is to prepare its **annual report** within 5 months after the end of each year to report on its achievements in implementing its delivery program.
- The annual report must contain:
 - a copy of the council's audited financial reports
 - a statement of the action taken by the council in relation to any issue raised by the Anti-slavery Commissioner during the year
 - a statement of steps taken to ensure that goods and services procured were not the product of modern slavery.
- A copy of the council's annual report must be posted on the council's website and provided to the Minister for Local Government.

Section 217 of the Local Government (General) Regulation 2021 details legislative information that needs to be included in the annual report. This information is contained in the Statutory Returns Section of the Annual Report 2022/23.

2022/23 Highlights

The Annual Report 2022/23 describes a year of recovery, optimism, and teamwork. Council, working closely with its partners, continues to provide efficient services and priority projects that benefited the community and local businesses.

Council delivered \$82 million in capital works in 2022/23 including an investment of over \$15 million to provide 10.3km of road resurfacing, 5km of new footpaths, 4.1km of shared paths and 1.6km of footpath renewals.

Capital works highlights include:

- The new Long Reef Surf Life Saving Club, complete with clubhouse, public amenities, café, and community storage.
- A new pedestrian and cycle bridge across Narrabeen Lagoon, providing pedestrians and cyclists ample shared space to safely cross the lagoon.
- The new Marine Rescue Headquarters at Broken Bay (Bayview) and a new Rural Fire Service Brigade building at Duffys Forest to support the great work of our volunteers.

Council continued with its strategic focus, adopting several key strategies and plans including the Youth Voice Action Plan 2028 – Shaping the Beaches Future, Economic Development Strategy - Business on the Beaches, and Community Engagement Policy and Community Engagement Strategy. The annual report also outlines Council's achievements in the third year of implementing the Towards 2040 Local Strategic Planning Statement and the first year of the Disability Inclusion Action Plan 2022-2026.

Council remains steadfast in its goal to achieve a 30 percent reduction in vehicle emissions by 2038. This year we installed 20 additional EV charging stations, positioning Northern Beaches as one of the fastest-growing areas for EV adoption, contributing to a more sustainable future.

Northern Beaches Council was also announced in October 2022 as the winner of the AR Bluett Memorial Award by Local Government NSW. This award has been described as ‘the pinnacle of local government’, recognising the most progressive metropolitan and rural council out of 128 across NSW. In addition to this prestigious award, Council was also recognised for its industry leadership receiving 22 awards, demonstrating the depth and capability of our workforce.

CONSULTATION

All business units were consulted as part of developing the Annual Report 2022/23.

TIMING

The Annual Report must be posted on the Council’s website and provided to the Minister for Local Government by 30 November 2023.

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 recommendation of this report poses no financial impact on Council.

SOCIAL CONSIDERATIONS

The recommendation of this report poses no social impact on Council.

ENVIRONMENTAL CONSIDERATIONS

The recommendation of this report poses no environmental impact on Council.

GOVERNANCE AND RISK CONSIDERATIONS

The Annual Report records Council’s achievements against objectives and performance targets set out in the Delivery Program 2022-2026, as well as outlining Council’s financial position. It has been prepared in accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2021, Circular No 22-28 of September 2022 and other relevant legislation and guidelines.

The Annual Financial Statements and audit reports for the year ended 30 June 2023 also form part of the Annual Report. The Financial Statements are the subject of a separate report within this Council meeting agenda and will form part of the Annual Report 2022/23 post adoption.

15.0 NOTICES OF MOTION

ITEM 15.1	NOTICE OF MOTION NO 28/2023 - MANLY TIDAL POOL, WEST ESPLANADE
TRIM FILE REF	2023/762747
ATTACHMENTS	NIL

Submitted by: Councillor Candy Bingham

MOTION

That, as part of planning for the renewal of the West Esplanade tidal pool, Council investigates grant opportunities, environmental feasibility and regulatory obligations to:

1. Expand the footprint of the Manly tidal pool;
 2. Construct a deck around the outside of the pool; and
 3. Include boat tie-up in conjunction with the pool structure.
-

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 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
- Identify potential project for Council to deliver in the future

While the existing West Esplanade tidal pool provides a good facility in its current form, I believe that the pool could be improved and expanded to cater for the ever-increasing number of residents and tourists who are seeking more than just a shark-proof enclosure.

For example, a deck around the outside of the pool would provide a great opportunity for play, with children and teenagers being able to jump from the deck into the pool. This is a much-needed attraction to the harbourside of Manly, providing a safe family swimming option. It would also distribute crowds more evenly between the harbour and Manly Beach.

In addition, it has the potential to provide access for recreational boaters – something that is sadly lacking in Manly.

Being a Crown waterway, it would be appropriate to seek State and/or Federal financial support for the project.

ITEM 15.2	NOTICE OF MOTION NO 29/2023 - MORATORIUM ON SEAWALLS
TRIM FILE REF	2023/762886
ATTACHMENTS	NIL

Submitted by: Councillor Miranda Korzy

MOTION

That:

1. Council immediately enact a moratorium on the building of vertical seawalls, whether free standing or incorporated into other buildings, on open ocean beaches within the local government area.
 2. The moratorium remain in place until Council receives a report into the merits, implications and means:
 - A. of alternative coastal protection options to vertical seawalls, in particular revetments, and their suitability for sites including but not limited to Collaroy-Narrabeen
 - B. by which Council can prevent the building of vertical seawalls
 - C. of current and future LEP provisions in relation to types of seawalls
 3. Council staff develop and bring to the February 2024 Council meeting terms of reference for a Coastal Management Committee, to consult on the management of the entire Northern Beaches coastline and other coastal issues, as well as appropriate membership (including Councillors, staff, local experts and stakeholders).
-

BACKGROUND FROM COUNCILLOR MIRANDA KORZY

Northern Beaches Council is the manager of some 23 ocean beaches along a spectacular section of the NSW coastline. Whilst recognised internationally for their golden sands, surf breaks and beautiful scenery, a number of these beaches are exposed to severe erosion in extreme weather. Chief amongst these is Collaroy, but to the north, Bilgola, Newport, Basin Beach at Mona Vale, and Narrabeen have historically been badly eroded by storms, such as those of 1974 and 2016. To the south, Queenscliff, Freshwater and Dee Why have also lost infrastructure, and buildings have been destabilised during these types of events.

Foundations of residential apartment blocks, homes and surf clubs have been undermined by waves, private swimming pools washed away, footpaths, kiosks and toilet blocks also destroyed and other private property including buildings and garden fences damaged or wiped out.

At Collaroy, in response to these events, council consented to the building of a seven-metre high vertical seawall, which is widely detested by residents. Property owners from a small number of homes sited on the sand dunes there - that I believe were under threat of collapse from the erosion - paid 80 per cent of the cost of this wall, the state government another 10 per cent and council 10 per cent.

Council is faced with a complex task deciding whether to defend or retreat from eroding beaches, and if defend, then it must balance equitable outcomes for both affected property owners and the overall community. Unfortunately, council must negotiate a maze of legislation across multiple government agencies with the state government providing no benchmarks, only limited funding and little expert guidance on the way forward.

As a result, the Collaroy seawall was built on the advice of private consultants, despite an earlier proposal for a seawall in 2002 triggering a protest with more than 3,000 people forming a line in the sand at Collaroy.

DAs for the first two sections of vertical wall were opened to public consultation, however, most in the community, including highly motivated stakeholders, were unaware of them. As a result, a very small number of submissions were received for the first seawall DA approved in 2019 and no submissions were received for the second seawall DA approved in 2020.

This was despite a requirement of the *Coastal Management Act* (Act) for any proposal for coastal structures to address provisions of the specified Objects of the Act - including:

*“to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions”,
and*

“to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience”.

Furthermore, the Manly Hydraulics Laboratory, in a report to council, had clearly identified the need for more work so key Objects could be addressed.

The result is a massive concrete fortification rising above the beach, topped with a glass fence (surely a mistake at a site exposed to the open ocean) and complete with surveillance cameras. It defends a small number of homes at the expense of public access to the beach and visual amenity. It could hardly be described as protecting and enhancing the natural character, scenic value, and biological diversity of Collaroy Beach.

Furthermore, the Northern Beaches Local Planning Panel in September 2023 approved an extension to this monstrosity between Clarke and McTier Streets on the beach at Narrabeen, even though I believe no one with coastal credentials was on the panel. The wider public became aware of this seawall DA via social media and community activism (including another “Line in the Sand” protest). Consequently, 178 written submissions were made regarding this DA, with the overwhelming majority (93 per cent) strongly opposed to it.

One highly regarded local expert, Angus Gordon, a UN-recognised coastal engineer and former General Manager of Pittwater Council, has strongly recommended against vertical seawalls. Since the mid 1980s he has supported revetments, an approach which is still in line with modern thinking on the issue.

The council’s current proposal for coastal works at the end of Stuart and Ramsey Streets at Collaroy also raises questions about arguments that vertical walls were necessary because there was insufficient space for revetments.

There is now widespread public consensus that climate change is already resulting in rising sea levels. In NSW, state government projections indicate this could be up to 2.3 metres by 2100 and 5.5 metres by 2150 (if the current rate of ice melt continues). The issue now is how to respond. I believe giant seawalls along our most vulnerable beaches are not what most residents would regard as a clever or desirable solution. For that reason, I believe we need to stop and take stock before we do any more damage to these precious natural assets.

CHIEF EXECUTIVE OFFICER REPORT

In accordance with clauses 4.14 and 4.15 of Council’s Code of Meeting Practice I offer the following report on this matter to assist Council in the deliberation of this motion:

A moratorium would have no lawful effect in respect of any current or future development approvals and cannot prevent Council or a Planning Panel from making any decisions it may be

required to make. Council is progressing Coastal Management Programs including for Collaroy-Narrabeen which will provide opportunity for community consultation on future coastal protection works in the first half of 2024.

ITEM 15.3	NOTICE OF MOTION NO 31/2023 - TRAFFIC MATTERS
TRIM FILE REF	2023/766509
ATTACHMENTS	NIL

Submitted by: Councillor Georgia Ryburn

MOTION

That:

1. Outcomes of the Traffic Committee and relevant traffic changes are communicated to the applicable Ward Councillors in a timely manner before they are implemented.
 2. A review is undertaken of the current approach to consultation, communication and implementation of matters that are presented to the Traffic Committee and opportunities for improvement.
 3. A briefing is provided to Councillors on the findings of this review within four months.
-

ITEM 15.4	NOTICE OF MOTION NO 32/2023 - MONA VALE ROAD WEST UPGRADE
TRIM FILE REF	2023/765699
ATTACHMENTS	NIL

Submitted by: Councillor Karina Page

MOTION

That Council write to the Premier, the Minister for Roads, and the Member for Pittwater:

1. Noting Council's concerns following serious accidents on Mona Vale Road West (Baha'i Temple to Kimbriki Resource Recovery Centre).
 2. Expressing Council's support for the \$340 million upgrade of Mona Vale Road West.
 3. Calling on the State Government to fully fund the upgrade in the 2024/25 State Government Budget to be delivered in June 2024.
-

BACKGROUND FROM COUNCILLOR KARINA PAGE

The much needed \$250 million upgrade of Mona Vale East (Ingleside to Mona Vale) will shortly be open. The upgrade followed years of serious accidents and many fatalities.

In order to bring Mona Vale Road up to standard, the western section from the Baha'i Temple to Kimbriki Resource Recovery Centre must be upgraded as well.

In 2022/23, the then State Government budgeted \$340 million for this upgrade for the period 2022/23 to 2026/27. However, for logistical reasons, those works could not substantively commence until Mona Vale Road East was complete. In preparation of Mona Vale Road West works commencing, \$24 million has been spent to date on planning and early works. The project is shovel-ready.

In the new Government's budget delivered in September 2024 all references to the \$340 million funding over the 2023/24 to 2026/27 were removed. There is no funding in the forward estimates to deliver the Mona Vale Road West upgrade.

There are regular accidents on Mona Vale Road, specifically along the very section where the \$340 million upgrade was to take place. In the first nine days of October 2023 there were three serious accidents on Mona Vale Road on the western section. Lives continue to be put at risk and residents are stuck in traffic for hours when these tragic and avoidable accidents occur. It is incumbent on us to stand up for our community and lobby for this vital project.

ITEM 15.5	NOTICE OF MOTION NO 33/2023 - ILLEGAL PARKING COTTAGE POINT
TRIM FILE REF	2023/766350
ATTACHMENTS	NIL

Submitted by: Councillor Karina Page

MOTION

That:

1. Council notes community concerns about illegal parking of vehicles at Cottage Point, particularly on weekends.
 2. Council's compliance review, scheduled for completion in first quarter 2024, identify opportunities for appropriate enforcement of parking controls at known 'hot spots' across the Northern Beaches.
-

BACKGROUND FROM COUNCILLOR KARINA PAGE

It has been reported by residents and in the media (see [here](#)) that illegally parked cars at Cottage Point continue to impede the ability of the Cottage Point Rural Fire Service volunteers to perform their duties. When cars park illegally in or around Cottage Point, the width of the road is reduced to 1.9m - the width of the Brigade fire trucks is 2.5m. In the event of a fire or other emergencies these vehicles are unable to attend to their duties. In addition, illegally parked cars pose risk to residents and drivers through limited sight lines.

18.0 MATTERS PROPOSED TO TAKE PLACE IN CLOSED SESSION

RECOMMENDATION

That:

1. In accordance with the requirements of section 10A of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:

- A. Item 18.1 RFT 2023/166 - Services for Graffiti Removal and Bus Shelter Cleaning on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- B. Item 18.2 RFT 2023/163 - Vegetation Maintenance and Minor Landscape Construction Panel on the basis that it involves the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it [10A(2)(d(i)) *Local Government Act 1993*].

This report discusses/provides advice concerning commercial tenders. On balance, the public interest in preserving the confidentiality of the information about the matter outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would result in the release of commercial in confidence information.

- C. Item 18.3 Notice of Motion No 30/2023 - Legal Action - Newport Surf Lifesaving Club on the basis that it involves the receipt and discussion of advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege [10A(2)(g) *Local Government Act 1993*].

This item involves the receipt/discussion of advice concerning litigation in respect of a development application for Newport Surf Lifesaving Club in which Council is a party, and which would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. Further, the advice concerns matters that meet the requirements of section 10B(2) of the Act. The public interest in preserving the confidentiality of the information outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would prejudice Council's position in the proceedings. Accordingly, the discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

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.

